

The background of the book cover is a detailed landscape painting. It depicts a deep valley with a calm lake in the foreground. On the right side of the lake, a cluster of large, leafy trees stands on a grassy bank. In the distance, majestic mountains rise, their peaks partially hidden by a sky filled with large, billowing clouds. Sunlight breaks through the clouds, creating a dramatic play of light and shadow across the landscape. In the lower right foreground, near the trees, a small group of people and horses are visible, adding a sense of scale to the vast scene.

edited by
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RESPECT

philosophical essays

OXFORD

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Philosophical Essays

Edited by

RICHARD DEAN AND OLIVER SENSEN

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For Dina Abou Salem and Serena Dean.

For Lily Sensen.

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Introduction

Richard Dean and Oliver Sensen

Respect plays a prominent role in both everyday pre-philosophical moral thinking and in contemporary moral philosophy.

Ordinary moral discussion is often framed in terms of demands for respect or complaints about being disrespected. A recognition of the status a person has due to her personhood, accomplishments, or position, as well as concerns about people being “used” or undervalued, all draw on a broader recognition of the importance of respect. Furthermore, arguments for expanding the sphere of moral concern to include non-human animals, nature, or artistic creations are often presented in terms of respect.

Respect also is a fundamental concept in recent moral philosophy. It is a widely held view that there is a characteristic typical of competent human adults, such as autonomy, rationality, or the capacity for morality, that grounds a requirement to respect them. This respect for persons is often thought to be the basis for a variety of more particular duties, or even the basis of all duties. This is especially the case in practical ethics, when, for instance, debates in bioethics appeal to a requirement of respect for the autonomy of patients. And respect is invoked as often in philosophy as it is in everyday arguments, when it comes to expanding the scope of morality beyond competent, adult human beings.

Yet basic questions about the concept and role of respect have received less attention than might be expected, given the centrality of respect in moral discourse.

The aim of this volume is to further the research on this crucial moral concept of respect. The goal is not to offer a comprehensive, encyclopedic handbook that covers all aspects of the topic, nor is the focus of the book mainly historical. Rather, the aim is to give some leading experts in the field, as well as some younger thinkers with fresh approaches, a chance to give their thoughts, and to point the research on respect in new directions. There is no expectation that the authors will all arrive at any consensus in the end, but the hope is that the arguments offered for different views will spark further exploration of the topic of respect.

Of course, some influential ideas about respect loom large in many of the essays (Stephen Darwall’s distinction between recognition respect and appraisal respect is a conspicuous example), and Immanuel Kant undeniably casts a long shadow over the volume. But it is worth saying explicitly that the essays do not all presuppose a shared starting point about the importance of respect, or what

respect is, and still less do they assume the infallibility of the views on respect of any particular philosopher, even Kant. The discussions of respect in this book include many diverging ideas, and significant doses of various types of skepticism.

The volume will be divided into three parts, following an introductory historical essay. The three parts are not presumed to encompass all possible areas of interest regarding respect, but just comprise a rough grouping of essays by theme.

Part I deals roughly with the question of what respect is, its nature and its basis. Part II deals with questions about the proper role of respect in moral theory. Does respect serve as a unique foundation for morality or is it one moral concern among many? What exactly ought to be respected, and which different types of respect are appropriate and morally significant? Part III deals with more practical issues of applying requirements of respect.

The short descriptions below capture the main issues dealt with in each chapter, but of course do not lay out the authors' arguments in detail.

Chapter 1. Remy Debes provides a historical background for the prominent role that respect plays in current moral discussion. But, true to the spirit of this volume as philosophical rather than encyclopedic, Debes does not just describe texts and list dates. Instead, he raises doubts about the standard story about the rising influence of the idea of respect for persons, that it comes mainly and directly from Immanuel Kant. Debes offers evidence that by the time Kant's writings gained influence in the English-speaking world, the movement toward the importance of respect for all persons already was well underway, albeit often using terminology other than "respect." This movement grew partly among moral and political philosophers, and political activists, but Debes emphasizes that it also arose in underappreciated literary writing, often written by women and men of color.

Part I. On What Respect Is

Chapter 2. Philip Pettit develops an account of the fundamental nature and basis of respect. Pettit's "conversive" theory of respect draws on the fact that our unique command of language provides us with a "special means of mutual influence," making us accessible to each other's understanding. Our conversive nature is necessarily accompanied by some shared standards for what ought to count as reasons for believing something, and for what one ought to desire or intend. To act respectfully is to act from a robust commitment to treat you as a conversive partner, to present you with reasons for forming beliefs and intentions, rather than just trying to elicit these through any means that are causally effective.

Chapter 3. Gerald Gaus argues that respect for persons is not an independent ground for requiring that social morality must be publicly justified. Instead,

respect is built into the structure of social morality, because social morality involves recognizing one another as sources of a moral summons to follow rules. So mutual respect for persons is a social achievement, not a requirement underlying morality. The authority of rules of social morality derives from this structural nature of social morality. But because one may face a gap between one's individual moral reasoning and social morality, no particular rule of social morality, including rules about whether coercion is justified, necessarily overrides one's own moral conclusions.

Chapter 4. Uriah Kriegel and Mark Timmons apply to the feeling of respect an approach that has become common in understanding other mental phenomena, such as emotions. They distinguish the functional role of respect in moral philosophy (for instance, the types of treatment that respect leads to), which is described third-personally, from the phenomenological account of what it feels like to experience respect, which is described first-personally. Since discussions of respect in analytic philosophy have focused almost entirely on its third-person functional role, shifting our attention to the phenomenological experience of respect may provide valuable new insights.

Chapter 5. Oliver Sensen analyses what, more concretely, one must do to respect someone. In order to find a universal criterion of respect, Sensen first distinguishes different usages of "respect," such as "not using someone as a mere means," "gaining another's consent." Sensen argues that—while these usages are of central importance in our everyday life—they are not the universal respect that we always owe to all others. Rather, he argues, universal respect consists in not exalting oneself above others, which itself consists in not breaking rules that we regard as objectively necessary. The discovery of these necessary rules is largely an empirical matter that involves universal human needs, cultural norms, and giving others a voice in how they are treated. If one does not make an exception to these rules, one's behavior is respectful toward all others.

Part II. Respect in Moral Theory

Chapter 6. Carla Bagnoli argues that Kant's conception of respect as a moral feeling is crucial to any constructivist theory of practical reason because it provides the only satisfactory account of how moral commands carry subjective authority—how they motivate moral agents. Without positing a feeling of respect, a constructivist theory can explain objective reasons for action, but not why they are subjectively binding. In particular, a feeling of respect plays this role of accounting for subjective authority better than the "reflective endorsement" of moral ends or actions that has been proposed by prominent Kantian constructivists.

Chapter 7. Richard Dean examines the popular strategy of developing a system of moral duties based on respect for some capacity possessed by all persons. Dean argues that not only is there a deep ambiguity in the concept of a “capacity,” as either a mere potential or as a developed and stable ability or characteristic, but that several prominent moral theories based on respect for a capacity trade problematically on this ambiguity. Dean suggests that the prevalence of this mistake is evidence that such a strategy for developing moral theories is not viable.

Chapter 8. Thomas E. Hill, Jr. breaks with two conventional approaches in moral philosophy. Hill eschews the recent tendency to focus either on duties or on virtues, and instead emphasizes the importance of moral attitudes. And Hill specifically steps outside the usual framework of Kantian ethics by developing and defending the importance of a moral attitude besides respect and beneficence, namely the attitude of appreciation. The attitude of appreciation is especially important in personal relationships, although it includes recognizing and responding positively to the distinctive features possessed by many sorts of things, not just persons.

Chapter 9. Christine Korsgaard reexamines her earlier positions on the value of humanity, and the treatment and respect that befit an end in itself. She articulates a version of these ideas in which one can see non-human animals as ends in themselves. Korsgaard first points out that we can value our own moral nature without thinking that beings without such a nature are of lesser value, just as one can value one’s identity as a parent without thinking less of non-parents. She then distinguishes different ways of understanding what is involved in valuing humanity or rational nature, and proposes that one aspect of valuing a being as an end in itself is thinking that the being’s good matters and is worthy of consideration. This sense of being an end in oneself can apply to non-human animals, even if they do not share the rationality of typical human beings.

Chapter 10. Stephen Darwall returns to a recurring theme in his work, addressing the problem of how respect for persons as such is compatible with special respect for people with good moral character. Darwall draws on Kant’s texts, especially the passage from *The Critique of Practical Reason* about a “humble common man” of upright character, to develop a rich account of various types of respect, supplementing his now-familiar distinction between recognition and appraisal respect with finer distinctions like “social respect” and “honor.”

Part III. Applications of Respect

Chapter 11. Robin Dillon reconsiders the question of whether arrogance is compatible with self-respect. Dillon’s previous position on the issue was that arrogance involves a failure to recognize the true source of one’s own value, as a

rational being with the status to demand equal respect. So arrogance and self-respect are antithetical. In this chapter, Dillon revises her position, taking into account differences in power in societies. For people who are oppressed, arrogance (claiming more than society thinks is appropriate) may be compatible with, or even necessary for, self-respect. Neither people within a society, nor we as observers, can claim an objective perspective in adjudicating the issue of whether these claims are warranted, or excessive. Furthermore, it may be objectively true that, in some circumstances, arrogance is a necessary tool for overcoming oppression.

Chapter 12. Serene Khader argues against the widespread view that oppressed people have a self-regarding obligation to resist complying with oppressive norms, in order to preserve their self-respect. Khader notes that the cost of non-compliance is often underestimated. Flouting oppressive norms often poses substantial threats to an agent's welfare and even her self-respect, and compliance may express self-respect, by affirming a commitment to the importance of her own projects and to gaining the means to pursue them. Khader offers an alternative way of maintaining self-respect in the face of oppression, namely to cultivate knowledge of the oppressive situation faced by oneself and one's group, and to develop a normative perspective that recognizes and seeks to rectify injustices.

Chapter 13. Samuel Kerstein points out that although respect is a commonly deployed concept in bioethics, requirements of respect usually amount to respect for autonomy, or for giving proper weight to the choices made by competent persons. Kerstein argues that increased emphasis on another sense of respect, respect for the worth of persons, will greatly enrich discussions in several areas of bioethics, including physician-assisted dying, distribution of medical resources, and ethical considerations regarding procreation.

Chapter 14. Adam Cureton points out that the intuitively plausible claim that it is disrespectful to treat mentally competent adults as if they were children gives rise to a puzzle, within a Kantian framework. It seems possible to fulfill basic Kantian duties of respect toward adults with disabilities, by respecting their basic rights, for example, and recognizing their intrinsic worth, while still treating them like children. So how is it disrespectful to offer unwanted paternalistic assistance to a disabled person, or to speak to her condescendingly, if one is otherwise treating her as an end in herself? Cureton points out that Kant not only describes duties of respect toward rational beings in general, but also suggests that specific forms of respectful treatment may be appropriate for particular people because of their particular situation or station. Cureton proposes that treating disabled adults like children typically involves miscategorizing their "station" of being competent adult decision makers.

Chapter 15. Lucia Schwarz urges a reconsideration of the implications of species egalitarianism, which is an essential element of the position in environmental ethics that Paul Taylor calls "respect for nature." Species egalitarianism's claim that

every living thing has equal inherent worth appears to lead to counterintuitive conclusions, such as that killing a human being is no worse than killing a dandelion. Species egalitarians have generally responded by explaining that species egalitarianism is compatible with recognizing moral differences between killing different types of living things, and that some killing is morally permissible. Schwarz raises doubts about whether this deflationary defensive strategy is philosophically justified, and suggests that taking seriously the supposedly repugnant implications of species egalitarianism may have a salutary effect on the overall debate.

Taken together, we hope that this loose collection of innovative essays on respect will encourage further research on this central topic in moral philosophy.

1

Respect

A History

Remy Debes

Respect is a knotty concept. Derived from the Latin *respicere* (“to look round or back,” “to notice,” “to pay attention to”), its English-language lifespan is marked by scores of connotations, some of which cut in distinctly different directions.¹ Even after we delimit our interest to the subject of this volume, respect for persons, we must still work through the much-discussed distinction between “appraisal” and “recognition” forms of respect (Darwall 1977). The first names a positive evaluative attitude expressed towards a person for some character merit, moral or non-moral, such as her chess skills or industry or benevolence. In this sense, respect is similar to admiration or esteem, and carries connotations of honor and awe. It is something we *feel* towards another person. The second, by contrast, names a way of *thinking* about others. It is a deliberative disposition to give appropriate weight to some feature of a person in deciding how to act in relation to her.² By adapting our choices or plans in light of the given feature, we show that we “recognize” the person in question. In this sense, respect connotes “heed,” “consideration,” “concern,” or “deference.”

Making matters more complicated, notice that the possible features of a person which might ground such recognition respect are diverse. It could be a person’s feelings about a political issue, their social status, or their professional rank. Indeed, any fact about a person that one might take as a reason for choosing one plan or action over another is a candidate for showing recognition respect. For example, you can show recognition respect to your taller opponent’s greater reach, by deciding to position yourself an extra step away, or by swapping your sword for a spear. Most relevant to the subject of this volume, however, is to consider the way we call on one another to adapt our plans or choices in light of the basic worth or dignity of human beings. When we do this—when we take a person’s human dignity as the relevant feature for revising or foregoing our plans or choices—we respect persons *as* persons. Or, as we sometimes say, “just because” they are persons. Call this the *moralized* connotation of recognition respect.

This semantic tangle, however, isn’t the main challenge for investigating the history of respect. For those interested in the moralized concept of respect, especially as it figures in the anglophone world, there is a much harder question.

Namely, how did we get to this point? For, the simple fact is that until the twentieth century, the term “respect” had almost no currency as *meaning* “recognition for persons as persons.” Early dictionary entries, for example, from Noah Webster (1828), to Samuel Johnson (1755), to John Kersey (1702), explain respect only through its appraisal connotations.³ Or consider that throughout the nineteenth century, suffragists and abolitionists spoke of “respect” almost entirely in appraisal terms⁴—a norm validated at least as late as the 1900 edition of *Webster’s International Dictionary*.⁵ Indeed, the only “recognition” connotations of respect that this edition of *Webster’s* includes are marked by a centuries old sense of giving *partial* consideration to a particular person or group, which was entrenched into English from prominent biblical passages such as Acts 10:34: “God is no respecter of persons.”⁶ So, again, what explains the revolution in meaning that produced our current moralized notion of respect? The following chapter offers some preliminary answers to this question.

1. A Puzzle in Two Parts

From a contemporary, western viewpoint the moralized concept of respect is not simply familiar, it is fundamental. Most of us believe we owe respect to persons in virtue of some unearned status or worth or “dignity” that all humans enjoy equally, and we believe this respect should express itself, at least partly, in our practical deliberations. Of course, we may disagree on how to explain the relevant “status” or “worth” that supposedly commands such respect. In turn, we may disagree about exactly what it takes to respect persons *as* persons. Nevertheless, most of us agree that some such respect is owed to persons, and again, owed equally. Indeed, this principle of equal regard is so fundamental today, it is often treated as “properly basic.” That is, it is treated as needing no justification, in the sense that the principle marks a boundary of reasonable disagreement.⁷

In fact, then, there are two general questions to ask about the history of moralized respect for persons. First, there is a question about origins, and it has two parts. On the one hand, we can ask how the term “respect” came to connote “recognition for persons as persons” in the first place. On the other hand, given its relative youth, we can ask whether a *concept* of “recognition for persons as persons” existed before it was subsumed under the *terminology* of “respect.” And if so, did the older form of the idea imply or entail the same idea of moral personhood that it does today? In other words, even if we find older versions of the idea that we must respect the basic worth of persons, what conception of the person did these ideas trade on? These are the primary questions of this chapter.

Second, one might also want to ask how the moralized concept of “respect” gained so wide a currency once it was introduced. That is, how did the concept

and its attending principle become so ubiquitous that it could plausibly be said to be “properly basic”? It is easy to underestimate both questions, though for different reasons. Let me explain, starting with the second. In the next section, I turn back to my main interest, the question of origins—especially, the modern origins of our moralized concept of respect for persons.

It isn’t difficult to guess some of the major events that helped transform and widen the concept of respect into our present-day ethos of respect. We might start with the new “virtual cosmopolitanism” of social media, or perhaps turn-of-the-century new waves in feminism, queer studies, and race theory. We would certainly discuss the rise of Kantian egalitarianism that followed intellectual moguls like Rawls and Dworkin. We would note the 1990 Americans With Disabilities Act and 1972 passage of Title IX. We would examine “the Sixties” cultural revolution, the contemporaneous American civil rights movement, and “second wave” feminism. We would reflect on global reactions to the Holocaust, such as UNESCO’s 1950 *The Race Question* or the 1948 Universal Declaration of Human Rights, the latter of which was able simply to assert “the inherent dignity” of “all members of the human family,” in turn pledging “the promotion of universal respect.”⁸ We might consider the linked 1930s Supreme Court decisions *Powell v. Alabama* and *Norris v. Alabama*, which twice checked the racist climate of the Jim Crow south,⁹ or the influence of various literary movements like the Harlem Renaissance. We might also muse on the influence of music. Prior to 1930, for example, the “Blues” was referred to as “coon shouting.” But that term quickly faded after the genre’s popularization by singers like Bessie Smith and Ma Rainey (Abbot and Serrof 2017: 175). And looking even farther back, we would consider turn-of-the-century social agitations like socialism and the “first wave” of feminism, which, in the long press for women’s suffrage, famously picketed the 1920 Republican Convention with a banner quoting Susan B. Anthony, “No self-respecting woman should wish or work for the success of a party that ignores her” (Harper 1898: 416–417, 794).¹⁰

However, if these events and many more like them are easy to name, there is a complicating aspect to all such history. At every point in its post-modern development the principle of equal regard has been blatantly, violently, and systematically flouted across all western nations. Examples abound, but the recent rise of the “Black Lives Matter” movement in America is especially instructive. Formed by three black women in reaction to the 2013 acquittal of George Zimmerman in the fatal shooting of seventeen-year-old Trayvon Martin, the movement gained international attention as it grew into the rally cry to protest an ensuing series of highly publicized, thus far largely judicially protected, and sadly still ongoing killing of unarmed black men and women. Consequently, “Black Lives Matter” has also become a reminder of the jagged rift between the liberal canons that inform the egalitarian public identity of America and the lived experience of its black

citizens—a rift as old as America itself. As Thurgood Marshall once noted, the seminal opening of the US Constitution, “We the People,” today looks like an act of false consciousness: “When the Founding Fathers used this phrase in 1787,” Marshall memorably wrote, “they did not have in mind the majority of America’s citizens. ‘We the People,’ included in the words of the framers, ‘the whole Number of free Persons’ (Marshall, 1987). In other words, Marshall meant, it meant *white* people.

To reiterate, the history of anti-black racism in America is only one example. The broader point is this: After we compose the narrative to explain how the concept of recognition respect evolved into our current ethos of respect, there remains the *critical* history of respect. How should we understand this ethos, its history, our present conviction in it, and any confidence we presume in deploying the moralized concept of respect itself, given that this ethos and our conceptual confidence are thoroughly entwined with a legacy of brutal hypocrisy that belies the very principles in question?

This is a fraught question, and I must reserve my more comprehensive effort to answer it to a different space.¹¹ In the remainder of this chapter, I attempt only to put into place a few crucial pieces of that broader answer, as it connects specifically to the question of historical origins that I outlined above.

2. Immanuel Kant and the Usual Half-Truth

Hypocrisy challenges the whole history of moralized respect, right down to its origins. However, the first order of business when it comes to the question of origins is correcting a widespread half-truth. It features Immanuel Kant, and goes something like this:

In 1785 Kant revolutionized the concept of respect when he argued that his foundational moral principle, the “Categorical Imperative,” could be understood through an alternative formulation: “*So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means*” (Kant 1996: 80 [4:429]). For, the reason persons must be cognized as ends, and never merely as a means, is that persons are autonomous: they are “laws unto themselves.” It thus follows that persons are (or should be) cognized as a limit to rational choice. In turn, persons exact or demand respect from us when properly cognized. Kant writes:

[R]ational beings are called *persons* because their nature already marks them out as an end itself, that is, as something that may not be used merely as a means, and hence so far limits all choice (and is an object of respect).

(Kant 1996: 79 [4:428])

The origin of our moralized concept of respect is thus at hand. Between Kant's massive influence on German thought and subsequent translation into English and influence on the anglophone tradition, "respect" was forever bonded to its central moralized connotation as recognition for persons as persons. Indeed, should we further ask where Kant sourced his own innovations on respect, even here scholars have a ready answer. Kant was inspired by his French predecessor, Jean-Jacques Rousseau. "Rousseau set me right about this," Kant confessed, adding that he learned from Rousseau "to honor humanity" (*Menschen ehren*). More importantly, Kant implied he learned that it was this very attitude—this attitude of *honoring* humanity—that "gives worth to all others in establishing the rights of humanity" (Kant 1996: xvii [20:44]).

Alas, as an answer to the question of origins, the foregoing story isn't even just-so. To be sure, Kant's influence can't be ignored. At a minimum, his choice to use *Achtung* to name the fitting attitude towards what limits rational choice, conjoined with his argument that persons are or represent such a limit, is an essential piece of the origin story.¹² In Kant's day, *Achtung*—like the English word "respect"—was dominated by connotations of literal attention (to something) and appraisal (especially of a person's character). The influential German *Wörterbuch der hochdeutschen Mundart* (*Dictionary of the High German Dialect*), for example, which was published contemporaneously with Kant's *Groundwork*, defines *Achtung* this way:

Derived from "achten" (pay attention to) 1) without an article and for the most part used with the verb "give" almost the equivalent of "attention" and 2 "Acht" "heeding" in everyday life. To pay attention to something...2) The inner judgment about someone else's strengths and accomplishments, both active and passive.

(Adelung 1793: 155–156)

But as an attitude towards persons, Kant opposed *Achtung* to any such appraisal. This was a bold shift in meaning, one for which Kant is certainly owed credit. Nevertheless, it is only one part of the story—and an exaggerated part at that.

For a start, Kant himself occasionally appealed to *Achtung*'s older connotation of "attention," which raises a question about whether or to what extent Kant took himself to be innovating on the meaning of *Achtung*.¹³ Relatedly, whatever change Kant did make to *Achtung* was at most a revision—not a reinvention. The *Wörterbuch* definition, for example, although primarily in terms of attention and appraisal, already has elements of recognition in it. Furthermore, Kant's innovations weren't definitively reflected in general language usage until around the middle of the next century, when an 1854 dictionary first credits him in its definition of *Achtung*.¹⁴ Granted, taken on their own, these considerations would demand only a little historical rethinking, as opposed to serious revision.

However, when we turn to the English-language context it is ultimately clear that we should *not* start with Kant. Not only did Kant have sparing influence on British thought before 1830, but what influence he did have both before and after this point was variously circumscribed.

In England, all early discussion of Kant took place outside the university in the pages of popular literary journals. And while Kant enjoyed a brief flash of popularity in these journals at the very end of the eighteenth century, what was conveyed in them was greatly simplified, even trivialized. Moreover, there was little discussion of his ethics, with most attention given to his theoretical, theological, and political views—the last mostly based on his essay *Perpetual Peace*. And in this last respect Kant ended up seeming a radical with dangerous Jacobite leaning. By the close of the century, the English public had become rather suddenly conservative and nationalistic with a growing suspicion of German Enlightenment thought and culture (Micheli 2005: 202–314; Copleston 1966: 148–154). And so it was that, despite a brief fascination with Kant, already by 1798 the influential *Critical Review* complained that “[t]he philosophy of Kant is little known in this country.”¹⁵ Indeed, after 1806 Kant’s name virtually disappeared from English periodicals for decades (Micheli 2005: 202–314).¹⁶ Translations of Kant’s work, which had already been scarce, were not in demand. His practical philosophy was especially slow to find its way into English. In particular, the *Groundwork* was not professionally translated into English until 1836, when J. W. Semple, a Scotsman, offered the first serious edition.¹⁷ And even this translation was not easily accessible until a revised edition appeared in 1869, “at a third of the original price,” and featuring a new introduction for students—notably authored by another Scotsman, Henry Calderwood.¹⁸ In fact, what scholarly interest in Kant did exist in the first half of the nineteenth century was mostly contained to Scotland (Burns 2009: 115–131). Taken all together, then, whatever influence Kant had on anglophone moral philosophy, let alone the anglophone concept of respect in general, must have been slight before 1870, if not much later—at which late point Kant ironically would have competed with his successors, especially Hegel and Marx.¹⁹

However, and what is now crucial to note, by this point the English-language transformation of “respect” was already underway—albeit, not always where one might expect. Thus, most nineteenth-century abolitionists and suffragists, as I noted once before, did not couch their arguments in the *language* of moralized respect, even when they plainly had the *idea* in mind. For example, in his 1830 abolitionist pamphlet, the *Appeal, in Four Articles*, David Walker explicitly attacked the hypocrisy of American principles of equality, writing in direct reply to Thomas Jefferson, “I am after those who know and feel, that we are MEN, as well as other people.” And yet, Walker’s argument is never framed in the moralized terminology of respect. Similarly, in her 1850 protest against slavery, *A Plea*

for the Oppressed, Lucy Stanton insisted that “Humanity is a unit, he who injures one individual wrongs the race.” She added that the moral goal is “to love one’s neighbor as one’s self” (Stanton 1850: 208).²⁰ In making these claims, Stanton plainly has a moralized concept of respect for persons in mind. She’s articulating the *idea* that each person matters equally in some fundamental sense, and correspondingly requires appropriate recognition by others. Nevertheless, the language is different. *A Plea for the Oppressed* nowhere uses the term “respect,” or even its close cognates like “regard” or “recognition.”

Or consider Susan B. Anthony and Elizabeth Cady Stanton, arguably still the most famous first-wave feminists. They never explicitly demand “equal respect” for women or even “respect for women,” not where that language might connote moralized respect. Instead, when they speak explicitly of “respect” for women or woman’s “self-respect” (a frequent topic), it’s always in the appraisal sense (see e.g. Stanton p. 192, in DuBois 1992). Anthony and Cady Stanton defend the qualities of a woman’s character that should *win* respect from men, or from themselves. At best, Anthony and Cady Stanton sometimes use the terminology of respect to connote recognition for social status—that is, for the *typical* social role women play or could play if given the chance. But this kind of recognition respect is compatible with one’s thinking that not all women, let alone all persons, are in fact owed respect. Indeed, it is now widely known that Cady Stanton’s work was marked by racist rhetoric.²¹

However, if these examples suggest that the concept of moralized respect was alive but only in ways that were disconnected from the terminology of “respect,” elsewhere we find some signs of a semantic shift in language as well. Some of this change appears under the rhetoric of political rights or privileges, in contexts that imply the rights in question belong to all people equally. For example, the *Oxford English Dictionary* cites Thomas Macaulay’s widely read 1849 *History of England* in this way: “Lewis had, like James, repeatedly promised to respect the privileges of his Protestant subjects.” More splendidly, John Stuart Mill, in his 1869 *The Subjection of Women*—which he largely credited to his wife, Harriet—argued that the era of “chivalrous” morality was over. In the modern era, Mill wrote, respect for women no longer depended on the intersection of the “brave” man of honor and the “submissive” virtues of women. But also—and crucially—neither did it depend on what a woman might accomplish. Thus Mill criticizes a mistake in “the modern movement of morals and politics,” which assumes that “conduct, and conduct alone, entitles to *respect*; that not what men are, but what they do, constitutes their claim to deference; that, above all, merit, and not birth, is the only rightful claim to power and authority” (Mill 2002: 209). Instead, Mill argues, “The main foundations of the moral life of modern times must be justice and prudence; the *respect* of each for the rights of every other” (Mill 2002: 213, 223–224). Or consider James Rapier, who, in his address to the US Congress in support of the

1875 Civil Rights Act, opened with a confession of embarrassment for having to petition, “hat in hand,” as one man to another, for rights which the other man already enjoys. Indeed, Rapier added, it is shameful that *any* person should plea for recognition before America, the supposed “asylum of the oppressed,” only to be told that “he has no civil rights that another class is bound to respect” (Rapier 2006: 58).

These are striking uses of the terminology of “respect,” which, given the timeline and contexts, could not plausibly be credited to Kant’s influence. Nor was this development limited to the context of rights. For example, two central facets of first-wave feminism as it was being developed beyond the specific question of suffrage involved, on the one hand, *throwing off* the earned (appraisal) respect that comes through the chivalry of men; and, on the other hand, *taking on* a more robust moralized language of “respect” that implied “respect for persons as persons.” Thus, in an 1854 letter to Susan B. Anthony, fellow activist Lucy Stone lamented the criticism she suffered for wearing the newly invented “bloomers”:

Women are in bondage. Their clothes are a great hindrance to their engaging in any business which will make them pecuniarily independent . . . [I]s it not better, even at the expense of a great deal of annoyance, that they whose *lives deserves respect* and are greater than their garments should give an example by which woman may more easily work out her own emancipation? (Harper 1898: 116)

Stone’s focus on the “lives” of women (reminiscent of Mill’s point about “birth”) is precisely the sort of unearned basis that fits with a concept of respect for persons as persons. Or consider the American black scholar and feminist Anna Julia Cooper, who was particularly explicit on this point. Writing on “Womanhood” in 1886, she laments, “Respect for woman, the much lauded chivalry of the Middle Ages, meant what I fear it still means to some men in our own day—respect for the elect few among whom they expect to consort” (Cooper 2017: 15). In short, prior to the anglophone uptake of Kantian moral theory, the moralized concept of respect was already being expressed in a variety of contexts, sometimes even explicitly in the terminology of “respect,” albeit in an unsystematic way.

So, what now? It is tempting to try to track down the inspiration of individual thinkers. What caused Cooper, Alcott, Stone, Rapier, or Mill, for instance, to think about the moralized concept of respect literally in *terms* of “respect”? But this is not the direction I shall take. Given the multiplying number of actors, it’s no longer clear that this is what we need to advance a meaningful history of respect. I say this for two reasons.

First, we can guess the general explanation without the specifics. Probably, the terminological transformation was a mix of organic change and accident. Organically, through the slow union of many individuals who were more or less

conscientiously, and more or less independently, rethinking the literal meaning of respect; and, accidentally, through a kind of association. That is, during this time non-moralized, appraisal connotations of respect were being used in conceptual spaces befitting the *idea* of “respect for persons as persons.” For example, we noted that first-wave feminists frequently use the language of “self-respect” cashed out in appraisal connotations of earned merit; but they did so in close connection to arguments for equal rights, political equality, and so on. Plausibly, then, although the *intension* of this “self-respect” talk was about woman’s earned merits or character, the *extension* was, in a word, their human dignity. Consequently, this talk of “self-respect” was plausibly if indirectly and slowly associated with an idea of “recognition for persons as persons.”

Second, if the change was a combination of organic and accidental change, then tracking down any particular thinker’s exact inspiration has dubious value for answering my overarching question, namely, about origins. Instead, in light of my foregoing argument exposing the half-truth about Kant’s role, it now seems more productive to try to map the broader, general historical moments where explicit rethinking or conceptual proximity did or may have occurred. The upshot will be a tale of untidy origins, but it will be closer to the truth.²²

3. Early Modern Moments

The early modern period is usually dated c.1550–1800. But the conceptual history of respect makes more sense if we draw the cutoff closer to 1850, technically making what follows a review of “earlier” modern history. In any event, it bears repeating that throughout this earlier period, the English term “respect” was used almost exclusively for its appraisal connotation, the old Latin sense of “attention,” or the non-moral sense of partial regard. And yet, this same time period, and especially the European Enlightenment (c.1650–1800), was marked by a long series of intertwined social agitations and outright revolutions that culminated in egalitarian proclamations so famous they almost need no mention, from the English Bill of Rights (1689) to the US Declaration of Independence (1776) to the French Declaration des Droits de l’Homme et du Citoyen (1789). These doctrines trumpeted most loudly the fundamental political equality of men, but behind this political equality was the idea of a basic *moral* status, or dignity, that all human beings possess equally. And this helps cut through the possibilities for where we might go looking for the moralized *idea* of respect in earlier modern history, despite the fact that the term “respect” was then dominated by various non-moral connotations.

First, a word of caution: In the early modern period, there are countless texts that evince calls for social justice and thus *might* harbor the concept of respect for

persons. However, not all find an easy place in a history of moralized respect. This is because we also often find a claim or implication that those on the losing side of justice—women, slaves, the working class, etc.—are in principle able to *earn* equal respect on the grounds of their equal capabilities, especially the capabilities of intellect and wit (at least, assuming proper education). But the basic worth of human beings is not something one earns. So, we must try to track down works that combine some call for social justice with the concept of basic human worth. The question thus becomes, how do we do this? More exactly, what terms can we use to do this work, if “respect” itself isn’t a reliable guide?

Unfortunately, not “dignity.” The term “dignity,” like the term “respect,” did not acquire its current moralized currency until around 1900.²³ However, one does find a cluster of related concepts from “human race” and “humanity,” to “man” and “mankind,” to “fellow” and “brethren”—the last perhaps better remembered in the French revolutionary motto “Liberté, égalité, fraternité.” Or consider the term “neighbor.” One finds considerable discussion of this term in contexts that recall both the idea of human dignity and respect. Romans 13:9, “Thou shalt love thy neighbor as thyself,” is a prime example. Bishop Butler made this dictate the subject of two of his *Fifteen Sermons* (1726), which became one of the most influential texts in nineteenth-century British thought (Butler 1983: 3). At one point, Butler brings the Christian dictate to bear against the seductive “spirit of party” that throughout history has led men to make fundamental divisions in humankind:

And as wrath and fury and overbearing upon these occasions proceed, as I may speak, from men’s feeling only on their own side, so common a feeling, for others as well as for ourselves, would render us sensible to this truth—which it is strange can have so little influence—that *we ourselves differ from others just as much as they do from us.* (Butler 1983: 64)

Or consider Adam’s Smith’s fundamental justice dictate from *The Theory of Moral Sentiments* (1759):

There can be no proper motive for hurting our neighbor, there can be no incitement to do evil to another, which mankind will go along with, except just indignation for evil which that other has done to us. (Smith 1982: II.ii.1.10)

For Smith, the “neighbor” describes a person with whom we have no special relation. It is the “anyone”—or, as Smith reformulates it in the second clause of the foregoing quote, the indefinite “another.” Indeed, given the generality implied by the term “mankind,” Smith’s justice dictate thus amounts to a claim about the perspective “anyone” has on “anyone else.” Although the term “respect” does not appear, this passage suggests a kind of recognition between persons that is

manifestly reminiscent of our contemporary ideas of dignity and the principle of equal regard. Smith's dictate protects all persons equally and pays no attention to whether any of the agents involved is rich or poor, man or woman, native or foreign.

Now a caveat. Whenever one fans the flame of righteousness in the name of humanity but goes in for the oppression of any part of humankind, we must look askance. Correspondingly, the closer we come to the concept of human dignity the more vigilant we must be about possible hypocrisy. Once again, a *critical* history must inform our interpretation, and a new caution must guide our narration. The prime example for my warning in the present context is John Locke, and the social contract tradition centered around him.

Locke's ideas directly influenced all the major egalitarian proclamations in England, France, and the United States we noted earlier. The first words of his 1689 *Two Treatises on Government* decry slavery. The first paragraph of that work rejects patriarchalism, which aims, in Locke's words, "to provide Chains for all Mankind" (Locke 1988: 141).²⁴ And among the accomplishments of the first *Treatise*, Locke claims to have shown that, "in the Races of Mankind and Families of the World, there remains not to one above another, the least pretense to be the Eldest House, and to have the Right of Inheritance" (Locke 1988: 267). Most important, the cornerstone of his social contract theory is his claim that the "natural" state of humans is a "*State of perfect Freedom*": "A *State* also of *Equality*, wherein all the Power and Jurisdiction is reciprocal, no one having more than another" (Locke 1988: 269). Clearly, then, Locke offers tempting ground for locating a forerunner to our contemporary concept of equal respect. And yet, Locke also provides the grounds to question his *value* as a source for such a concept.

Locke was financially invested in the slave trade through several enterprises, one of which, from 1672 to 1688, transported almost ninety thousand slaves. He served in a few different administrative roles for organizations dedicated to the management of new world plantations. And there is strong evidence he took personal interest in the writing of *The Fundamental Constitutions of Carolina*, which codified protections for slavery. Thus, his handwriting has been documented among the corrections to an early draft, including article 101: "Every freeman of Carolina shall have absolute power and Authority over his Negro Slaves, of what opinion Religion so ever" (Bernasconi and Mann 2005: 89–107).

So, given the hypocrisy in thinkers usually taken as early champions of "humanity" and "equality," perhaps we're better served by pushing our inquiry outside the usual canons. Those canons will always be important to a full understanding of the liberal tradition. But the time is overdue for expanding the standard account. For, Locke is hardly alone in having his egalitarian legacy challenged. David Hume's philosophy, for example, though dotted with some of the most tender remarks about human nature during the Enlightenment, and an inspiration to recent feminists, is complicated by a particularly noxious comment on the

“natural inferiority” of negroes that continues to challenge interpreters. Rousseau, for all his ingenious criticism of the artificial corruptions of society, recommended the subordination of women in the infamous Book V of *Emile*. And that oft-cited champion of respect, Immanuel Kant—he quoted Hume’s racist remark as one part of his own sustained anthropological arguments for the superiority of whites: “Humanity,” Kant summarizes at one point, “is at its greatest perfection in the race of the whites.” These are only some of many possible examples, and enough to motivate a different approach.

4. Outside the Canon

In the last few decades, there has been a surge of effort to reclaim the historical early modern contributions of women, and, in turn, a rethinking about the origins of feminism. The history of respect further testifies to these efforts, though once again, not necessarily where one first thinks to look. So, consider: the usual paradigm of avant-garde feminism is Mary Wollstonecraft’s 1792 *Vindication of the Rights of Women*, and one can appreciate why. Besides its then-striking title, Wollstonecraft advertises the work in the dedicatory letter explicitly as an argument to “respect” the “rights of women.” And there certainly are intriguing moments that suggest the concept of moralized respect, as when she warns women against indulging the “hollow respect” of men that is based on regard for their youthful beauty. Instead they should demand “that reciprocation of civility which the dictates of humanity and the politeness of civilization authorise between man and man” (Wollstonecraft 1792: 131). However, closer examination reveals a more contentious case.

The language of respect in *Vindication* turns out to be almost entirely in contexts of appraisal, and Wollstonecraft delivers an argument to match. Thus, her driving goal is for women to “exact” respect, by cultivating their “abilities and virtue,” especially those of intellect as opposed to beauty (Wollstonecraft 1792: 72). In this respect Wollstonecraft carried forward the then-dominant line of feminist argument, running from fifteenth-century texts like Thomas Elyot’s 1545 *The Defense of Good Women*, to more empowered sixteenth-century texts like Marie De Gournay’s 1622 *L’Égalité des Hommes et des Femmes*, or Mary Astell’s 1694 *A Serious Proposal to the Ladies*.²⁵ This vein of early feminist thinking was undoubtedly important, especially as an instrument for social reform. But they were not discussions of moralized respect for persons as persons. Furthermore, in her later historical analysis of the French Revolution, Wollstonecraft revealed a vitriolic hostility towards the struggle of lower-class women totally inconsistent with the moralized idea of respect for persons. Describing the 1794 Woman’s March on Versailles—a critical catalyst in the Revolution—she described the

crowd as consisting, “mostly of market women, and the lowest refuse of the streets... strictly speaking, a mob, affixing all the odium to the appellation it can possibly import.” Wollstonecraft went so far as to label them “a set of monsters” and “brutes” (Wollstonecraft 1795; Draper 2013: 87).

One way to sidestep this hypocrisy about class is to turn to early socialism, which was emerging just as Wollstonecraft was finishing. As a bona fide political movement, socialism is often credited to the French thinker Henri de Saint-Simon (1760–1825). Although Saint-Simon enjoyed little influence in his own life, his ideas about labor and class influenced a variety of early nineteenth-century thinkers towards their own egalitarian views, some specifically with respect to their views on women (Saint-Simon 1817: 54). For example, Mill says he became acquainted with Saint-Simon in 1829 through the writings of Simon’s followers before they “organized their scheme of Socialism,” and was enamored by their feminist stance (Mill 1981: 199).²⁶ Mill writes at one point: “In proclaiming the perfect equality of men and women, and an entirely new order of things in regard to their relations with one another, the St. Simonians... have entitled themselves to the grateful remembrance of future generations.”

Saint-Simon also influenced Anna Wheeler and William Thompson, two other actors at the center of early socialist agitation for women’s rights in Britain. Their thought culminated in the 1825 *Appeal of one Half of the Human Race, Women, against the pretension of the other Half, Men*—a work penned by Thompson, but according to Thompson really a joint effort. The title itself illustrates the close connection between the kind of language clustered around the evolving concept of human dignity and the language clustered around the evolving concept of respect. And this connection was brought home by Wheeler and Thompson’s admonishment of James Mill (John Stuart Mill’s father) that he failed to understand his mentor, Jeremy Bentham: “[T]he philosophy of that enlightened and benevolent man [Bentham], embraces in its grasp every *sentient human being*, and acknowledges the claim of *every rational adult*, without distinction of sex or colour, to equal political rights. Is the authority of the disciple above that of the master?” (Mill 1981: 9–10).²⁷

Other early feminist developments in the concept of respect were taking place in literature. Theorists too often ignore literature, to the detriment of minority voices. Women and racial minorities, especially black people, have long faced trenchant and invidiously passive barriers in disciplines like philosophy. But literature has proven more receptive, relatively speaking. Thus we must look there if we want to capture contributions to the history of moral and political thought by marginalized peoples. The status of women, for example, has been the subject of novels as long as women have been writing. As befits literature, this is often expressed indirectly, ironically, and critically. Relatively recent examples such as Jane Austen and Charlotte Brontë, writing in the first half of the nineteenth

century, jump quickly to mind. Jane Eyre's famous exchange with Rochester after he announces his intent to marry another is especially memorable in this regard: "Do you think I am an automaton?—a machine without feelings?...I am not talking to you now through the medium of custom, conventionalities, nor even of mortal flesh: it is my spirit that addresses your spirit; just as if both had passed through the grave, and we stood at God's feet, equal—as we are!" (Brontë 2001: 215–216). This passage is also important in the way that it connects moral personhood with human passions. The "academic" side of early feminism, from Wollstonecraft and Anna Wheeler to Susan B. Anthony and Cady Stanton, typically emphasized the autonomy of women, and especially the rational agency of women. How interesting then, that it isn't her autonomy which Jane appeals to here. Jane's protest that she isn't a machine is made on the grounds of her feelings. She has a *perspective*—a distinctive, emotionally infused point of view—just as Rochester assumes for himself. And this, it seems, is crucial to what it means to be respected as a person. It is the "feature" of her, to put it formally, that Rochester is supposed to "recognize." It is the feature he is being called to appropriately "take account of" in deciding how to act in relation to her.

This notion of passionate personhood was alive in much early feminist literature, which used it to develop the concept of respect for persons. Most often this takes the form of a struggle to be understood as the particular person one is. That is, on the one hand, like most novels, early modern feminist stories draw us into a character's perspective, cashed out in the terms of emotions and feelings—hopes, fears, love, hate, and so on. On the other hand, however, women writers conjoined this typical literary aim to illustrations of the kinds of trials women face to have that perspective properly understood by others, taken seriously, or even acknowledged. The result is that *understanding* a person's perspective ends up looking like a way of *respecting* them, and in a moralized sense.

I won't pretend to be able to defend this idea fully here (Debes 2017b).²⁸ Instead, I will only offer a few more illustrations for this alternative way of thinking about respect in order to buttress my original aim to examine the origins of our moralized concept of respect, as well as to buttress my methodological suggestion for exploring outside the traditional canon. I start with a pair of additional examples from the feminist literature, and close with some examples from the abolitionist context.

5. Feminist Tales

In 1697 there appeared a mostly forgotten short story by a mostly forgotten author, Aphra Behn's *The Adventure of the Black Lady*. The story follows Bellamora, a young woman, who flees in shame to the city after becoming

pregnant out of wedlock to a man of means whom she (mistakenly) fears doesn't love her. The distraught Bellamora loses her only property as soon as she arrives and seems ripe for tragedy—a lady “black” with ill repute, so it seems. But Bellamora is taken in by a clever “Land-Lady,” who counsels her, helps her reclaim her lost property, reunites her with her lover, and ultimately protects the secrecy of Bellamora's pregnancy from the authorities—“the Vermin of the Parish, (I mean, the Overseers of the poor, who eat the Bread from 'em)” (Behn 1697: 11:37; Ferguson 2006). The story is an early entry into the politics of reproduction, class relations, and property rights. But it is also a subtle recasting of moral personhood. Bellamora is manifestly foolish and innocent, but for her youth not her gender, as is made clear by the juxtaposition with the clever and wise Land-Lady, who deftly turns Bellamora's fortune around and outwits the men who would try to “oversee” them both. But equally important is that Bellamora's emotional plight is looked on tenderly by the Land-Lady, who, far from condemning Bellamora, is moved by Bellamora's passionate pleas and desperation to aid her despite personal risk. The Land-Lady, and we the readers, through the narrator's eyes, are brought into Bellamora's perspective through empathy. We come to understand her—her needs, feelings, hopes, and fears. At the same time, in virtue of being taken inside the Land-Lady's plans to help Bellamora, the story subtly disposes us to regard Bellamora's feelings as *worthy* of aid and attention. In other words, the story moves us to simulate *recognition* for Bellamora, except, once again, not on account of her autonomy, but instead on account of her passionate perspective. And thus, although the story never explicitly mentions “respect,” it seems that respect is precisely what we come to have for Bellamora. At least, this seems to be where Aphra Behn hopes we end up. For the story ends with a metaphorical twist when it turns out that Bellamora is “black” in the most mundane sense: she has black hair.

In the twilight of the Enlightenment, *Frankenstein* appeared. Written by Wollstonecraft's daughter, Mary Shelley, and published in 1818, it was a tour de force critique of the past age and all its claims to “progress.” On its face, the grim consequences of Victor Frankenstein's awesome power of “bestowing animation upon lifeless matter” seems to be a cautionary tale about life in a world fascinated by scientific, technological advance (Shelley 2013: 39). But its deeper and more intriguing parable is undoubtedly about the supposed moral progress of the day. Shelley repeatedly juxtaposes the “sensitive,” “humane,” and “sympathetic” disposition of the uncultured and unlearned creature with the dubious humanity of Dr. Frankenstein himself. In the early days after its awakening, for example, the creature marvels at the beauty of the natural world around him, famously saves a child from drowning, and falls in love with the tender interactions of a poor family whom he secretly spies upon. By contrast, Frankenstein abandons his creation almost immediately after giving it life, repeatedly expresses visceral disgust

towards it (at one point describing the creature's visage as "more hideous than belongs to humanity"), and becomes increasingly impassive to the welfare of all those around him, even allowing a young woman in his employ to be falsely convicted and punished in order to hide the secret of his creation. This juxtaposition comes to a point when the creature finally confronts Frankenstein with his woeful tale of all that befell him after being abandoned. Despite listening to the creature's harrowing narrative, Frankenstein shows only flickers of compassion, and ultimately fails to understand the kind radical exclusion that goes with being condemned as unnatural and inhuman.

In this way, Shelley's story critiques a world that, despite its various egalitarian declarations and constitutions, remained intolerant and violently oppressive. What's more, and what makes *Frankenstein* especially relevant for us, it did so in the conceptual space of respect. True, sometimes Shelley does this in a way that wanes away from the moralized notion of respect for persons as persons, as when the creature gazes wonderingly at the "love and respect" the cottagers show for their elders. But at other points the moralized concept of respect is manifest. For example, at one point the creature implores, "Oh, Frankenstein, be not equitable to every other and trample upon me alone." And later he cries, "Am I not shunned and hated by all mankind? . . . Shall I respect man when he condemns me?"

Moreover, if we step back to ask what kind of connection with others the creature wants, or what form the hoped-for attention or recognition will take, the answer is clearly a passionate one. The creature longs to have the emotional aspects of its perspective appreciated and understood, or at least noticed. In short, it wants empathy. Or, in the terminology of Shelley's day, sympathy:

Sometimes I allowed my thoughts, unchecked by reason, to ramble in the fields of Paradise, and dared to fancy amiable and lovely creatures sympathising with my feelings and cheering my gloom; their angelic countenances breathed similes of consolation. But it was all a dream; no Eve soothed my sorrows nor shared my thoughts; I was alone.

Most impressive of all, however, is the creature's climactic plea for Frankenstein to create for him a companion:

My vices are the children of forced solitude that I abhor, and my virtues will necessarily arise when I live in communion with an equal. I shall feel the affections of a sensitive being and become linked to the chain of existence and events from which I am now excluded.

The creature may have had the ostensive figure of a man, but it was genius of Shelley to leave it unnamed. For, this is the plea of the oppressed the world over. We long to be included. And included *as* the sensitive, passionate beings we are.

6. The Abolitionist Cause

On July 4, 1791, George Buchanan delivered a speech to a group of abolitionists in Baltimore entitled *An Oration upon the Moral and Political Evil of Slavery*. The speech touched almost every argumentative angle one could take against slavery. He argued that slavery was holding back the economy of the country. He tried to spark sympathy for the suffering of slaves. He extolled their intellectual, literary, and musical capabilities. He denounced the hypocrisy of a country that could declare all men as equal, but nevertheless “riveted the fetter of slavery” upon some of them. Buchanan even warned whites that the sheer number of slaves in America made slaves “capable of ransacking the country,” in which case, he implied, whites would be the justified victims of their “revenge” (Buchanan 1873: 17). But the overarching theme was shared humanity. At its opening, Buchanan reminded whites that they share a common human form with slaves—that both whites and blacks are created in the “image” of God, which “linked together” whites and blacks with an original “equality” (Buchanan 1873: 7). He repeatedly used the language of “species” and “fellow-mortals.” He spoke of a single “human race.” And he called out, “What, will you not consider that the Africans are men?” (Buchanan 1873: 9). It is not a particularly eloquent speech. Nor does it suggest any innovation in the concept of respect. But in the opening chapters of America, the grim truth is that black slaves were not even in the moral *space* of respect. Buchanan’s speech was a start, though not the only one.

The anti-slavery lecture circuit was a source of important developments, especially as it matured through the first half of the century. Just after the US Fugitive Slave Act of 1850, the former slave Jermain Loguen helped persuade the city of Syracuse to become a refugee city. “My neighbors!” Loguen begins, addressing a mostly white assembly and using one of the “cluster” terms of human dignity we discussed earlier, “Did I think so meanly of you, I could never come to live with you?” (Loguen 2006: 8). In so saying, Loguen does not so much argue for equal respect, but *assumes* it as a premise, by asserting his common humanity and moral status with his audience. He presses this assumption through to his conclusion:

I will not live a slave, and if force is employed to reenslave me, I shall make preparation to meet the crisis as becomes a man. If you will stand by me—and I believe you will do it, for your freedom and honor are involved as well as mine—it requires no microscope to see that—I say if you will stand with *us* in resistance to this measure, you will be the saviors of your country. (Loguen 2006: 10)

The switch in this passage to the inclusive “us” is brilliant and poignant. On the heels of reminding his audience that resistance to slavery is his right *as a man*, Loguen’s “us” seems to assume the collective of the entire room, as if, were anyone

to dissent, they would not be breaking with only blacks, but with their neighbors, and by extension, with humanity—a point Frederick Douglass reiterated with even more force two years later in his speech “What to the Slave is the Fourth of July?” Only now, Douglass made explicit what Loguen left implicit:

Must I argue the wrongfulness of slavery? Is that a question for republicans? Is it to be settled by the rules of logic and argumentation, as a matter beset with great difficulty, involving a doubtful application of the principle of justice, hard to be understood? . . . To do so would be to make myself ridiculous and to offer an insult to your understanding. There is not a man beneath the canopy of heaven that does not know that slavery is wrong *for him*. (Douglas 2006: 22)

And true to his word, Douglass does not argue for the wrongfulness of slavery in this speech. He assumes it, in very much the same way that I assumed the truth of human dignity at the outset of this inquiry. Everything follows from there.

Of course, the wrongfulness of slavery *was* a question. Not, perhaps, for the new “Republicans” whom Douglass was addressing, nor one that we ourselves want to entertain—I certainly will not. But it was a question for many whites of the day. Thankfully, for those whites, formal argument wasn’t the only alternative to the Loguen-Douglass style approach. There was also literature.

At first, it was slave narratives, published continuously from about 1760 to 1860. Most of these worked through a kind of oral tradition, in two senses. The published accounts were modeled on one another in content and shape; and they were treated like collective property to aid a larger cause. Even Frederick Douglass’s well-known narrative is thought by some to have been modeled on the much earlier 1789 *Life of Olaudah Equiano* (Gates 1987). And while these narratives don’t explicitly contribute to a language of respect for persons, they plainly involved the idea. Akin to the feminist literature we considered, they make available to white readers the perspective of the black slave, and show it to be permeated by sorrow and suffering. More important, in making that perspective empathically understandable, the slave’s narrative was a direct vehicle to a kind of moralized respect, or so my hypothesis suggests. The anonymous, retrospective preface to the 1814 edition of *The Life of Olaudah Equiano* appreciated the point: “Being a true relation of occurrences which had taken place, and of suffering which he had endured, it produced a degree of human feeling in men’s minds, to excite which the most animated addresses and the most convincing abstract reason would have labored in vain” (Gates 1987: 5).

Soon, other literary minds took the lead of these narratives, and in ways that seemed more conscientiously to shape the theoretical space of respect. Some of these, like Harriet Jacobs’s *Incidents in the Life of a Slavegirl, Written by Herself*, were still autobiographical, but closer to novels in their form and style, and

without the derivative structure of the oral tradition. Others were bona fide fiction. In this latter group, none was more influential in the nineteenth century than Harriet Becher Stowe's *Uncle Tom's Cabin: Life among the Lowly*. Started as a serial story in an abolitionist periodical in 1851, *Uncle Tom's Cabin* eventually became the best-selling novel of the century. And, like the slave narratives it was inspired by, it was partly designed to marshal the empathy of white readers for the misery of slavery. As the book's subtitle suggests, Stowe wanted her readers to be able to see themselves in the place of the slave, however imperfectly, and thus to feel a sense of the fear, loss, betrayal, and heartbreak that shaped "life among the lowly." However, and crucially, the goal was not to elicit pity. The goal was to engender Christian fellowship and the recognition of shared humanity with slaves, and in particular, to see slaves as persons. In short, the novel contested the way whites understood the space of moralized respect.

The foregoing points must be underlined, because both Stowe and the book are hardly beyond reproach. Some of Stowe's personal correspondence, for example, suggests a depressing condescension towards actual black persons who reached out to her, including Harriet Jacobs.²⁹ And James Baldwin famously raked the novel for its "excessive and spurious" displays of emotion, but especially Stowe's willingness to put on display the violent brutality of slavery without addressing what Baldwin called "the only important question" about that violence, namely, "what it was, after all, that moved her people to such deeds."

But I'm not positioning *Uncle Tom's Cabin* here at the end of my short history of respect because the novel is an ideal paradigm. I'm positioning it here because, on the one hand, it was literally the most famous bookend to the historical time-frame I set out to explore. And, on the other hand, it develops the moralized concept of respect by centering passionate personhood. True, its efforts in this last respect are often exaggerated in a way that invites suspicion over, as Baldwin puts it, the "honesty" of the emotional displays of its characters. However, given the historical dominance of rationalist alternatives, and the way such rationalism was used to disenfranchise not only blacks, but women too, perhaps the lessons of Stowe's novel are subtler than Baldwin's critique suggests.

To appreciate these suggestions, consider a pivotal exchange from a pivotal chapter in *Uncle Tom's Cabin*, "Select Incident of Lawful Trade." The exchange takes place during a conversation among white passengers traveling on an Ohio riverboat. After news spreads that the boat is carrying slaves (including Tom), a white woman laments to her company the "shame" of slavery. "The most dreadful part of slavery, to my mind," she says, "is its outrages on the feelings and affections—the separating of families, for example." To this remark, another woman dissents, "We can't reason from our feelings to those of this class of persons." The first woman replies, "I know they do feel, just as keenly—even more so, perhaps—as we do."

The reply is crucial. It shifts the question at hand from *what* slaves feel to a more general point about a shared *capacity* to feel—a point that in turn implies the shared humanity between whites and black slaves. This implication is affirmed when a nearby man joins the conversation in an effort to support the dissenting side with biblical authority:

“It’s undoubtedly the intention of Providence that the African race should be servants—kept in a low condition,” said a grave-looking gentleman in black, a clergyman, seated by the cabin door. “‘Cursed be Canaan; a servant of servants shall he be,’ the scripture says.”

Notice that the biblical appeal (to Genesis 9:25) doesn’t aim to refute the woman’s basic claim about the passionate personhood of slaves. Instead, it’s meant to block the implication *from* such personhood (assuming slaves have it) *to* shared humanity. The man offers a supposedly divinely ordained metaphysical distinction of race between whites and blacks, with its own implication that this separation excuses whites from respecting slaves as persons. How interesting, then, that this racist claim isn’t the last word. Stowe enters one more character to turn the tide:

A tall, slender young man, with a face expressive of great feeling and intelligence, here broke in, and repeated the words, “‘All things whatsoever ye would that men should do unto you, do ye even so unto them.’ I suppose,” he added, “*that* is scripture, as much as ‘Cursed be Canaan.’”

Although the term “respect” doesn’t appear here, Stowe obviously treats this further Christian scripture (drawn from Matthew 7:12) as an appeal to the idea that all persons deserve respect *as* persons. Thus, not only does the story describe the young man as speaking “for the cause of humanity,” but also, the background context of human dignity is marked by the egalitarian force that the young man gives to this scripture. Very much like the way “neighbor” functioned in Romans 13:9, the young man assumes that black slaves are included in the extension of the term, “men.” Moreover, given the rest of the context, it’s not men *per se*, but rather men *as* passionate persons that’s the issue. Slavery represents the radical disrespect of persons, not simply because of its totalizing rejection of autonomy or freedom, but because it attempts to ignore or exclude the stories of those under its yoke. Should there be any doubt on this point, the way Stowe closes this pivotal scene must erase it:

As the boat stopped, a black woman came running wildly up the plank, darted into the crowd, flew up to where the slave gang sat, and threw her arms round that unfortunate piece of merchandise before enumerate—“John, aged thirty,” and with sobs and tears bemoaned him as her husband.

But what needs tell the story, told too oft,—every day told,—of heart-strings rent and broken,—the weak broken and torn for the profit and convenience of the strong! It needs not to be told;—every day is telling it,—telling it, too, in the ear of One who is not deaf, though he be long silent.

Notes

1. Between verb and noun the OED lists eighteen primary connotations for “respect,” with dozens of sub-connotations and special phrases. Later, I point out a prominent example where its meaning pulls in different directions. The OED also speculates that part of its etymological origin is the closely related Latin *respectare* (to keep looking round or back, to wait expectant).
2. Appraisal respect also figures in deliberation, but in a non-essential way. As Darwall explains, “It is true that in order to indicate or express such [appraisal] respect, certain behavior from us will be appropriate. But unlike recognition respect, appraisal respect does not itself consist in that behavior or in the judgment that is appropriate. Rather, it consists in the appraisal itself” (Darwall 1977: 39).
3. Cole’s earlier *The English Dictionary* (1676) lists only the cognate “respectful” (“giving respect”).
4. For example, “Objections to Woman Suffrage Answered,” a widely read leaflet by Henry Blackwell, listed as the fourteenth possible objection: “It would diminish respect for women.” Blackwell’s reply, however, makes clear that it is not the moralized respect he has in mind: “Voting is power. Power always commands respect . . . Women armed with the ballot will be stronger and more respected than ever before” (Blackwell 1896).
5. The first concrete English-language reflection of the moralized notion of respect appears in the 1909 revision of this same dictionary, undertaken by William Harris and F. Sturges Allen. It occurs (a bit ironically) under the fourth definition, “To consider worthy of esteem,” which goes on to state, “hence, to refrain from obtruding upon or interfering with; as, to *respect* a person’s privacy” (Harris and Allen 1909: 1816). The phrasing of “a” person suggests “any” or “all” persons. However, an earlier case can be found in the German language, in the *Deutsches Wörterbuch* (1854) definition of *Achtung* (respect). Today, the moralized notion of respect is clearly indicated in the (2016) *Oxford English Dictionary* under 6e of the verb entry.
6. This is the King James Bible translation, first published 1611. But “respect” is used as early as Coverdale’s 1535 Bible to translate the same passage, as well as Romans 2:11; and as early as the 1587 Geneva Bible for Deuteronomy 16:19. Earlier examples can be found in Tyndale (1525) though not Wycliff (1395).
7. The terminology of a “properly basic” belief derives from Alvin Plantinga. Rawls and Dworkin are seminal examples of those who have treated the principle of equal regard this way, as I note below. The description of this principle as forming a “boundary of reasonable disagreement” is more recent (Held and Maffettone 2016).
8. The UN Declaration paved the way for a variety of further humanitarian activist efforts that quickened the normalization of equal respect. For example, Amnesty International’s Mission Statement is literally modeled on the UN Declaration. And the global

watchdog Human Rights Watch states in its “Core Values”: “Our work is guided by international human rights and humanitarian law and respect for the dignity of each human being.” <https://www.hrw.org/about>.

9. The first decision recognized the right to legal counsel for even the poorest blacks; the second struck down the injustice of Alabama’s prohibition on blacks from jury service.
10. The banner paraphrased Susan B. Anthony, who expressed a similar statement in two different letters she wrote to Henry Blackwell, in 1872 and 1894.
11. I develop these ideas at length in my manuscript draft *Rethinking Respect* (Debes, under review).
12. I grant that within the German tradition Kant may have played *the* decisive role in transforming the concept of respect. Hegel’s exploration of respect is especially remarkable for its later influence on contemporary theories of respect, especially Axel Honneth’s work on the politics of recognition (Honneth 1996; Laitinen 2017: 171–206).
13. Cf. Kant’s *Critique of Pure Reason* B375 [3:249], B651 [3:415], B736 [3:466]. (As indexed in Martin 1967.)
14. A definitive reference to both Kant and his sense of respect as recognition for persons appears in the definition of *Achtung* in the nineteenth century, *Deutsches Wörterbuch* (1854).
15. *The Critical Review, or Annals of Literature*, Vol. 23 (August, 1798), 445–448. The review was of A. F. M. Willich’s marred and partial presentation of Kant’s works in *Elements of the Critical Philosophy*.
16. A few exceptions exist, such as Coleridge’s musings on Kant, or the entry on “Philosophy” in John Wilkes’s 1825 *Encyclopaedia Londinensis*, which was essentially a summary and partial defense of Kant’s system of philosophy.
17. In a translator’s note to the text, Semple mentions an earlier anonymous translation, which appeared under the title *Kant’s Essays* in 1799. But according to Semple, these essays, “rendered by a foreigner” (probably John Richardson), were very hard to obtain. The next closest serious editions after Semple include Abbot (in 1895) and Paton (in 1947).
18. See *The Contemporary Review* (London: Strahan & Co., 1869): 452. Notably, by this point, the author testifies to the reemerging influence of Kant in anglophone circles, stating, “some real knowledge of Kant is indispensable in order to comprehension [sic] of the learned thought of our time.”
19. The mention of Marx might make one wonder whether Kant could have influenced thinking about respect indirectly, through Marxist writing. Again, no. Marxism did exert substantive influence on first-wave feminist thought, but not until c.1900. Thus, Friedrich Engels’s *Origins of the Family, Private Property, and the State*—a kind of locus classicus for Marxist feminism—didn’t appear until 1884, and wasn’t translated into English until 1902.
20. Later Lucy Day Sessions. *A Plea for the Oppressed* was delivered as a commencement speech to Oberlin College, after Lucy Stanton became the first African American to earn a four-year college degree in the United States.
21. For example, in a letter to the editor of the *National Anti-Slavery Standard* in 1865, after black men had won the right to vote, Stanton asked “whether we had better stand aside and see ‘Sambo’ walk into the kingdom first.” In the same letter, she suggested

black women were better off as actual slaves without the vote, “In fact, it is better to be the slave of an educated white man, than of a degraded, ignorant black one” (Stanton 1997: 564).

22. I borrow the phrase “untidy origins” from Faye Dudden (Dudden 2016).
23. See my edited collection, *Dignity: A History* (Debes 2017a), especially the introduction and chapters 6–10.
24. More exactly, the opening paragraph announces Locke’s rebuttal of Roger Filmer’s *Patriarcha* published in 1680.
25. For example, De Gournay argues that in those whose nature is one and the same, “one must conclude that their actions are also the same, and that their esteem and praise are therefore equal when their works are equal” (De Gournay 2013: 66; Jordan 1983: 181–201). I am sure there were exceptions to what I am calling the “dominant” line, and very old ones too. Christine de Pizan’s 1405 *Le Livre de la Cité des Dames*, for example, strikes me as a possibility.
26. Mill even called himself a “socialist,” albeit with some qualifications, in his autobiography.
27. See also Boralevi 1984. To be clear: early socialism was not immune to moments of regression. Pierre-Joseph Proudhon, for example, another prominent early British socialist, opposed woman’s suffrage. In fact, he was both a sexist and an anti-Semite (Proudhon 1960).
28. I develop the idea even further in my draft monograph *Rethinking Respect* (Debes, under review).
29. Jacobs then asked Cornelia Willis to propose to Stowe that Jacobs’s daughter Louisa accompany her to England and tell Jacob’s story to Stowe during the journey. In reply, Stowe forwarded the story outline to Willis and declined to let Louisa join her, citing the possibility of Louisa being spoiled by too much sympathy shown to her in England (Yellin 2004: 119–121; Jacobs 2000: xxi).

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PART I

ON WHAT RESPECT IS

A Conversive Theory of Respect

Philip Pettit

Introduction

This essay offers an account of respect in the generic sense in which we may be called upon to respect one another as equals: to have respect for one another and to treat one another respectfully.¹ I take this ideal to require that we respect others equally on the grounds that they count in an independent sense as equals. Such an ideal contrasts with the respect or esteem we might give to someone for their success or effort in a certain domain of activity like science or sport; with the respect or acknowledgement we feel is due to all of those in a particular area, such as medical research; and, of course, with the sort of respect or deference that a Mafia boss might require us to demonstrate.²

There are two conditions that should be satisfied by any overall account of what it is to give respect in that general sense (Pettit 2019). The first, analytical condition is that it should answer to commonly shared assumptions about respect to the point where the candidate it proposes does look like a deserver of the name: a suitable referent for the ordinary concept of respect. And the second, theoretical condition is that the candidate proposed should be a unified, suitably grounded kind of behavior; otherwise it will hardly pass muster as a significant normative kind.

This essay sketches an account of respect that is designed to meet these conditions; for reasons that appear in the last section, I describe it as a conversive theory, although it might also be cast as dialogical or addressive. The focus is entirely on respect as an ethical ideal for how we as individuals should behave, not as a political ideal for how we as a community and state should act in imposing law on citizens, as all states do, in identifying the sort of law we should impose, and in relating to people in other societies. While the ideal is relevant in both contexts, we shall be concerned here only with the ethical.

The essay is in three main parts. In the first part, I introduce a brisk, analytical account of the various sorts of behavior or treatment that may count as respecting, under our ordinary concept of generic respect. In the second, by way of background, I sketch a philosophical anthropology that makes much of the fact that we are conversational animals and can relate to one another in a manner inaccessible to other species. And then, in the third part, I draw on this anthropology to identify

a conversive form of treatment that answers to our ordinary concept of respect, yet constitutes a significant normative kind: it explains the unity in the behaviors associated with respect and provides a plausible ground for the demand that we should respect one another as equals.

1. The Ordinary Concept of Respect

When we speak of respect in the generic sense—the sense in which we may be called upon to respect one another as equals—then we presumably share a cluster of assumptions about the sort of behavior that respect dictates, and share them as a matter of common awareness: we each work with the assumptions, expect each to work with them, expect each to expect this, and so on (Lewis 1969). Otherwise we would be speaking at cross purposes.

The most basic assumption governing respect is the commonplace that it represents an important and appealing ideal for how we should treat one another, and we shall return to this at various points. Other assumptions show up in our habits of argument rather than as recognized commonplaces and need some reflection to excavate. They are of three distinct kinds, relating to the constituency of agents among whom respect can be given and enjoyed; the modality in which behavior must deliver respect; and the sorts of behavior that respect rules out: the sorts that count as disrespectful. There is no commonly accepted assumption, it seems to me, as to what respect rules in, even respect at its best, and any satisfactory theory must deal with this if it is to represent respect as a significant normative kind.

1.1 Constituency Assumptions

A first constituency assumption about respect suggests that only human beings can give or enjoy respect as equals. This is plausible in view of the fact that while we are undoubtedly obliged to treat other animals well, and while other animals can certainly enjoy that treatment, how we treat them can scarcely be cast as respecting them, let alone respecting them as equals with us. If it did, then it would not be a joke or an insult to say that I respect you as I respect my dog.

Can all human beings give and enjoy respect as equals, so that an all-claim figures alongside the only-claim as a second constituency assumption? Ordinary usage does not rule clearly on this. In a common way of speaking, yes: we are often told we should respect people as equals independently of their level of development or capacity. But if respect is something that we can give to all human beings, regardless of age or ability, then it cannot be a very demanding form of

treatment, contrary to the basic assumption that the ideal is normatively important and appealing.

In order to make respect as equals for all into a normatively demanding ideal, in accordance with this assumption, it makes sense to limit it to those, broadly speaking, who are adult and able-minded. Thus, the constituency assumptions would be, not that respect can be given and enjoyed amongst all and only human beings, but that it can be given and enjoyed amongst all and only those human beings who count as adult and able-minded.

Does limiting respect to the adult and able-minded serve other human beings badly? Does it count as objectionable on that count? Not necessarily. Consistently with limiting respect in this way, we can and endorse two plausible prescriptions that help to make the limitation more palatable. First, in determining the demands of respect with an individual or set of individuals of whom we know little in advance, we should always make a default assumption that they are adult and able-minded. And second, where we reject that default—where we opt out of the assumption that the people involved are suitably adult and able-minded—we should treat them in a manner that approximates as closely as possible to what respect as equals requires.³

The claim, then, is that respect as equals, whatever behavior it involves, can be given and enjoyed among all, and among only, adult, able-minded human beings, or similar agents. While they may be subject to certain biases, blind spots, and obsessions, those to whom we give respect, and those from whom we expect respect, must generally live up to the expectations we hold of adult and able-minded human beings.

Do the all-claim and the only-claim exhaust the constituency assumptions relevant with respect? Well, there is a third assumption that might be added, although arguably it is implicit in the first two. This is the assumption that as an ideal of behavior, respecting others as equals is naturally taken as an ideal, not just for how I should treat you, or of how you should treat me, but of how we should treat each another. The ideal presents as an ideal of mutuality or reciprocity: an ideal, as we have been putting it, for how we adult, able-minded human beings should treat one another.

One question before moving on. Can respect be given by and to the corporate bodies that human beings form—the group agents that they constitute (List and Pettit 2011)—as well as by and to adult, able-minded individuals? Since they consist in individuals organized to act together in an open-ended range of contexts, corporate bodies will certainly have the same capacity as their individual members to give respect as equals to individuals. But because they are organizations of individuals, it is hard to see how respecting them as equals could come apart from respecting the members. And if it could—if the respect given to an organization might require failing to respect its members, or any other individuals—it is hard

to see why the claim of the organization should trump that of the members. Thus, we may restrict the appropriate targets of respect to adult, able-minded human beings—or strictly to any agents who are suitably similar—without any serious loss of generality.⁴

1.2 Modality Assumptions

Whatever behavior is involved in giving you respect as the equal of others, we would not respect you if we delivered that behavior opportunistically: that is, because it was convenient at the time, because you happened to please us on that occasion, because we were feeling good about the world, because it was a religious or national festival, or anything of that fortuitous sort. In order to give or show you respect, we need to deliver the respectful behavior just when some central conditions that make it appropriate are realized, and independently of variations in collateral conditions like those illustrated. We need to deliver it, not just in the actual situation, but robustly over circumstances where the central conditions remain in place, and other conditions—by definition, other collateral conditions—vary in no matter what manner.

The respect we give one another is a robustly demanding good in the way in which the friendship I may give you is robustly demanding (Pettit 2015b). I do not give you friendship if I display friendly behavior, but only contingently on that being in my own interest, or to the advantage of a third party, or even for the good of humanity as a whole. I might count as a fair-weather friend but only in a sense in which that means a fake friend: someone who is not really a friend. Similarly, I do not give you respect if I offer you a suitable form of respect-related behavior, but only contingently on my convenience, your congeniality, or the alignment of the stars. Fair-weather respect, like fair-weather friendship, is fake: it is not an instance of respect at all.

Thus, if I give you friendship or respect on a given occasion, then it must be the case, not only that I behave in a manner characteristic of friendship or respect, but that I would still have done so had things remained the same in the conditions central to friendship or respect, varying only in collateral conditions. Each good is robustly or modally demanding in the sense of requiring not just that I act in such and such a way in actual circumstances but that I would have still acted that way under various counterfactual scenarios.

What are the conditions central to friendship or respect? Presumably, in the case of friendship: that you are a friend, by common criteria, who needs or seeks my help; that I have the capacity to deliver the assistance that you require; and that such assistance does not breach intuitively more important demands. And by parallel in the case of respect: that you are an adult, able-minded human being;

that I have the capacity to deliver the behavior associated with respect; and that behaving in that way towards you is not trumped by the call of a greater good—say, that of saving some innocent lives.

Summing up this modality requirement, then, we can give you respect as an equal only insofar as we treat you in the way associated with respect, whatever that is; and only insofar as we deliver that treatment robustly over the presence of conditions central to respect, and regardless of variation in other, collateral conditions. Or, putting the claim otherwise, we must deliver the required treatment whenever the reasons for respect are present—you are an adult, able-minded human being—and there is no excuse or justification for not doing so: no excuse that a lack of capacity would provide, no justification that a trumping good would furnish.

The modality assumptions we have been looking at imply that if I give you respect on a given occasion then I must act out of responsiveness to reasons of respect—if you like, out of a respectful disposition—at least when there is no compelling excuse or justification for not doing so. This in turn means that I must act intentionally when I do this: not out of a compulsive habit, for example, and not because I am chronically mistaken about who you are. If I behaved towards you on a non-intentional basis then I would not robustly act as required: I would not act robustly over variations on the situation where you remain an adult, able-minded human being, where there is nothing to block my capacity to act and no trumping good that would argue for my not acting in that way.

But the robustness assumptions also mean that I must act willingly or voluntarily in delivering the behavior associated with respect. I will act intentionally in doing something X, roughly, insofar as I do so on the basis of suitable beliefs about X and suitable desires for something that answers to those beliefs. But I will act willingly or voluntarily only if I do not do so for want, as it seems, of a comparatively acceptable alternative: I do not do so only because of regarding the apparent alternatives as unacceptable. On a plausible analysis of the idea, such alternatives will be unacceptable to the extent that, by ordinary criteria, they are so costly that I could not plausibly be held responsible—commended or censured—for choosing X instead.⁵

The reason I must act willingly as well as intentionally in delivering the behavior associated with respect is that, as in the intentionality case, the unwilling or involuntary delivery of that behavior will not be suitably robust. If unwilling, then I act towards you in that way only because I take the apparent alternatives to be comparatively unacceptable. But that means that I may not act in that way under variations to the actual circumstances in which the alternatives become acceptable, even attractive. It means that in acting in the manner associated with respect, I do so quite contingently on the absence of a suitable alternative, and not in the robust manner that respect requires.

In the ordinary case where I willingly behave towards you as respect requires, there will be comparatively acceptable alternatives that I turn my back on: alternatives in which I treat you badly. But it is worth noticing that even if there are no such alternatives—even if, for example, any failure to behave appropriately would attract a legal penalty—still I may willingly or voluntarily give you the benefit of that behavior. I will do so insofar as it is not the absence of an acceptable alternative that prompts my action but the reasons of respect to which I am responsive.

One final observation, before leaving this topic. Giving you respect intentionally and willingly does not require that I exercise deliberative control over what I do, thinking explicitly about the pros and cons and opting willingly for the required behavior. I may act on the basis of an unthinking habit or disposition—on the basis of an unreflective sensitivity to reasons of respect—and yet act intentionally and willingly. I will do so if I manifest the disposition under a standby or virtual form of intentional control.

I would enjoy such standby control under three conditions. One, the disposition issues spontaneously in suitable behavior when I register the relevant considerations—in the case of respect, that you are an adult, able-minded human being—and when there is no compelling excuse or justification for not acting on them; I do not think about any other considerations, pro or con. Two, a red flag would normally go up—a prompt would catch my attention—if other considerations were relevant: if something was likely to get in the way of the action or, more plausibly, if there were trumping goods that the action would jeopardize. Three, I would respond to a red flag of that kind by rethinking the situation and acting as deliberation supports.

Suppose, for example, that when considerations of respect argue for truthfulness, I am disposed unthinkingly to tell the truth to anyone seeking information. I would still tell the truth intentionally and willingly in such a case, if the manifestation of the disposition were conditional on the absence of a red flag; if I was disposed to think again on noticing such a prompt and to tell the truth only if doing so was well supported by untrumped reasons on which I remain capable of acting. Thus, I would balk if it appeared that the person asking me about the whereabouts of a friend was a would-be murderer: the request would raise a red flag, directing me to the trumping good of saving life, and prompting me to think again about what to do.

1.3 Behavioral Assumptions

The behaviors that respect rules out, by common assumption, fall into two broad categories that are quite different from each another. If we are to count as respecting you then, first, we should not intrude in various ways within an area that by

shared, perhaps legally enunciated criteria—these may be culturally variable—is a domain of personal choice; and second, we should not demote you in any of a number of ways to what by received—but perhaps also variable—criteria is a second-class status.⁶ The first sort of disrespectful behavior involves restriction, as we may put it, the second relegation.

Before turning to the distinction between restrictive and relegating behavior, however, we should notice that there are three conditions that such behavior must satisfy, if it is to count as disrespectful. The first is that it should be voluntarily imposed, the second that it should be involuntarily undergone, and the third that it is not perpetrated in punishment or retaliation, under locally accepted standards, for a recognized offense of some sort.

Having stipulated that the behavior of giving you respect on any occasion must be voluntary, it follows that in order to be disrespectful, our behavior on that occasion must also be voluntary; each option, the one respectful and the other not, must be comparatively acceptable to a degree that gives us a choice between them. Where being respectful requires the robust delivery of suitable behavior, however, being disrespectful does not require robustness of a parallel kind. It merely requires a failure to provide respect robustly and that failure may be contingent on quite specific conditions: it may occur, for example, only because of a contingent impulse or temptation that we suffer.⁷

But not only must any form of behavior be voluntarily imposed by the offender, if it is to count as disrespectful; in addition, it must not be voluntarily permitted by the subject: in that sense, it must be involuntarily undergone. If you choose to submit to the behavior in question, and do so willingly—refusing is a comparatively acceptable alternative—then I can hardly be said to act disrespectfully in delivering that behavior. *Injuria non fit volenti*, in an old legal mantra: no wrong is done to someone who willingly agrees to it—or at least agrees to it at the time, not on some past, potentially regretted occasion.

The third condition that restriction or relegation must satisfy if it is to count as disrespectful is that it is not imposed as a form of punishment or retaliation, according to locally accepted standards, for a previous offense. Assuming the punishment is not extremely unjust, by our lights—say, because of the injustice of the law or because of a genuine mistake in the proceeding against the offender—it would be hard for us to cast it as disrespectful.

Back now to restrictive and relegating behavior. What forms of behavior on our part would count as restrictive in a way that is hostile to respecting you? In one way or another, they are all forms of what is often described as interference. We may interfere with you in a choice, whether overtly or covertly, in any of three ways: by *removing* an option from the choice; by *replacing* the option by an alternative; or by *misrepresenting* the options to you (Pettit 2014: ch. 2).

These modes of interference each cover a great variety of ways in which we may restrict you. Thus, we may remove an option from a choice in a particularly drastic way by incapacitating you from choosing anything—at the limit, killing you—by undermining your deliberative capacity, by pre-empting you in making the choice on your behalf (Shiffrin 2000), or by giving the choice to a third person as in the paradigmatically paternalist query: “Does he take sugar?” Again, we may replace an option, whether covertly or overtly, by imposing or threatening a penalty or even by forcibly imposing a reward. And we may misrepresent an option by deceiving you about relevant facets of the world, by making a bluff but still credible threat, or by manipulating in some way your perception or understanding of how things stand.

It is worth noting that these sorts of restriction or interference contrast with some other modes of influencing you that do not have the same disrespectful character. The main example is the offer, as when we offer you a reward for taking one or another option in the choice. Provided that this really is a reward that you may accept or reject, as you wish, and provided it does not mesmerize you in the manner of a drink offered to an alcoholic—it does not undermine your deliberative capacity—such an offer will increase the options available to you in the choice and can hardly count as restricting you disrespectfully.

Another mode of influencing you that is not strictly disrespectful, although it has an underhand character, is the nudge, as it has been called (Thaler and Sunstein 2008). Nudging involves organizing the options in a choice so as to increase the likelihood of your making a particular choice, without removing, replacing, or misrepresenting any option. Thus, we may give you a choice between X and Y in which the default is X and you have to opt out of that default to select Y, or in which the default is Y and you have to opt out of it in order to select X. People tend to go with the default option, and so we may nudge you to choose one or the other by setting up the options appropriately. Would nudging you in that way amount to disrespect? Not, plausibly, under two conditions: we have no alternative but to establish one default structure or the other; and we do not mislead you by the structure we establish: we do not suggest, for example, that the default option carries no risk of danger, when actually it does.

Moving from restriction, the second broad mode of behavior that respect rules out is relegation, as we called it. The prime example here is where we boycott or shun or ostracize you, abjuring any sort of exchange or interaction. If we do this voluntarily, without your consent, and not by way of imposing an accepted form of punishment or retaliation, then we will certainly count by ordinary criteria as behaving disrespectfully towards you. We will deny you a place in community with us, treating you as unworthy of acceptance.

Short of outright ostracism, we may relegate you in any of a range of ways. We may cast you or treat you in a reified or commodified fashion, say as merely an

object of sexual interest. We may expose you to ridicule, humiliating you publicly. We may just speak about you to others as if you weren't there in the way traditional masters treated servants and slaves. Or we may slander you, with or without your knowledge, in a manner that is likely to compromise how you relate to others. There is no end to the different, nuanced ways in which we may behave disrespectfully without actually interfering in any of your choices.

One striking, perhaps surprising way in which we may relegate you reflects the commonly made remark that blaming another for what they did, showing resentment or indignation at their behavior, is actually a way of respecting them. It treats that person, after all, as someone there is hope of redeeming: someone whose behavior is not something to which we just have to reconcile ourselves. If this is so, then we may behave disrespectfully towards you by treating you as beneath contempt: beneath a threshold such that, as we believe, there is no point, certainly no reformatory point, in censuring you—or of course commending you—for your actions.

Do we relegate you, and treat you disrespectfully, if we discriminate against you and in favor of others? The answer takes one form if we take the “we” to refer to us as several individuals, as in the ethical theory at the focus of this paper, and another if we take it to refer to us as a community, acting in political organization though a state. As individuals we may discriminate in favor of our family or friends, without counting as disrespectful of those we neglect; this is because many of the roles we assume as individuals involve a partiality to a selected few. But as a community we are under a presumptive obligation to treat citizens equally and in that role we would certainly show disrespect by certain forms of discrimination. This is worth noting, although we do not pursue it further in this essay, where the focus is on ethics rather than politics.

The upshot of this discussion is that, under the ordinary concept of generic respect, it rules out two sorts of behavior, restrictive and relegating, at least when they are voluntarily pursued, involuntarily undergone, and not imposed in punishment. But two notes in conclusion.

The first is that the sort of restriction and relegation outlawed by the notion of respect may be retail or wholesale in character. It may be practiced against an individual in their own right or it may be practiced against one or more individuals—and effectively against a group—in virtue of a common identity, whether of gender, religion, ethnicity, or whatever. We may treat you disrespectfully in this manner in virtue of treating anyone of your identity in that way.

The second note worth adding is that while respect rules out actual restriction or relegation in how we treat those with whom we have contact, it also imposes requirements in the case of persons whom we have no opportunity to restrict or relegate. We can't be said to behave respectfully towards them, just because the absence of opportunity ensures that we don't actually impose restriction or

relegation on them. But still, we can be said to respect them insofar as we meet a further condition. This is that we robustly avoid restricting or relegating them. Even in this no-contact case, respect rules out something: holding an attitude of disrespect and not being disposed to avoid restriction and relegation, should the opportunity for imposing them arise. Thus, in line with common assumptions, we can give disrespectful or respectful treatment, not just to people with whom we actually interact, but also to people with whom it is unlikely we ever will.

What goes for how we are disposed towards others with whom we have no contact also holds for how we are disposed towards others when we are unsuccessful in our attempts to influence them, whether respectfully or disrespectfully: others on whom we have no impact. Holding an attitude of respect, even if we try but fail to express it in action, will count as respecting them and holding an attitude of disrespect when we try but fail to express it will count as disrespecting them.

2. A Philosophical Anthropology

2.1 A Starting Point

The constituency, behavior, and robustness assumptions about respect give us constraints that we may expect any theory of respect to satisfy: any theory, that is, which deserves to be called a theory of respect, as distinct from a theory of something else. But where to start in generating potential candidates for satisfiers of those assumptions? Where to find the materials out of which we might hope to generate an account that makes respect into a significant normative kind?

Whatever makes it possible for us adult and able-minded human beings to give and receive respect, it is something that marks us off from other animals. For, as we have seen, the constituency assumptions imply that whereas this is possible between us, it is not possible for other animals, even animals of impressive cognitive abilities and appealing social dispositions. We should certainly treat other animals well, by any plausible account of normative demands, and we should take account of their environmental requirements. But such a concern for animal welfare, so the assumption goes, does not amount to a concern for showing them respect.

What is it about human beings, then, that makes it possible for us to give and enjoy respect as equals? The feature of human beings that marks us off most sharply from other species is the fact that we communicate with one another in a distinctive manner, and do so by means of recursive, indefinitely flexible languages. However sophisticated communication is in other species, and whatever the intricacies of the symbols it deploys, it lacks the characteristic features of

communication in natural language (Scott-Phillips 2015). This suggests that we should look at language and communication to see whether it is our being conversational creatures that makes respect relevant.

We human beings often use language in ways that are not primarily communicative, as when we make jokes or trade insults. Such uses of language presuppose more standard communication, however, and our focus will be on language that is primarily communicative. But we often use communicative language in a strategic, even deceptive fashion, seeking to advance our own ends, while pretending to be cooperative speakers. That would only be possible, however, if in the general run we were cooperative speakers, and we may concentrate here on such cooperative as well as communicative exchange. A good word for such exchange is the older word “converse” and a good name for speakers who are cooperative in that manner is “conversive.”

2.2 Intentional, Overt Communication

In conversive communication, you and I intentionally and manifestly transmit information, or what we as speakers take to be information, by means of conventional words that are organized under conventional rules. The information I convey in such an act may be about our shared world or about one or other of my attitudes towards that world: about a belief, for example, a preference, or an intention. On a now standard style of analysis of communication, I use my words with the primary intention of conveying that information to an audience; and with the secondary intention of achieving that result by making my primary intention salient to them: by getting them to infer its presence (Sperber and Wilson 1986; Grice 1989). Moreover, I do all of this in an overt manner, which does not hide what is going on and thereby enable me to deny later that I acted on such an intention (Strawson 1964; Neale 1992: 550).

The provision against hiding what is going on, and indeed the role of the primary and secondary intentions, can be explained by example. Consider a case where I intend you to recognize that I want you to refill my glass with wine, as in the primary intention; and, acting on the secondary intention, I put the glass where you cannot help but notice that it is empty, thereby conveying my primary intention. But I do this in a way that gives me deniability, should I be accused of looking for another drink. I get across the message that I want more wine, and that I want you to recognize and presumably respond to this desire, but I do so in a way that hides the fact that I am messaging you. Wanting to maintain the facade of being more or less indifferent to alcohol or of not being someone who would pressure a host, I suppress the fact that I am sending you that message.

This example suggests that in conversive communication, unlike this example, I not only act on the primary and secondary intentions mentioned; I do so in a way that does not hide those intentions. In full dress mode, I may want the intentions to be a matter of common awareness or common ground: to be such that each of us is in a position to be aware of the intentions, in a position to be aware that each is aware of them, and so on in the usual hierarchy (Lewis 1969).

There is no evidence that other animals pursue this sort of communication, let alone that they do so in the infinitely nuanced ways that language makes possible.⁸ This suggests the possibility that it may be access to communication in natural language that makes human beings into subjects among whom respect has a natural place.

The suggestion is supported by the range of capacities that, as it turns out, language ensures we must have. As we will now see, language enables us human beings to make up our own minds, not just to have our minds made up for us unconsciously in a way that we cannot monitor or control. And as a result of that effect, language provides us with a special means of mutual influence, enabling us to communicate our minds in a way that makes us conversable—that is, accessible to one another's understanding—and in a commissive manner that makes us highly credible as interlocutors.

2.3 Making up Our Minds

Given how it has been favored in natural and social selection, language presumably works reliably as a means of communicating our attitudes towards one another. Thus, when you or I carefully and truthfully make an assertion about what is the case, we must normally have or form the corresponding belief; and equally when we make a careful, truthful assertion about what seems attractive or imperative, we must normally have the corresponding preference or intention. There must be a general congruence between word and mind.

When we make such assertions we will presumably rely on the data at our disposal in the case of belief, the relevant desiderata—the sorts of properties we find moving—in the case of preference and intention; we will not generally do so by seeking to scan and report on the attitudes within us. And so, given the congruence of word and mind, the exercise of registering those data and desiderata must generally be matched by the existence of corresponding attitudes, whether or not it calls the attitudes into existence.

This congruence between speech acts and mental attitudes is bound to be salient to all and implies that as we can intentionally set out to determine what to say, reflecting on data or desiderata, so at the same time we can set out to determine what attitude to hold. And that in turn means that we can make up our

minds about what to believe on some question, what to prefer among certain scenarios, what to intend and choose among certain options, and so on.

We cannot decide to believe that *p*, of course, but we can decide whether or not to form an attitude of belief towards the proposition. We can decide to research and think about the data relevant to whether we should assert sincerely that *p* or that not *p*—whether or not we should assent to the proposition or its negation—or should reserve judgment. And in deciding about what, if anything, to assent to, we decide about what, if anything, to believe. Equally we can decide to research and think about the desiderata relevant to whether we should sincerely express a preference for *A* over *B* or an intention to do *X* rather than not-*X*.

On all these fronts, then, we can make up our minds intentionally and do not have to rely exclusively on the automatic and unconscious updating of our attitudes. We will depend on such updating in our unthinking moments, of course, and these may consume most of our lives. But unlike other animals, we can often suspend that sub-personal process and intentionally seek to let the data or desiderata prompt beliefs or desires or intentions in us.

2.4 From Conversive to Conversable

That language is functional not only implies that we can make up our minds. It implies in addition that the words we use, the sentences we form, and the utterances we make bear more or less common meanings and are employed to common purposes, being constrained by community-wide conventions; otherwise there could be no reliable communication (Lewis 1969). This in turn means that we can establish shared standards governing what data make a given, commonly understood assertion—and the corresponding belief—intelligible and defensible. And it is surely inevitable that we will establish standards of this kind.

This is inevitable, at least, on the plausible assumption that there are data that govern what we can assert defensibly—these we try to track in being careful about what we say—and that what is defensible for me is defensible for you: that the same data should push us, if we are careful, in the same direction. With common standards of this cognitive kind in play, we will be in a position to prove ourselves conversable: capable of being moved by one another's testimony to register novel data or to take more care over data already recognized.

What holds for data and belief is also likely to hold for desiderata and preference, and indeed for desiderata and intention. Even when we differ in particular tastes and feelings, the relative uniformity of human nature suggests that at some level there will be a commonality in our motivating attitudes. If you have a taste for wine and I a taste for beer, there will be at least this commonality between us: that we are each motivated to prefer the drink that answers to our particular

palate. And in other cases, the uniformity of human nature suggests that there may be an even more basic commonality in place: that as you are moved, for example, by a property like security or excitement, fidelity or honesty, esteem or fame—as that property plays a role in leading you to prefer bearers to otherwise similar non-bearers—so the same is likely to be true of me. Such commonalities being available, it is intelligible that as we establish standards of conversability in response to data, so we will establish standards of conversability in response to desiderata.

It is not only intelligible that we should establish standards of conversability in attitudes of belief, preference, and intention, and indeed in other attitudes too; there is also evidence that we actually do this, recognizing suitable standards as a matter of common awareness. That evidence consists in the fact that we take a very distinctive attitude to those who do not conform to certain standards: those who prove unconvertible. Let someone hold that an elderly aunt is a communist but be unable to provide a shred of evidence or data in support, and we will take the claim as an aberration, or doubt their very rationality: doubt that they can be reached by any sort of demonstration or testimony, however compelling (Dennett 1979). Let someone claim to want a saucer of mud but be utterly incapable of citing anything about that object, or the use they might make of it, that might constitute a plausible desideratum, and we will have a similar reaction (Anscombe 1957).

With common standards of mutual conversability in place, we can aspire to help one another to make up our minds as well as making up our own. I can enter conversation or discourse in which I put novel data or desiderata before you, or draw attention to the unnoticed implications of existing data or desiderata, thereby hoping to change your mind. And as I can do this for you, so you can do it for me. We achieve a position in which we can combine our efforts and form a common mind on various theoretical issues of belief, various practical issues of preference and intention.

2.5 From Convertible to Commissive

But language does even more than enable us to make up our own minds and help us to make up our minds together. It also enables us to recognize that as conversable subjects we can communicate our minds to one another with a very special authority. When I make up my mind that something is the case, that something is attractive, or that something is the thing to do, I can know my mind—I can know what I believe or prefer or intend—just in virtue of knowing what I do in assenting to the associated proposition or proposal. And, assuming that I perform that act of assent with care—assuming that I attend fully to the data or desiderata on

offer—I will have excellent grounds for taking myself to have the corresponding belief or preference or intention.⁹

Given this practical mode in which I can know what I believe or prefer or intend, I can speak with a special authority on the presence of such a state. I do not have to rely on scanning my own mind introspectively, or on looking like an observer at what I say or do. I do not have to review such evidence about my own mind, as I might have to review the evidence about the mind of another, and do not run the risk of getting that evidence wrong: that is, of being misled by the mind I survey. Hence, I am in a position to convey the attitudes I hold without reporting on them as I might have to report on the attitudes of another.

Were I to report on my attitudes as I might report on the attitudes of another, then there would be two salient ways in which I might later excuse a misreport, seeking to get you not to discount me as an interlocutor: seeking to avoid a reputational loss that might have costly implications for me in future relationships with you or your associates. I might explain that my mind had been misleading, as evidence is always likely to be misleading. Or I might explain that I changed my mind since speaking with you.

The fact, manifest on all sides, that I do not have to rely on evidence about my own mind to be able to convey my attitudes—the fact that I can know those attitudes in virtue of having made up my mind about them—means that I can speak with a special authority about them. I can avow a belief or a desire or an intention, as we may say, rather than merely reporting it. I can choose to convey the attitude on the basis of the data or desiderata that enable me to make up my mind about it, foreclosing the possibility that I might later excuse a miscommunication by saying that I was misled about my own mind. Among the salient excuses for a miscommunication, the only explanation that will be available to me is to claim, however plausibly, that I changed my mind since speaking. Thus, I will be in a position to communicate my attitudes to you on the basis of an assurance about them that an observer could not enjoy.

You will have a special reason to trust what I say in such an avowal. By choosing to avow the attitude I will have chosen to raise the reputational stakes. For, as a matter accessible to common awareness, I will have exposed myself to a greater risk of reputational loss than if I had played safe and made clear that I was reporting it: I will have put aside the possibility of explaining a miscommunication by invoking the misleading-mind excuse. And by choosing to raise the stakes, exposing myself to a greater risk of loss, I will have made my words more credible. I will have given you special reason to trust me when I speak for myself in the manner of an avowal.

Not only may I raise the stakes in communicating my attitudes by choosing to avow them. With intentions, I may go even further and choose to put aside the changed-mind excuse as well. I may not just avow an intention to be in my usual

place beside you at tonight's football game, which would allow me to excuse a failure to turn up by explaining that I changed my mind. I may pledge the intention by using the words associated with promises as distinct from predictions: by saying "You can depend on me; I'll be there" or indeed "I promise or pledge to be there." Conscious that a pledge will activate the desideratum of wanting to prove myself a person whose word is reliable, I can rely on that very desideratum to keep me faithful to the pledge.¹⁰

If I pledge the intention to be at the game—if I pledge, equivalently, to act on the intention—I will manifestly put aside the possibility of appealing to the changed-mind as the well as the misleading-mind excuse for not turning up. I may still be able to excuse a failure to turn up by appealing to a practical as distinct from an epistemic excuse, as in claiming that I broke a leg and cannot be held responsible for the failure. But going beyond a report or an avowal to a pledge can make your assurance doubly, if not triply assured, foreclosing standard epistemic excuses; it can enable you generally to take me at my word: a word, as we say in the case of pledges, that I will have given you.

These observations about how we may communicate our attitudes to one another imply that not only are we conversable, we are also commissive. Not only can we aspire to make up one another's minds, we can also rely on being able to communicate our attitudes credibly, raising the stakes in the sort of commitment exemplified by avowals and pledges. In those cases, we do not speak about ourselves in the manner of detached reporters who can readily excuse any failure of communication. We speak for ourselves in a way that puts our reputation on the line and makes us capable of getting one another to rely on our respective words and to build relationships on the basis of that mutual trust.

3. Towards a Theory of Respect

3.1 Conversive Exchange

The considerations rehearsed in the last section direct us to a distinctive form of influence that we human beings can seek and exercise over one another. This is the influence that we seek in converse with one another.

Conversing with you involves inviting you to form this or that attitude, or perform this or that action, on the basis of the data or desiderata we bring to your attention and the commitments we make to holding corresponding attitudes. In those overtures, we communicate things about the world, ideally in search of agreement, and commissively back ourselves to display corresponding attitudes: this, on pain of bearing a special cost for proving to have miscommunicated them. And in doing that, of course, we manifestly seek and expect reciprocation

and, in the event of difference or distrust, negotiation about any issues that divide us.

Consider how a conversive exchange is likely to evolve. I assert that something is the case, thereby avowing the belief that that is so, and invite you implicitly to go along, treating the proposition as something avowed in our common name. If you go along, that will presumably be because you have access to some confirming—or at least, to no infirming—evidence, so that the ground for thinking things are thus and so firms up as common ground. Assuming you do go along, you or I may then seek to add to that common ground, making a further assertion and inviting the other to go along with it in turn and thereby build up a body of co-avowed beliefs. And if you or I do not go along at any point, then the objection raised will prompt us to retreat to a less contentious claim on which we converge, and then to explore how far we may take it as the starting point for extending the common ground. All going well, we may expect to end up with a picture of things that we commonly endorse.

Conversive exchange is likely to involve, not just the attempt to build up a shared, well-tested view of the world, but also, in parallel, an attempt to establish mutual understanding and reliance between us, and to initiate or maintain some common projects. Apart from avowing various beliefs in asserting would-be facts about the world, I will also be likely to avow certain desires and intentions, as we converse with one another, and even to pledge myself to various intentions and actions. And in doing this, I will give you reason to treat this communication about myself as credible, and to rely on my preserving the attitudes conveyed. If you respond with reciprocal commitments, whether in accepting my claims or negotiating about details, then the prospect is that we will be able to achieve a degree of mutual reliance and relationship that is to the benefit of each.¹¹

Converse, as these brief comments indicate, holds out the win-win prospect of long-term, mutually beneficial coordination, on the basis of relatively firm and common ground, whether among couples or multiples of individuals. And yet it can materialize, assuming the exchange is not contaminated by other elements, on a voluntary, take-it-or-leave-it basis, without anyone attempting to give others little or no choice in the matter: this, for example, by making various options comparatively unacceptable.

Conversive exchange enables human beings—or at least adult and able-minded human beings—to influence one another in a manner that is just not possible with other animals. Since it is a form of mutually beneficial, unforced influence it has obvious appeal. And that raises a salient possibility. Might conversive exchange provide us with the material out of which to build a theory that makes respect into a significant normal kind? We now explore that question by looking, first, at whether conversive exchange is sufficient for respect and, second, at whether it is necessary.

3.2 Is Converse Sufficient for Respect?

If we treat you conversively, do we therefore give you respect? The question needs to be explored in light of the assumptions built into the ordinary concept of respect, as listed in the first part of the essay. These are: the basic assumption that respect is an important and appealing relationship and then the three sets of assumption bearing respectively on the constituency, the modality, and the behavior associated with respect.

In treating you conversively, we will certainly treat you in a manner that has normative appeal, to take the basic assumption. We will offer you a form of treatment that has two powerfully attractive features. First, it elicits the responses sought only insofar as you are willing to give those responses on an unforced, voluntary basis. And second, it promises to establish firm and common ground between us, to give us reliable access to one another's attitudes, and thereby to facilitate various forms of coordination and relationship.

If we treat you conversively, to move to the constituency assumptions, will we treat you in a way that presupposes that both we and you are adult, able-minded human beings? Yes, of course. It is only adult, able-minded communicators, after all, who are going to be capable of giving or enjoying conversive interaction. All such agents, moreover, are going to be capable of this, so that the all-assumption is satisfied as well as the only-assumption. And so too is the third, mutuality assumption: if conversive behavior is appealing, then mutually conversive behavior is bound to be appealing as well; indeed, it is not clear that converse in the strict sense is even appropriate in dealing with someone who does not offer responses.

If we treat you conversively, however, we may do so in a way that fails the modality assumptions. For while we can hardly converse with you without acting intentionally and in the normal case voluntarily, we can certainly converse without doing so robustly. We may be prepared to treat you conversively only when that appeals on collateral grounds: only when it is in our interest, it serves some independent project we espouse, or whatever. We may not be ready to treat you in that way just on the basis that: first, you are an adult, able-minded human being; second, we are capable of acting conversively towards you; and, third, the appeal of converse is not eclipsed by a more important consideration.

But while opportunistic converse is not sufficient for respect, we can easily rectify the shortfall. We can stipulate that the conversive treatment that suffices for respect must satisfy a suitable robustness condition. That stipulation need not be arbitrary, as Hegel's tale of the master and the slave indicates. The master cannot relate to the slave in the conversive, reciprocal manner he envisages because, as a matter available in common to each, no conversive overture could satisfy robustness. It will be clear to each that as a master he is liable at any point where he

disagrees with the slave to exit the rules of the conversive game and employ force or threat instead. And that being so, the slave is going to have to watch what he or she says and make sure to keep the master sweet, in which case the interaction is no longer properly conversive. In converse proper, it has to be a matter of common assumption that each party relies solely on the conversability of the other for achieving the influence sought and this cannot be a matter of common assumption as between master and slave.

We stipulate here that the treatment we provide for one another, acting as individuals, must be suitably robust. But can this requirement be satisfied in the absence of a suitable rule of law, limiting the power of someone like the master in Hegel's example? Can it be satisfied in the absence of a suitable political order? Almost certainly not, since however well-disposed they are, those with the sort of power approximating that of Hegel's master may not be able to renounce that power reliably: certainly not reliably enough to make the renunciation credible to those against whom it can be used. That argues that we as a community or state must act to support interpersonal respect by introducing laws that guard against the power of such figures. In line with our general practice in this paper, however, we ignore that political issue here.

Coming now to behavioral assumptions, the question is this: If we treat you in a robustly conversive way, is that sufficient for giving you respect? Does it rule out restricting your personal choices or relegating you in status? Yes, I shall argue, it does.

Any social practice whatsoever, including the practice of converse, will rule out various activities in either or both of two ways: by precluding them as inconsistent with its presumptive goal or by prohibiting them on the basis of its rules. Consider the example of law. The law precludes arbitrary decision-making, because the point of law by almost all accounts is to make public decisions conform to general patterns, not to be generated in an *ad hoc* way. But the law prohibits other activities in quite a distinct sense—that in which the rules of the law indict them—and in that sense it may not explicitly prohibit arbitrary decision-making by the authorities.¹²

Conversive practice precludes various forms of restriction or interference, because of its presumptive rationale in allowing a form of mutual influence, voluntarily endorsed by participants, in which each purportedly relies for any influence sought on just the conversability of the other. Thus, it obviously precludes our removing a particular option from among those in the range of your personal choice, as in the exercise of force. And it precludes our imposing a penalty on an option, or threatening to do so in order to put you off it. True, in communicating such a threat, we rely partly on conversive measures but taken as a whole the intervention is precluded by conversive exchange; it is inimical to the voluntariness that converse embodies.

As conversive practice precludes these forms of restriction, so it precludes various forms of relegation too. Conversing with you precludes boycotting or shunning or ostracizing you. It precludes reifying or commodifying you, as in treating you as just an object of sexual interest. It precludes publicly humiliating you. And, of course, it precludes putting you beyond the reach of censure and commendation, since that means refusing to treat you as someone who can be held to their commitments. Such activities, like the restrictive initiatives illustrated, are simply incompatible with conversive purposes.

Like any social practice, conversive exchange is going to introduce rules that are implicitly understood by all participants. The rules will be conveyed by the expectations they hold about one another in such a way that they are liable to exit or defect if the expectations are unfulfilled; these are expectations, as we may say, to which they hold one another. As conversive exchange precludes various forms of restriction and relegation, so its implicit rules prohibit others.¹³

Conversive rules certainly prohibit lying to you or relying on essentially hidden manipulative effects in order to misdirect you. Every act of converse purports to be truthful and to rely for its acceptance only on your trust. If you discover that we were deceptive or manipulative, therefore, you will naturally complain or withdraw. And that shows that deception and manipulation are prohibited by the rules of converse: the rules implicit in the practice. In a similar fashion, the rules of converse also prohibit the sort of relegation implied in our speaking about you as if you were not there, or indeed in our slandering you openly or behind your back; in each case you will reasonably feel that we have breached an expectation associated with our purporting to converse with you.

3.3 Is Converse Necessary for Respect?

These observations suggest that treating you in a robustly conversive fashion ensures, in the manner of a sufficient condition, that we treat you with respect. It ensures that our behavior counts as respectful by the assumptions that shape our ordinary concept of respect: the basic assumption that respect is a normative ideal as well as the constituency, the modality, and the behavioral assumptions. But while this robustly conversive treatment is sufficient for respect, it clearly fails to be necessary.

A first reason why it fails to be necessary is that there are many non-conversive ways of behaving towards you that are consistent with our still respecting you. Examples might be cajoling or teasing you, hanging out with you, or just going for a walk together. To think that we were not displaying respect just because we were involved in such non-conversive activities would be absurd. Whereas respect is ubiquitous in human interaction, converse is confined to very particular contexts and exchanges.

The treatment illustrated by the examples contrasts in a marked way with the anti-conversive forms of treatment considered above. Unlike the varieties of restriction and relegation that we looked at, they are neither precluded nor prohibited by conversive practice. We may describe them, as indeed we may describe conversive initiatives themselves, as pro-conversive in character. That directs us to a possible solution for the problem that they raise. This would be to hold that such robustly pro-conversive is sufficient and necessary for respect.

Still, this is not quite right either. By our earlier observations, we may respect you, even in the no-contact case where we haven't met you, or the no-impact case where we fail to act as we intended. But we hardly treat you in a robustly pro-conversive way just because we have had no contact with you, or no impact on you.

This problem too is resolvable by means of an adjustment that starts from the notion of converse. Even in the cases considered, there is a weaker condition satisfied there that is also satisfied when we relate to you in a robustly conversive or pro-conversive way. This is that we avoid anti-conversive treatment robustly: that we are disposed to avoid it even should we have the opportunity to make contact or have an impact. We avoid treating you anti-conversively, not just because we happen actually not to have had contact with you or not to have succeeded in making an impact; we avoid that sort of treatment robustly over variations on actual circumstances, where we have opportunity for contact or access to impact.

3.4 The Conversive Theory and Its Appeal

If we make the two adjustments required to avoid the necessity problems, then we can offer a theory of respect that still makes converse central. The theory links robustly conversive interaction canonically with respect insofar as it implies that were such interaction impossible for creatures like us, there would be little or no room for the concept of respect: It would have no role to play.

We can sum up these observations in the claim that respect requires us to treat others as conversable, indeed to treat them as equally conversable. It requires us to act according to appropriate rules in conversive exchange; to act pro-conversively, in other interactions; and, absent the contact or impact interaction presupposes, to be disposed to avoid anti-conversive treatment should they become possible. In short, it requires that in dealing with others, we are guided or constrained—robustly guided or constrained—by the fact that they are conversable.

Why should we endorse this conversive theory of respect? A main consideration is that it gives us a candidate referent for the concept of generic respect that meets all of the assumptions commonly endorsed. It makes sense of why respect is a normatively appealing ideal and of why it satisfies the constituency assumptions that tie it to human beings, the modality assumptions that require

robustness and voluntariness, and the behavioral assumptions that it rules out a variety of restrictive and relegating activities.

But apart from being conceptually attractive on that count, the conversive theory of respect answers well to problems of unity and ground mentioned at the beginning of the essay. While the theory allows respect to impose weaker or richer requirements, depending on context—surely, a recommendation, not an objection—it still gives unity to the treatment involved in giving another respect. It allows us to see a pattern in the sorts of behavior ruled out by respect and directs us to an intelligibly unified form of treatment that it rules in. It rules in treating people as equally conversable and it rules out any failure to do so: any failure to be guided or constrained by their conversability.

Even more important, however, the theory also directs us to a plausible ground for giving others respect: a feature, first, that is equally present in all and perhaps only adult, able-minded human beings and a feature, second, that makes respect, as characterized in the theory, fitting in the treatment of such beings. That ground is the conversability of those agents: their capacity to be engaged conversably and commissively with one another. People may have that capacity in equal measure, while differing from one another in all sorts of other ways, even in cognitive, affective, and interactive reliability. Their equality as conversable subjects provides a commonality that makes them suitable for receiving and indeed giving respect as equals to one another.

If conversability is to provide a ground for respecting one another as equals, however, it has to be more than just a feature common to all and only adult, able-minded humans. It should also make sense of why respect, as the theory characterizes it, is a natural response to its presence. And in that regard, clearly, the theory does particularly well. There is every reason why conversable subjects should robustly avoid anti-conversive behavior towards one another and why, if opportunity arises, they should be willing to behave in a robustly pro-conversive or conversive manner. There is an internal connection, as it were, between the grounding property and the response that it grounds. It is like the connection between someone's being a friend and the response of treating them as a friend; let the ground be there and the onus lies with explaining why the response might not be appropriate, not with explaining why it is.¹⁴

Conclusion

The idea of respect bulks large in ethical and political theory. It hails an ethical ideal that by almost all accounts we as individuals should strive to realize in our treatment of one another. And equally it identifies a plausible, political ideal for how we as a community or state should treat our members—as well indeed as the

members of other societies—and for how we should constrain and predispose members to treat one another.

As emphasized at various points, the focus here has been exclusively on the ethical ideal of how we as individuals should behave. But the converse theory also holds out an image of how we as a political community ought to act.¹⁵ It suggests that if the state is to respect us as equals in our individual identities, then, first, it ought to allow us to share equally in control of its laws, as political or democratic justice requires; second, it ought to make laws of a kind that enhance and reinforce respect between its members, enforcing a plausible version of social justice; and, third, it ought to conduct international relations in a robustly pro-converse fashion, to a robustly pro-converse effect, thereby promising a degree of global justice.

We can say no more here on the political theory of respect. But perhaps even these remarks are enough to indicate that as the converse theory identifies a plausible ideal for ethics—a significant normative kind—so it can do so for politics as well. The theory gives us an analysis of the concept of respect, and an account of what respect itself consists in, that shows why it makes good sense to give it a central place across the full spread of normative thought.¹⁶

Notes

1. Having respect for another may seem to be a matter of attitude, treating another respectfully a matter of behavior but, as argued in the first section, treating someone respectfully requires acting out of a suitable attitude or disposition; the respect I give you when I treat you in that way is a disposition-dependent effect (Pettit 2018b).
2. Respect in this sense is closely related to what is often called by other names such as “appraisal-respect” or “recognition”; see (Darwall 1977; Honneth 1996; McBride 2013).
3. For a critique of qualifying the assumption in this way, see (Wolterstorff 2008: ch. 15). One issue that is ignored in this book is whether unborn children or fetuses should be treated as subjects of the state and how far they make demands on the state, particularly when those demands may conflict with the demands of the mother.
4. What is required by respect in relation to corporate bodies, or among corporate bodies, will be fixed by what it requires in relation to individuals; whatever it requires on that front—say, whatever rights it requires us to give those bodies—will be something required as a means of respecting individuals. If respect for individuals is to be equal, however—if it is to constitute respect for individuals as equals in some independent regard—then that is likely to put severe constraints on the rights that we give corporate bodies. For the rights we grant them as a matter of respect will have to allow us to respect all relevant individuals as equals, where these include those outside such organizations as well as those within. Thus, we should not give rights to any corporate bodies that would disturb the equality we seek in our respect for individuals; see (Pettit 2015c).

5. This account of voluntariness converges in many respects with that of (Olsaretti 2004) but not in all. First, it requires only that there be a comparatively acceptable alternative option; this allows for the fact that as between two equally unacceptable options—say, the options in Sophie’s choice—I will voluntarily choose whichever one I select. Second, the account relies on the practice of holding someone responsible in order to determine whether a burden or other factor should count as making an alternative unacceptable. And third, the account allows the alternative to be merely apparent, in order to license Frankfurt’s (1969) observation that I might reasonably be blamed for doing something objectionable—and I might be taken to have acted voluntarily—just so long as I thought, perhaps mistakenly, that there was an acceptable alternative.
6. The law will identify the domain of personal choice in any culture insofar as it establishes our basic, protected liberties (Pettit 2012; 2014).
7. This is an instance of a general asymmetry between good and evil (Pettit 2015a) and explains why it is easier to force someone to display a lack of respect than it is to force them to display respect.
8. As Richard Moore (2017) argues, however, it may be that non-human animals can do something—say, make a gesture—that adumbrates human communication.
9. On the assumption that I can know the nature of the sort of mental act involved, see Pettit (2016; 2018a).
10. I will not be able to pledge a belief or preference, for I can rely on myself to maintain a belief or a preference only if I can rely on the world—which I will not be able to do—to keep the data and desiderata relevant to such an attitude in place.
11. This characterization of conversive exchange, which is elaborated in Pettit 2018a, builds on Robert Stalnaker’s work on assertion (1978), and David Lewis’s on score-keeping in a language game (1983: ch. 13). For some imaginative applications and developments of the approach shared between Lewis and Stalnaker, see Langton (2009), including the chapter jointly written with Caroline West.
12. For a similar distinction about what rationality rules out, although not framed in these terms, see Broome (2013).
13. Paul Grice gives an account of four sorts of maxims satisfied, as he thinks, in cooperative or non-misleading exchange. His rules are prohibitive in our sense but focus mainly on rules that speakers must follow if they are not to mislead their hearers (Grice 1975).
14. The theory is distinctively social in making conversability the ground of respect, for the grounding property is defined in terms of a possible social relationship. In that regard, it contrasts with theories of respect that look for a ground in some intrinsic, non-social property, such as being autonomous or having a soul. For a critique of the claim that their autonomy provides a ground for respecting others see Buss (2005).
15. Thus, it offers a line on a problem that, in the course of a distinct and interesting approach, Ian Carter describes as “strangely neglected by political philosophers” (Carter 2011: 538).
16. I benefitted enormously from comments received when I presented versions of the paper at the Freie Universität, Berlin, in June 2016, and to the Nuffield Political Theory Seminar in Oxford, June 2019. I was also aided by written comments received from David Brinks, Devon Cass, and Daniel Putnam, and by the critique and comments made by participants in a session of a Princeton graduate seminar in Fall 2020, especially those of my co-presenter, Sam Berstler.

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Respect for Persons and Public Justification

Gerald Gaus

1. Publicly Justifying the Summons

In explaining Fichte's analysis of moral relations, Stephen Darwall points to the centrality of "the summons." In making a moral claim, Darwall observes, I issue an RSVP: I address the agency of the other, expecting uptake or rebuttal given her perspective. Moral demands are not simply proclamations ("You must!"), or ultimatums ("Do it or else!"), but engagements with the reasons of others (Darwall 2006: 256). Thus understood, the very idea of moral relations involves interpersonal justification. By addressing oneself to the reasons of the other, the moral summons seeks to determine the action of the other through her own rational will. "The summons is to someone as a free agent... so in being aware of it, the summoned is aware of herself as thus regarded" (Darwall 2006: 256).¹ In this way moral relations are deeply informed by dignity and respect. I respect the other by engaging with her as a free rational agent while, at the same time, I assert my own dignity by claiming that she must honor what she owes to me according to the authoritative norms that mediate our relations (Darwall 2006: 260).

I assume in this essay that a summons with these characteristics must be one based on the shared rules of a publicly justified social morality. As I have explained elsewhere, a rule *R* is a part of a publicly justified social morality obtaining in a group *G* when (i) each person in *G* endorses *R* as a moral grounds for a summons; (ii) each person in *G* has normative expectations that others expect him to act on *R* when summoned (so each believes that others believe that *R* grounds a summons); (iii) each person in *G* expects the overwhelming majority to act on *R* (Gaus 2011: 172–182). When these conditions are met the members of *G* understand *R* as a rule that actually mediates their various moral viewpoints and so provides the basis for interpersonal moral claims that respect each as a free and equal moral person. Thus, only in a society whose rules of social morality are publicly justified—can be endorsed by all—can a system of mutual demands be fully reconciled with respect for each as a reasoning moral agent.

The intimate relation between respect for persons and public justification is widely endorsed in contemporary liberal political philosophy (Waldron 1993: 36–37; Larmore 1996: 137; Larmore 2008: 139–167; Nussbaum 2011: 17ff.).

However, while it is widely accepted that these ideas are tightly linked, the nature of this link is disputed. Here I focus on what I see as the two main accounts, the *Coercion Justifying* and *Authority Justifying* analyses of public justification. My aim is not to simply dismiss one and uphold the other, as I believe each has important insights into the nature of a social, moral life among free and equal persons. Both, we shall see, play critical roles in Fichte's and Darwall's accounts: they are by no means mutually exclusive alternatives. Nevertheless, I shall argue that the Coercion Justifying Analysis fails to secure what some of its proponents seek—a categorical and universal foundation for permissible coercion.² In contrast, the Authority Justifying Analysis, I shall argue, does indeed establish a categorical basis for the demands of social morality. In that regard it is the foundational link between moral personality and public justification.

PART I. THE COERCION JUSTIFYING ANALYSIS

2. Respect for Persons and Coercion

2.1 Justification and Coercion

It is widely thought that the appeal of public justification is an account of justified coercion. “*Respect for others requires public justification of coercion*: that is the clarion call of justificatory liberalism” (Eberle 2002: 54). According to Kevin Vallier, the master principle of “public reason liberals” is the “Public Justification Principle” according to which “A coercive law *L* is justified only if each member *I* of the public *P* has some sufficient reasons(s) *R*, to endorse *L*” (Vallier 2014: 24). Now at first glance the public reason (or “justificatory” or “political”) liberal’s commitment to publicly justifying coercive laws may appear orthogonal to our concern with the moral rules that ground our mutually recognized moral summonses. Larmore claims that the scope of his analysis is limited to “the institution of coercive principles” and so “avoids the many peculiarities of Kantian ethics as a whole” (Larmore 1996: 149). For Larmore, then, it would seem that a commitment to public justification characterizes the distinctly political dimension of morality. The aim of liberalism, he tells us, “is to found principles of political association upon a core morality that reasonable people can accept” (Larmore 1996: 167).

Larmore’s thought seems to be that political regulation is inherently coercive, while much of the rest of morality is not, and it is this coerciveness that triggers the demand for interpersonal justification (Larmore 1996: 138). Now it certainly seems correct that not all moral judgments are coercive. When, for example, I am reading an historical study and pause to judge that, say, Napoleon acted wrongfully, my judgment is entirely non-coercive. Yet it seems wrong to claim (I am not

confident that Larmore would do so) that the threat of sanctions and use of coercion is not only a feature of, but a defining feature of, the political, and so not an important feature of the non-political, moral. John Stuart Mill warned of this error in *On Liberty*:

Like other tyrannies, the tyranny of the majority was at first, and is still vulgarly, held in dread, chiefly as operating through the acts of the public authorities. But reflecting persons perceived that when society is itself the tyrant—society collectively, over the separate individuals who compose it—its means of tyrannizing are not restricted to the acts which it may do by the hands of its political functionaries. Society can and does execute its own mandates: and if it issues wrong mandates instead of right, or any mandates at all in things with which it ought not to meddle, it practices a social tyranny more formidable than many kinds of political oppression, since, though not usually upheld by such extreme penalties, it leaves fewer means of escape, penetrating much more deeply into the details of life, and enslaving the soul itself. Protection, therefore, against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency, of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them. (Mill 1977: 220–221)

Recent work on informal rules of fairness, for example, strongly supports Mill's insight: they are accompanied by informal sanctions against violators and, indeed, it is most doubtful that the mutual expectations essential to social morality (see section 1) could be fully secured without such sanctions.³ It thus seems that a threat of coercive sanctions is a general feature of social morality, though, as Larmore rightly observes, not of all moral judgments.

Darwall, again following Fichte, presents a different analysis of the relation between moral claims per se and coercion. In making a justified moral claim on the will of another—issuing a summons—I direct his action in a way that “respects his authority as free and rational” as opposed to simply “imposing” my will on him, depriving him of his ability to act freely—“that is, by coercion” (Darwall 2006: 261). To simply impose one's will on another, Fichte indicates, is the essence of coercion, and violates “his authority as a free and rational person” (Darwall 2006: 252). An interpersonally justified summons, on the other hand, allows us to “command by not commanding” (Fichte 2000: 83). Moral justification, then, exempts our demands from the charge of coercion. In contrast to Larmore's concern with justifying coercion, Darwall's Fichtean account sees interpersonal justification as a way to determine the will of another without exposing oneself to the charge of mere coercion. For both, however, the specter of merely coercive relations is critical in driving us to public justification.

2.2 The Person to Be Respected

As I interpret it, then, the Coercion Justifying Analysis claims that public justification ensures that sanctions enforcing compliance with a moral demand are not instances of inherently disrespectful brute coercion. And, further, those committed to respect for persons will abjure brute coercion. Now if the commitment to respect for persons is to be critical in supporting the public justification of (non-brute) coercive interferences, the Coercion Justifying Analysis must identify a compelling account of personhood that not only shows that respect for such personhood is necessarily inconsistent with mere coercive imposition, but also, and critically, that coercion-with-respect requires interpersonal justification. I stress this rather obvious point as it is easy to simply focus on the claim that coercion is inconsistent with respect for persons while leaving unresolved whether interpersonal justification is required to obviate the disrespect. For example, some advocates of respect for persons appeal to the humanity formula of the categorical imperative, according to which one must never treat humanity as a means only but always as an end in itself. Even if we suppose that the exercise of brute force and coercion is treating another as simply a means, it would not follow that interpersonal justification is the necessary prescription. As William Galston sees it, if Alf explains his reasons to Betty, even though she utterly rejects them, he does not treat her as simply a means or an instrument (Galston 1991: 109). Whoever explained his aims to an electric drill?

Perhaps that is too strong, and it is disrespectful for Alf to simply explain to Betty why he is about to push her aside and ignore her concerns and objections. However, as Christopher Eberle points out, it is far more plausible to hold that Alf respects Betty if he takes up her perspective, and considers things from her point of view, though, having done so, he ultimately decides that his point of view must trump hers. Suppose Alf engages in sustained, sincere argument, trying his best to understand and respond to Betty's concerns, but he still fails to convince her; she simply cannot appreciate the reasons that he sees as definitive. Alf has respected her as "capable of thinking and acting on the basis of reasons" (Larmore 1987: 59–67):⁴ he has taken account of her different perspective and certainly not simply treated her as a means to his ends (Eberle 2002: 99). This, though, seems to allow that having rendered respect, Alf can now coerce without securing interpersonal justification. This stance of respectful "conscientious engagement" (Eberle 2002: 99, 104ff.)⁵ does not get us to a commitment to interpersonal, public, justification, which requires that in some sense the other freely wills one's summons. Hence the importance of Fichte's insight for the justificatory liberal's linking of respect and public justification.

3. Benn's Analysis of Personhood and Interference

3.1 The Itinerary from Natural to Moral Personhood

S. I. Benn presented the most careful argument leading from personhood to the inherent disrespectfulness of coercion and (as we shall see in section 3.2) on to a case for interpersonal justification. He commences with the idea of "natural personhood." "To be a natural person," says Benn, "is to possess, and be aware of oneself as possessing, certain causal capacities. It is to distinguish oneself from things in the world which are simply the subjects of happenings, carried along by the tide of events" (Benn 1988: 90–91). Natural persons, Benn argues, see themselves as centers of intention formation and decision-making; they understand themselves as able to form plans and act on them in a way that is causally efficacious in attaining their ends. Thus, the will of the natural person is not guided by random volition, but by reasoned choices.

On Benn's account such persons are simply a sort of natural phenomenon. Not all humans qualify, and non-humans may well qualify. Schizoid personalities, for example, typically see their actions as controlled by another, so they do not understand themselves to be natural persons, whose decisions control their own action (Gaus 1999: 387–389). So it is not necessary that a human adult conceives of herself as a natural person, but almost all of us do, and for those who do it is well-nigh impossible to rid ourselves of this self-conception (Benn 1988: 92–94).⁶

The next step in Benn's analysis is to move from this self-conception to conceiving of others as natural persons. Again, he insists this move is not conceptually necessary. Philosophically, one *could* be a convinced solipsist, seeing others as "complex automata whose behavior is in many ways analogous to his own" (Benn 1988: 95; Gaus 1999: 275ff.). Still, as he says, to carry out this program of (re)conceptualization and explanation of the behavior of others would be devilishly complicated, and remains an outlying, "bizarre" possibility (Benn 1988: 96).⁷ For the overwhelmingly vast—approaching unity—proportion of humanity, we see ourselves as natural persons in a world of natural persons.

Now humans who see themselves as natural persons in a world of natural persons—i.e., almost all of us—are presented with a unique vista for the exercise of their natural personhood: strategic relations with others. If Alf solipsistically saw himself as the sole natural person, his decision-making would be purely parametric. In "*parametric choice*," David Gauthier points out, "the actor takes his behavior to be the sole variable in a fixed environment. In parametric choice the actor regards himself as the sole center of action. Interaction involves *strategic choice*, in which the actor takes his behavior to be but one variable among others, so that his choices must be responsive to his expectations of others' choices, while their choices are similarly responsive to their expectations" (Gauthier 1986: 21).

Strategic choice only arises in a world of mutually recognized natural persons; in such a world persons are confronted with complex questions of strategic interaction.

Imagine natural persons who recognize themselves as inhabiting a world of natural persons, yet view these other natural persons *simply* strategically, as simply means to promote their goals.

Each person in such a world could be aware of others having distinctive points of view, each with his own beliefs and action commitments, and enterprises, and he would prudentially take account of these as facts of life to which he must accommodate his own. Provided each stood to gain and none could simply take possession of another's contribution, they might even contrive to collaborate in a limited sort of way, provided that no one was ever required to commit anything to the enterprise before others had done so, and provided everyone expected the conditions favoring collaboration to endure until the task was completed and the outcome available for all to enjoy. Mostly, however, they would find themselves wrestling with free-rider problems, unable to ensure continuing cooperation.

(Benn 1988: 96)

"Between natural persons so related, 'reactive feelings and attitudes that belong to involvement or participation with others in human relationships' are ruled out because the subjects would be incapable of conceiving of others as the intentional objects of such feelings and attitudes. There could be no love or friendship between them as equals, for each would see the rest of humanity as potentially available instruments for his own purposes" (Benn 1988: 96).⁸ In systems of natural persons informed by the reactive attitudes a vast array of new types of human relations arise; this array of trusting, loving, collaborating, fair relations is possible because natural persons *come* to link natural to moral personhood.⁹ "Attitudes like resentment... presuppose, at the very least, the recognition that by virtue of being a natural person one has a minimal right to be considered in a particular way, as possessing a point of view, an appreciation of events and states of affairs not only as a subject of experiences but also as an evaluator, a decision maker and a project maker" (Benn 1988: 98). In these more complex systems of human relations one resents other natural persons (who are now conceived of as moral persons too) who impinge on the exercise of one's natural personality simply on the basis of their own projects. As Darwall stresses, such resentment constitutes a claim that the impingement is untoward; it does not accord one the respect that is due to another natural person.

It is critical that Benn does not claim that it is rational to "acknowledge the connection between moral and natural personality" *in order* to secure these richer and more valuable social relations (Benn 1988: 98–99). Rather, his point is that having achieved them, we cannot now possibly have reason to abandon them for

the impoverished social world of pure natural agents, for we have erected rich and cherished ways of life on the presupposition that natural persons are moral persons too (Gaus 1999: 278–306). Finding ourselves as a moral person in a web of social relations with other moral persons, it is a mug's game to search for reasons to abandon our conceptual scheme in favor of a relentlessly self-interested world.

3.2 Interference and the Interpersonal Point of View

Two features of Benn's analysis of moral personhood make it especially relevant for the Coercion Justifying Analysis of public justification.

(i) Moral personhood, we have seen, is a conceptual elaboration of the fundamental idea of natural personhood, and the latter is critically concerned with an agent who intentionally pursues projects, plans, and goals. We might say that the natural itinerary of natural persons engaged in social cooperation arrives at moral personality. And this is by no means an outlandish claim: there is a great deal of evidence that human social cooperation for mutual benefit among something like mere natural persons has indeed evolved into a moral system based on claims to freedom and equality (Gaus 2015: 1–27).¹⁰ Given this, we would expect that a moral person would demand that his own natural personality would not be subjugated to the projects, plans, and goals of other natural persons.¹¹ Thus, Benn argues that a fundamental principle regulating the relation of such persons is a principle of noninterference.

Imagine Alan sitting on a public beach, a pebble in each hand, splitting one pebble by striking it with another. Betty, a casual observer, asks him what he is doing. She can see, of course, that he is splitting pebbles; what she is asking him to do is to explain it, to redescribe it as an activity with an intelligible point, something he could have a reason for doing. There is nothing untoward about her question, but Alan is not bound to answer it unless he likes. Suppose, however, that Betty had asked Alan to justify what he was doing or to give an excuse for doing it. Unlike explanations, justifications and excuses presume at least *prima facie* fault, a charge to be rebutted, and what can be wrong with splitting pebbles on a public beach? Besides, so far as we can tell, Alan is not obliged to account to Betty for his actions.

Suppose Betty were to prevent Alan from splitting pebbles by handcuffing him or removing all the pebbles within reach. Alan could now quite properly demand a justification from Betty, and a *tu quoque* reply from her that he, on his side, had not offered her a justification for splitting pebbles, would not meet the case, for Alan's pebble splitting had done nothing to interfere with Betty's actions. The burden of justification falls on the interferer, not on the person interfered with. So, while Alan might properly resent Betty's interference, Betty has no ground for complaint against Alan. (Benn 1988: 87)

Thus, Benn argues, among moral persons interference with the activity of another moral person always requires justification, while simply acting on one's concerns as a natural person requires no such justification. We now see that that this claim can only be understood given the conceptual relations between natural and moral personality. The "Public Justification Principle's" (section 2.1) reference to coercion, then, can be interpreted as a special, egregious, case of interference, in which a person not only interferes with the activity of another moral person without justification, but seeks to control it through force or the threat of it.

(ii) Central to Benn's analysis of the case of Alan the pebble splitter is that he will be indignant at Betty's interference—he will experience the Strawsonian reactive attitudes (Benn 1988: 88). Alan insists that Betty does not properly take account of him—she does not treat him with good will—because she does not take account of his perspective on his own action in her attempt to determine that very action. "For Betty to respect Alan... is to extend the perspective from which her reasons for action can derive." She must supplement in her deliberations the reasons "viewed not only from her own standpoint, [but also] by the account he would give, from his" (Benn 1988: 108). Thus, Alan's fundamental complaint is that Betty has not engaged in interpersonal justification when interfering with his natural personality; she shapes his activity simply according to her own viewpoint, subjugating him. Thus, interpersonal justification is indeed the prescription for coercive interference (section 2.2), for the objection to interference is the subjugation of his activity to her view when she interferes—because she refuses to take up an interpersonal perspective.

It might be thought that Eberle's ideal of respectful conscientious engagement (section 2.2) would suffice. After all, in such engagement Betty does "view things from Alan's standpoint" as well as hers. Yet, in the end, she is quite willing to impose the judgment of her standpoint in determining his action. From Alan's perspective the problem is the same: his concern is not that he feels demeaned or ignored by Betty, but that Betty is usurping his natural personality on the basis of reasons he does not acknowledge. Indeed, in this case we are supposing that Betty acknowledges that her intervention is not based on reasons that Alan is able to endorse.¹² So on Benn's account Alan would still feel resentment at her interference.

4. The Failure of the Categorical Imperative Not to Coerce

4.1 Rejection of the First Categorical Claim: Not a Universal Imperative

Most advocates of respect for persons endorse what I shall call:

The First Categorical Claim: The demands of respect for persons binds everyone, independently of time and place. (Larmore 2008: 150–151, 164ff.)

On Larmore's influential interpretation of the First Categorical Claim, the principle of respect for persons "has universal validity, but there is no reason to suppose that all reasonable people must find grounds to agree" (Larmore 2008: 165). Note that (i) respect for persons is universally binding; (ii) it cannot itself be interpersonally justified; (iii) yet we if accept the core Fichtean thesis that a respectful summons requires that the person summoned must freely will the summons, then we are led to the result that (iv) there cannot always be a respectful summons to respect persons. If Betty cannot "find grounds" to endorse the principle of respect for persons, Alf cannot issue a summons to respect him that respects her as a reasoning moral agent.

Given this, when Alf recognizes that Betty cannot find the requisite grounds, he cannot rationally be indignant if Betty coerces *him* without justification. She cannot be seen as manifesting ill will toward him; she is not denying him anything that she can see that is owed to him. And he certainly cannot say that she should have known better for he has acknowledged that, given the historical contingencies, she could not have. Unlike Alan in Benn's tale, he cannot be indignant at her coercing him without justification: despite the assumption that she is "bound" to respect him, he is unable to issue a respectful summons that she must. On the other hand, given that he recognizes the categorical bindingness of respect for persons, he must not coerce Betty without justification. Should she initiate coercion he is apt to be unable to issue a summons for her to desist; but unless *he* can interpersonally justify coercing *her*, he is bound to refrain by his commitment to respect persons and is appropriately guilty should he coerce her.

This seems an unfortunate result. Fichte, like Benn, thought that a refusal to recognize others as free moral persons was inconsistent with a system of social cooperation: one who withholds recognition "must then remove himself from all human community" (Fichte 2000: 12). In Benn's social world respect for persons is a constituent principle of the moral relations pertaining among individuals engaged in social relations. Friendships and love, and trusting cooperation, are the great goods that are built on relations among moral persons who respect each other's natural agency. And, as I have said, this is not simply a just-so story: even the earliest human systems of cooperation are premised on avoidance of domineering interventions by one person on others.¹³ This, though, is a natural history of the rise of *conditional recognition*, not of *unilateral, categorical* respect for the moral personhood of others. One cannot be a friend or a trusting trader with another who does not respect you as a moral person; as Fichte rightly held, one cannot share a social life with such a person. And, indeed, we do not share social lives with all-natural persons. Although today our worldwide system of cooperation crisscrosses and overlaps so that innumerable cooperative systems are bound together, all are not cooperators with all.

An important reason for this is that not everyone can find terms of cooperation with everyone else that all can endorse. Take an extreme example: Betty, a moral person who, perhaps on the basis of religious convictions, is a thoroughgoing

pacifist—she refuses to sanction any use of, or threat of, force.¹⁴ On those terms most others will be unable to share a system of social cooperation with her. Unless one knows her exceedingly well, her refusal to accept the justifiability of any sanction will be apt to undermine trust in her. More importantly, she would, we suppose, reject any system of coercive sanctions, so she would refuse to do her part in any collective undertaking to institute and maintain such a system, and may well be committed to undermining it. If others are, as the First Categorical Claim implies (and given the Coercion Justifying Analysis), nevertheless bound to justify coercion against her, they will find themselves radically constrained in defending themselves. On a more plausible analysis, I think, others may withhold effective recognition of Betty as a moral person, for they may well be convinced that they cannot secure a cooperative social life with her. Although they may see her as capable of moral personality, the extreme conditions for mutual recognition to which her perspective commits her could well lead them to effectively treat her as simply a natural person, subject to strategic but not moral interactions. But this means that they will reserve the liberty to employ coercion as part of a strategy of self-defense, should she threaten their social life. If she and her like-minded fellows plan to break into police stations to disable weapons, Alf can reasonably seek to deter them, even if he cannot hold them accountable. He cannot justify his coercion to her, but this does not itself imply a prohibition on its use.¹⁵ Justified coercion implies a moral authority to coerce, and so the coercion constitutes an interpersonal summons which the coerced could freely acknowledge, and which forms the basis of mutual accountability and the reactive attitudes. But none of that implies that unjustified coercion is necessarily impermissible: it is, we might say, a natural act of a natural person.

Nevertheless, while Alf may permissibly coerce, he is precluded from issuing a moral summons to Betty to desist. This is a great cost. As I have said, their relations are reduced to something like the impoverished strategic considerations that obtain among merely natural persons. I do not believe that those political liberals who appear to drastically restrict the “justificatory constituency” sufficiently appreciate these costs. According to Jonathan Quong, for example, political liberalism is “a theory of political justification addressed only to citizens who are reasonable: citizens are willing to propose and abide by fair terms of social cooperation, provided others are likewise willing, and who accept the burdens of judgment and the consequent fact of reasonable pluralism” (Quong 2011: 290). Quong stresses that the “unreasonable” are to be awarded liberal rights; but since these rights are not interpersonally justified to them, they cannot constitute freely willed summonses. Quong is entirely correct that the liberal may permissibly act to enforce these rights, but they do not establish interpersonal norms of accountability between them and the “unreasonable.” If there are a large number of such “unreasonable” citizens, then there will be a large number of citizens who cannot be held

morally accountable for their violations. In lieu of the rational endorsement of many citizens, they will be bound only by sheer habit and the force of the state.

The orthodox way of rescuing the First Categorical Claim is to abstract to some shared perspective—what can be “accepted by a free and rational being as such” (Darwall 2006: 274)¹⁶—and insist that from that perspective all really do share mutually acceptable terms of social and moral engagement. This raises the vexed question of how great an “idealization” of the commitments of moral personality is consistent with retaining true interpersonality of perspectives. If all moral persons reason identically *qua* moral persons, interpersonal justification becomes otiose (Van Schoelandt 2015: 1031). Like parties in Rawls’s original position, everyone reasons in the same way: the reasoning of one is the reasoning of all (Rawls 1999b: 232). Now whatever the merits of the claim that, from some perspective, each has the same reasons, it is hard to see how such reasons could ground the reactive attitudes. To resent another person’s moral violations, I must perceive it as expressing an ill will: she could have honored my claims but did not. In some sense, I must believe she had access to reasons indicating the right thing to do but she did not take the trouble to deliberate or she turned her back on them. Surely this implies some limit on how different the reasons I attribute to her “idealized” (fully rational, fully reasonable) self can be from her empirical self—which, after all, is the target of my reactive attitudes. If the actual person could not have appreciated these reasons under actual plausible conditions—sincere and competent deliberation would not have revealed them to her—then it looks as if my resentment is ill-grounded. Given this, I believe we must suppose genuine widespread valuational disagreement, and so should reject the orthodox rescue and, so, the First Categorical Claim.

4.2 Rejection of the Second Categorical Claim

Consider a (considerable) variation of another case of Benn’s, that of Desmond and Caroline (Benn 1988: 112ff.). Desmond, let us say, works for a national park in South Africa, which has decided to cull their elephant herd because of overpopulation. Caroline recognizes his aims at laudable but insists that culling is unacceptably inhumane and ineffective; and elephants may qualify as natural persons. She cannot justify intervention to Desmond, who firmly believes culling is the best thing to do. Or suppose that Desmond is performing experiments on stem cells and Caroline insists that they are ensouled beings. Again, she cannot justify intervention to Desmond, who firmly believes this is the best thing to do. Caroline may conclude that she must seek to deter Desmond and threatens moderate force or severe social censure. If we understand respect for persons as categorical *qua* unqualified—it is not simply morally desirable but always morally

required—then as a respecter of persons Caroline could never have sufficient moral reasons to press ahead and coerce Desmond without interpersonal justification.

Although some might insist on this, it is a very strong claim indeed. Coercion (as we are understanding it here) is a natural act type, and it seems very hard to say that in principle it is strictly impermissible to ever engage in this act type without interpersonal justification. Such cases are always wrenching: one concludes that one is committed by one's deep evaluative standards to treat other moral persons in ways they cannot endorse. This should always be a matter of deep concern. But it hardly seems that we can resolve this difficult issue by claiming that such cases simply cannot arise. If one agrees that there are cases in which a moral Caroline would go ahead without justification, we thus should also reject:

The Second Categorical Claim: Given that respect for persons obtains between Alf and Betty, it requires that Alf never employ coercion against Betty that is not interpersonally justified.

A possible way to reconcile the Second Categorical Claim with Caroline-Desmond type cases is to accept that respect for persons always prohibits unjustified coercion, but morality does not categorically require that we respect persons. Respect for persons, on this view, could be morally qualified (overridden) (Benn 1988: 112ff.). This rescues one version of the categorical claim by jettisoning another: that respect for persons is always required by morality. And it is to give up the core idea of the Coercion Focused Analysis of public justification. To allow that respect for persons is qualified would imply that the commitment to public justification is also qualified (for it is based on respect for persons). The clarion does not sound: respect for others would not require the justification of coercion, and so the "Public Justification Principle" would not advance a necessary condition for permissible coercion (section 2.1).

PART II. THE AUTHORITY JUSTIFYING ANALYSIS

5. Social Morality as Mutual Authority to Issue Summonses

In law, a summons is often understood as an authoritative command.¹⁷ As a private citizen Betty can command Alf, but only with the proper authority can she issue a summons. In this latter case she has standing to issue the command. As Darwall rightly observes, without the requisite standing the command would lack legitimacy (Darwall 2006: 259). However—and this is the fundamental point that distinguishes Fichte's and Darwall's analyses of the summons from mine—we should not take this to imply that issuing the command would be "illegitimate" qua

impermissible (that is the thought that leads to the Coercion/interference Justifying Analysis) but rather that it would fail to possess legitimacy—that it would be without effect. A person without standing simply cannot issue a summons. In trying to do so she need not do anything wrong, any more than I do something wrong by seeking to award an OBE to Jim Kelly.¹⁸ Alf's recognition of Betty's authority to issue a summons derives from his recognition of the interpersonal rule of social morality as grounding her standing; because she has standing to issue demands and complaints her summons comes attached with Darwall's "RSVP."

A moral summons thus manifests respect for persons as moral agents. Such a summons, specified by rule *R* in group *G*, must be such that all within *G* can will or endorse the acts required by *R*. When that occurs, as Fichte said, *R* commands all in *G* without anyone in *G* commanding. When Alf, a member of *G*, fails to act on *R*, others can confidently conclude that he should have known better, for *R* was interpersonally justified to him. Thus, Betty is warranted in feeling resentment and indignation at his violations; she had standing to demand that he act on *R* and he failed to comply. Note that she would not be so warranted if she lacked the standing to issue the summons, for he would not be ignoring any authoritative claim of hers. Alf does not owe Betty compliance for every command she issues.

Under public justification, the relations among members of *G* constitutes one of mutual respect of their status as free and equal moral persons. This understanding of moral personality, however, is not a simple outgrowth of mutual recognition of natural personality as in Benn's coercion-focused analysis, but a recognition that each is capable of guiding herself by normative criteria and standards, and that only if the interpersonal rules of social morality can be endorsed by each can those rules ground a practice of mutual moral accountability. Thus, what Fichte called the summons is a constituent feature of a system of mutual accountability and constitutes a mutual recognition of the moral personhood of each.

On this view, then, respect for persons is not a grounding principle of public justification; it is an inherent feature of a system of moral rules that constitutes respect for persons. To secure public justification simply *is* to secure respect for persons—and vice versa. If we start out with a commitment to public justification we are led to respect for persons, while an initial commitment to respect for persons necessarily leads to public justification. If one commences with a commitment to the practice of moral accountability with the reactive attitudes, one will be led to respect for persons and public justification. No commitment must be assumed as more basic than the others.¹⁹

Now social morality is a system of publicly endorsed moral requirements determining when one is accountable to others (section 1). A summons in social morality is one that we issue to others, with well-grounded expectations that it will be honored because the other's reasons also endorse it. A successful summons is thus necessarily one which grounds accountability relations, expressing

respect for persons through public justification. Thus, in social morality—when one seeks to issue a summons to another—one must, necessarily, respect others as free and equal moral persons. Social morality without respect for persons is impossible, for without addressing a summons to the perspective of others it is without legitimacy: it fails as a summons, as an authoritative command. There can be no question whatsoever in social morality of providing a justification for overriding respect for persons—for such a “justification” would fail to supply an interpersonal summons. We should, finally, accept a categorical claim:

The Third Categorical Claim: That (i) *R* is the basis of summonses in social morality in *G*, implies (ii) *R* is publicly justified and (iii) appeals to *R* categorically respect everyone in *G* as a free and equal moral person. Only if each person is respected does social morality possess legitimate authority.

6. No Categorical Requirement to Participate in Social Morality

6.1 Two Modes of Moral Reasoning

To participate in social morality categorically requires respecting the moral personhood of others. However, a moral person is not (categorically) required to participate in social morality. And, perhaps, surprisingly, this is precisely because one is a moral person.

Alf, as a moral person, possesses reflective moral standards. A common view of moral thinking—perhaps most characteristic of moral philosophy—understands reasoning about moral claims to be, in a fundamental sense, akin to reasoning about ordinary factual judgments. On this commonsense approach, when Alf deliberates about some matter of, say, justice, he considers the best reasons as he understands them, including what he takes to be the correct normative principles, perhaps checks his conclusions with others to see if he has made any errors, and then comes to the conclusion, “We all ought to Φ .” His moral reasoning may refer to facts about other people (say, their welfare), but it is not a general requirement on the moral reasoning of any competent agent that he always takes as one of his reasons the moral deliberations of others. To be a little more precise, we can identify:

“I believe we ought” reasoning: As a competent moral agent, if (i) Alf conscientiously deliberates and concludes that, given what he takes to be the correct normative premises and relevant empirical information, one ought to Φ under conditions *C*, where this does not require taking account of the conclusions of the deliberations of others and (ii) he reasonably concludes that morality instructs that we all ought to Φ under conditions *C*, then (iii) he acts with

(nonpublic) justification if he Φ s in circumstances C , and demands that others do so as well.

It is important that “I believe we ought” reasoning does not imply that Alf maintains that we all ought to Φ in C *because he* believes that we ought to Φ : Alf may believe that “we ought to Φ ” in C because it is a moral truth that we ought to Φ , or that an impartial spectator would approve of our Φ ing. The important point is that once Alf conscientiously comes to the belief that one ought to Φ in C —it is, we might say, his best judgment about the normatively best thing to do—then, as a competent moral agent, he will justifiably Φ in circumstances C , and indeed demand that we all do so, for that is what we ought to do.

It would be wrong to deny that such reasoning is genuine moral reasoning; a person often has definite and deep views about what we all must do. It would also be wrong to say that such reasoning fails to respect persons; there is no disrespect in Alf’s moral deliberation. However, such reasoning does not issue a summons to Betty. That Alf has concluded that we all must Φ does not ground an authoritative command to Betty to Φ , for Alf’s judgments about justice are not authoritative to her, and she does not owe him an “RSVP.” Having no legitimate grounds to demand an answer, Alf cannot feel indignant when Betty fails to provide one. Now in some moral domains this is not critical: some of Alf’s deliberations, even about what “we should do,” are mostly intended to guide his own action, and not that of others. For example, Alf may believe “we all should vote” but as far as he is concerned the practical import of this is that he should. But as Kant was well aware, this is not the case with many matters of justice. Kant famously insists that, even if we imagine individuals “to be ever so good natured and righteous,” when each does what “seems just and good to him, *entirely independently of the opinion of others*” they live without justice (Kant 1999: 116 [6:312]; my emphasis). This apparently paradoxical conclusion—that a world of people who acted only on their own sincere (“I believe we ought”) convictions about justice would live without justice²⁰—highlights a distinctive feature of justice (and other parts of social morality): to achieve justice we must align our normative expectations so that we can hold each other accountable for departures. For Kant the problem of universal private judgment was that “when there is a controversy concerning rights (*jus controversum*), no competent judge can be found” (Kant 1999: 116 [6:312]). Each, thrown back on her own reasoning, thwarts coordinated adjudication and leads to the absence of mutual accountability. Understood thus, a necessary role of justice (or social morality more generally) is to provide an interpersonally endorsed adjudication of conflicting claims (Rawls 1999a: 1–19). Securing justice, on this second view, is inherently something we do together.²¹ If no other good-willed and conscientious moral agent accepts that in circumstances C justice demands Φ , Alf’s demand will not secure just social relations.

To achieve rules of justice that ground mutual accountability under shared empirical and normative expectations (section 1), “I believe we ought” reasoning needs to be supplemented by something along the lines of:

“We believe we ought” reasoning: Alf and Betty share grounds for mutual accountability under a common rule of justice when they believe “we believe we ought to Φ in conditions C .”²²

When they both believe “we believe we ought to Φ ” then, of course, they have grounds for issuing summonses to each and treating each other as free and equal moral persons, for the demand to Φ will be one that the reason and will of each endorses.

6.2 The Gap

It is tempting—especially for those who understand the importance of respect for persons—to insist that there is an imperative to engage in “We believe we ought” reasoning rather than “I believe we ought” reasoning about justice. That would provide the grounds for the conclusion that it is imperative to engage in public justification, an imperative that most “public reason liberals” would welcome. Yet that is to ignore the importance that good-willed and competent moral agents place on their “I believe we ought” judgments. Moral individuals are almost certain to be at least a bit torn between these two modes of reasoning.

To see the problem more clearly, let us focus on an abstract formulation. Suppose that there are only three alternative rules of justice, R_1 , R_2 , and R_3 , that might regulate the moral relations among members of G over some matter—say rules about promising. Suppose Alf and Betty each engage in “I believe we ought” reasoning and arrive at the conclusions in the table.

What I have called “the Gap” is a person’s judgment of the acceptable difference between her “I believe we ought” reasoning and what she considers “sufficiently” just. Some people might tolerate a large Gap, because they stress “We believe

Alternative Rankings of Rules

Alf	Betty
R_1 : the conclusion of “I believe we ought” reasoning	R_3 : the conclusion of “I believe we ought” reasoning
R_2 : a departure from “I believe we ought reasoning” but “sufficiently just” (Rawls 1999b: 428) ²³	R_2 : a departure from “I believe we ought reasoning” but “sufficiently just”
R_3 : simply not just	R_1 : simply not just

we ought” reasoning and put great moral importance on relations of mutual accountability. Of course, even they are apt to draw the line somewhere. Although we might suppose that Betty seeks relations based on interpersonal justification, she may find R_1 simply unacceptable: it departs so much from her “I believe we ought” conclusion that she cannot understand it as a rule of justice. In our toy example, both Alf and Betty can endorse R_2 , and so of the three it alone provides the basis for interpersonally justified claims, and so summonses. But each must accept a Gap.

In the history of moral philosophy many seek to avoid the problem of the Gap by claiming that from some preferred perspective—say, of freedom and rationality as such²⁴—each will rank the same rules (principles, etc.) as most just. I shall not enter (again) this debate, except to recall (section 4.1) that if the rules are to ground actual reactive attitudes and real relations of moral accountability the “ideal agents” endorsing them cannot be so radically abstracted from actual agents that the latter cannot plausibly recognize as valid the deliberations of their idealized counterparts. Our practice must plausibly claim that as an actual member of G , Betty could have reasoned her way to endorsing R , and that is why we can hold her to account for refusing the summons based on it. Given this, at the level of idealization capable of grounding the reactive attitudes we can expect agents to deeply disagree as to what are the optimal rules of justice (the results of their “I believe we ought” reasoning). If so, then any convergence on one member of a set of rules must imply that some individuals are tolerating a Gap between the rules they live under and that which would obtain if they were the sole arbiters of justice.

6.3 Respect for Persons: The Social Achievement View

We can now appreciate why there is no moral imperative to participate in social morality, for that would be to morally mandate that individuals only follow “We believe we ought” reasoning, regardless of how large a Gap they perceive between it and their “I believe we ought” reasoning. Kant was certainly correct that moral relations without interpersonally justified summonses are fraught with conflict and, in a significant sense, fail to secure justice. Yet to secure this great moral good, individuals must discover what rules of interpersonal morality can be widely shared given their Gaps.²⁵ The typical view in the contemporary literature on public justification is that there *must, necessarily*, be some such rules, and the philosophical task is to uncover them. Indeed, tremendous focus is put on tales of possible outliers (the Nazi usually comes up here) to whom the rules could not be justified, with the implication that such outliers somehow defeat the analysis. And on the Coercion Justifying Analysis this may be correct, for surely coercion against the Nazis was warranted. But it was perhaps only warranted on the grounds of “I believe we ought” reasoning, not on the basis of joint reasons that

ground a summons. In these outlier cases—assuming, as is seldom the case, the facts are really correct²⁶—we may indeed be unable to issue a moral summons, though this does not imply we cannot act as we think right.

Communities whose relations are grounded on publicly justified moral rules secure a wide variety of critical moral goods: fair cooperation, conformity to shared notions of justice, a system of mutual accountability, and respect for each as a free and equal moral person. Only when these goods are widely secured can it be said that a society is reasonably just. However, no philosophical argument can secure them, even if it is supposed that individuals “be ever so good natured and righteous.” The discovery of what moral rules can be shared by those with deep moral disagreements—what rules can be tolerated by their understanding of acceptable Gaps—is a process of ongoing social discovery. As I have argued elsewhere, the moral rules characteristic of the open society are such achievements, providing a framework for shared justice under great diversity (cf. Gaus 2016: ch. 4). Yet these rules too are changing and adjusting, as we learn better ways to share a morality premised on respect for persons.

7. The Public Justification of Coercion in a Moral Order: Fundamental, Not Foundational

I have argued that the permissibility of coercion is not at the root of public justification, nor does a commitment to respect for persons itself entail a commitment to the justification of coercion. There is no categorical requirement to justify coercion based on respect for persons. Now this would seem to abandon the “clarion call of justificatory liberalism” that “respect for persons requires the justification of coercion,” and so undermine the force of Vallier’s “Public Justification Principle” (section 2.1). Not so—not if we understand the principle to be a fundamental principle *within* a moral order, but because it is itself publicly justified not a foundational principle *of* the order entailed by the very idea of respect for persons.

The deep truth in the coercion-focused analysis is that once natural persons such as us achieve a system of mutual moral authority manifesting respect for persons, one of the very first claims that they will make against each other is to justify coercion used against them. *When* natural persons share a social life based on mutual moral authority, they inevitably come to endorse rules that prohibit one from the willy-nilly coercing of others. Recent studies of the evolution of moral cooperation have found that in the earliest forms of human cooperative moral life, pride of place is assumed by a norm regulating the direct use of force on one’s fellows—indeed, even more basically, the prevention of domination through intimidation. Christopher Boehm’s comprehensive studies of the earliest forms of social cooperation, nomadic foragers, concludes that they are universally

“and all but obsessively” concerned with resisting would-be dominators and bullies (Boehm 1999: 68). “Minimally, this means that all the active hunters (generally the adult males) insist on being seen as equal and that among themselves they tolerate no serious domination—be this in hogging vital food resources or in bossing others around” (Boehm 2012: 109). Boehm describes the natural persons in such basic human cooperative settings as “guided by a love of personal freedom. For that reason, they manage to make egalitarianism happen, and do so in spite of competitiveness” (Boehm 1999: 65). It is widely recognized by ethnographers that forager societies tend to put tremendous stress on preserving personal freedom and autonomy (Gardner 1991: 543; Gaus 2015: 1–13).

A cooperative social life among moral equals—those who are able to issues summonses to each other—will, perhaps before anything else, determine that coercion must be justified. Benn’s philosophical itinerary of natural persons to the principle of noninterference is concordant with what we know of the natural history of moral cooperation. It is understandable that this fundamental role of the justification of coercion within a moral order should lead philosophers to the error of also seeing it as the foundational principle of the moral order.

8. Conclusion

Respect for persons, I have argued, is not the foundation for a commitment to public justification, nor is public justification necessarily focused on permissible coercion. These familiar claims seem to capture a strong idea of the categorical nature of respect for persons that strikes philosophers as intuitively plausible but, I have argued, ultimately leads to implausible doctrines. In their place I have tried to show how respect for persons is a social and moral achievement, in which individuals come to endorse relations of mutual authority, which manifest respect for each other as moral persons. And once they do, they demand that coercion against them be justified. What seemed like an objective foundation turns out to be a social achievement. For many this will be wholly unsatisfying, for they view morality as a way to transcend, or at least go deeper than, human history and our historical self-consciousness. As Frans De Waal observes, like theologians many philosophers are drawn to “top-down” reasoning. Morality’s commands must come down from outside of us; only once we are assured that morality is part of the fabric of the universe can we trust it (De Waal 2013: 17ff.). Like De Waal, my view is just the opposite: it is because morality is a human achievement that it, and our species, is so very remarkable. We are not naughty children who need to be told what to do, but beings who seek out moral relations with others. Perhaps our crowning, though always incomplete, achievement is our ability to find ways of living together that respect all as free and equal moral persons.

Notes

1. See Fichte (2000: 34–37).
2. This part of the analysis can be seen as a generalization of Van Schoelandt (2015). However, as the reader will see (section 7), I attribute more importance to the public justification of coercion than does Van Schoelandt. I have learned a great deal from conversations about these matters with him; in many ways this essay was spurred by them.
3. For a review of some of the evidence, see Gaus (2011: 103–122).
4. Larmore's views are multifaceted; I certainly have not fully captured them here.
5. Eberle posits additional conditions, but this, I think, is the crux of such engagement.
6. Benn insists that a natural person need not understand herself to possess an uncaused will; he argues for a compatibilist position.
7. To get an idea of its bizarre nature see Skinner (1948).
8. Benn is quoting Strawson (1962: 7).
9. Fichte seems to have sought a deduction from mutual recognition of natural personhood to moral personality. See Fichte (2000: xvi–xvii).
10. For a more extensive treatment see Kitcher (2011).
11. See further section 7 below.
12. Benn suggests that there are agent-neutral reasons that all perspectives can appreciate, but I shall not pursue that difficult question here.
13. See section 7.
14. Space precludes consideration of nuanced cases, where these points must all be modified. For a sensitive critical discussion, see Eberle (2011: 281–303).
15. Some moral systems are based on the principle “That which is not prohibited is permitted”; in such systems a justified permission is not required for an act to be permissible. In contrast, some moral systems *do* require justification for all permissible acts, holding “that which is not permitted is prohibited.” (See Mikhail 2010, esp. §6.3; Nichols and Gaus 2017: 34.)
16. On this matter Darwall departs from Fichte, who linked recognition to social life (Darwall 2006: 262–265).
17. See *Burton's Legal Thesaurus* (2006), “authoritative command.”
18. Officer of the Order of the British Empire.
19. This, I take it, is the important truth in Darwall's “hermeneutical circle” in *The Second-Person Standpoint*.
20. I have defended this paradox in some depth in “The Commonwealth of Bees,” *Social Philosophy & Policy*, forthcoming.
21. It is not only contract theorists who think this. (See Cohen 2008: 175ff.; Brandt 1979: ch. 9.)
22. This, of course, raises important questions about the nature of reasons and deliberation. I try to make some progress on them in Gaus (2011: 232–238).
23. The idea of The Gap is central to Rawls's notion of legitimacy.
24. Or from the original position, where everyone ranks the two principles of justice as best.

25. I have not considered in this essay the claim, characteristic of the social contract tradition, that we can identify a unique, rational, Gap that all should accept. I criticize such views in “Self-Organizing Moral Systems: Beyond Social Contract Theory” (at www.gaus.biz).
26. The psychology of the Nazi, for example, was more complex and ambivalent than the typical philosopher’s example (see Gaus 1999: 292–293).

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The Phenomenology of Kantian Respect for Persons

Uriah Kriegel and Mark Timmons

1. Respect and Moral Phenomenology

In the opening chapter of his book *The Conscious Mind*, David Chalmers (1996) argues that many mental terms lead a “double life”: they have a psychological life and a phenomenological life. To say that a term *T* leads a double life is to say that *T*-tokens tend to cluster into two distinct types, each expressing a different concept.¹ Thus, we use the word “pain” in two discernibly different ways, expressing two different concepts, which we may call the psychological concept of pain and a phenomenological concept of pain. These concepts may or may not pick out the same property, but however that turns out, they are distinct concepts.²

What are these notions of “psychological concept” and “phenomenological concept”? According to Chalmers, mental phenomena can be conceived either in terms of their functional role within the subject’s psychological economy, or in terms of their phenomenal character, what it is like for their subject to undergo them. The psychological conception of mind characterizes mental phenomena third-personally in terms of their causal relations to each other and to the environment; the phenomenological conception characterizes them first-personally in terms of their phenomenal or subjective feel. Thus, the former focuses on the *mechanical* dimension of mental life, the latter on its *experiential* dimension. Most mental terms, suggests Chalmers, can be understood either as expressing a third-person, functional-role conception of the relevant mental phenomenon or as expressing a first-person, phenomenal-character conception of it. Thus, mental states can be classified as pains either because (roughly) they are caused by harmful stimulation and cause aversive reaction or because they feel that particular unpleasant way—they hurt. Correspondingly, the term “pain” can be used to express either (i) the concept of a mental state caused by harmful stimulation and causing aversive reaction or (ii) the concept of a mental state that feels that unpleasant way. The former is the psychological concept of pain, the latter the phenomenological concept of pain.³

The double-life thesis seems particularly compelling for the emotions. Fear tends to be triggered by objects or events that appear dangerous and tends to provoke characteristic reactions of fight or flight; these causes and effects of fear are publicly observable and third-personally describable. But fear also *feels* a certain unmistakable way, a way it is much harder to describe in public language; when any token conscious fear occurs, only one person *experiences* the relevant instance of that feeling. Crucially, it is unclear how one could “read off” the phenomenal character of fear from a complete specification of fear’s functional role. Likewise, anger tends to be triggered by wrongs, offenses, slights, etc. and to provoke a pull to rectification and/or revenge. But in addition, it involves a distinctive, unpleasantly consuming subjective feeling or experience, which cannot in any obvious way be “read off” from its functional role. Thus, fear and anger can be conceptualized in two systematically distinct ways: in terms of functional role or in terms of phenomenal character. That is, they can be conceptualized either psychologically or phenomenologically. Similar remarks likely apply to most other emotions.⁴

Among the emotions most central to ethical theory is *respect*. Of particular significance is the kind of respect highlighted by Kant—what is sometimes called “respect for persons as such.” This is the respect we feel toward someone not because of her particular accomplishments or attributes, but simply because she is a person. It is the kind of respect we have toward *x* when *x*’s being a person is sufficient ground for our respecting *x*.

If the double-life thesis is on the right track, such respect can be conceptualized in two different ways. On the one hand, it can be characterized third-personally in terms of its distinctive functional role in our psychological economy, the kinds of causes and effects that tend to trigger it and tend to be provoked by it. To seek the right such characterization is to engage in the *moral psychology of respect for persons*. On the other hand, this kind of respect can also be characterized first-personally in terms of its distinctive phenomenal character, the subjective experience of occurrently *feeling* respect for a person. To seek the right first-personal characterization of respect’s phenomenal character is to engage in the *moral phenomenology of respect for persons*.

In describing the kind of respect we are interested in as an *emotion*—that is, as an experiential episode the subject *feels* on particular occasions as part of her stream of consciousness—we do not intend to deny that it can also occur in our mental life as an *attitude*, that is, as a tacit or latent state that characterizes the subject’s standing stance toward the world. On the contrary, we countenance both a respect-emotion and a respect-attitude.⁵ However, we focus here on the emotion rather than the attitude because, arguably, phenomenal character is more essential to an emotion’s nature, whereas what is more essential to an attitude’s nature is its functional role. And what we want to pursue here is the moral phenomenology of respect.

In analytic moral philosophy, by far the most contributions to our understanding of respect for persons have come from moral *psychology*, not moral *phenomenology*. Thus, in his seminal “Two Kinds of Respect,” Stephen Darwall (1977) isolates a kind of respect he calls “recognition-respect,” which he distinguishes from “appraisal-respect” and characterizes as follows:

There is a kind of respect which...consists, most generally, in a disposition to weigh appropriately in one's deliberations some feature of the thing in question and to act accordingly...To say that persons as such are entitled to respect [of this kind] is to say that they are entitled to have other persons take seriously and weigh appropriately the fact that they are persons in deliberating about what to do. Such respect is recognition respect. (Darwall 1977: 38)

It is clear that what Darwall has in mind with his notion of recognition-respect is what we have called above respect for persons—or at least that respect for persons is a special case of recognition-respect (namely, the case where the fact recognized is that someone is a person). But it is also clear that what Darwall has in mind is a phenomenon characterized in terms of functional role. This becomes evident when Darwall offers his fuller account of recognition-respect:

Some fact or feature is an appropriate object of [recognition] respect if inappropriate consideration or weighing of that fact or feature would result in behavior that is morally wrong. To respect something is thus to regard it as requiring restrictions on the moral acceptability of actions connected with it...To have such respect for the law, say, is to be disposed to regard the fact that something is the law as restricting the class of actions that would be morally permissible.

(Darwall 1977: 43)

This account of recognition-respect clearly proceeds by trying to correctly identify an attitude with a distinctive functional role.⁶ Respect for persons is said to be that mental state which is triggered by persons (or objects appearing to one to be persons) and which provokes a narrowing down of the potential courses of action toward those objects (and does so *in light* of these objects appearing to be persons).

Other treatments of respect in the extant literature follow a very similar pattern, disagreeing mostly on the correct analysis of respect's functional role. We do not wish to call into question the insight into the nature of respect afforded by such analyses. We suspect, however, that there is an additional and complementary kind of insight into the nature of respect that could be had, one obtained by articulating the phenomenal character of respect—what it is like for us to occur-rently experience respect for someone solely on account of her being a person. We suspect, moreover, that here too the subjective quality of respect cannot be “read off” from any specification of respect's functional role, however exhaustive.

A full portrait of respect for persons would thus comprise both a psychological chapter and phenomenological chapter, tracing out both the functional role and the phenomenal character characteristic of respect as an attitude and as an emotion. Since the literature has tended to focus on the moral psychology of respect, here we focus on the moral phenomenology of respect.

The literature's focus on functional role is not accidental. There is a sustained worry that first-person inquiry into phenomenal feel is bound to run into principled difficulties. Thus, the deliverances of introspection of our lived experience are often thought to be untrustworthy. In addition, it is unclear how we might *put into words* those deliverances, whatever their epistemic status. It is a familiar refrain in discussions of conscious experience, after all, that phenomenal character is ultimately *ineffable*, or perhaps more accurately *incommunicable*: It can be named, but it cannot be described. No informative account of the phenomenal character of seeing yellow can be offered to the colorblind, arguably. By the same token, one might claim, no informative account of what it is like to feel respect could be offered to someone constitutionally incapable of feeling it. If so, it is unclear how moral phenomenology could contribute anything substantial to our understanding of respect.

We have addressed elsewhere some of these foundational issues stalking moral phenomenology and indeed phenomenology writ large (Horgan and Timmons 2005, 2008; Kriegel 2008, 2015 *inter alia*). Heeding the precept that the proof is in the pudding, however, here we would like to consider what kind of phenomenological pudding could be made of respect for persons! We propose to simply go ahead with the project of characterizing the phenomenal character of such respect, with the hope that the very possibility of intelligible discussion of the topic would constitute a retroactive partial demonstration of the project's viability. Before starting, however, some general remarks might prove useful.

In mathematics, an axiomatic system's *primitives* are officially taken to be incommunicable. Nonetheless, they are thought to be understood informally in terms of their theoretical role within the relevant system. Thus, notions appearing in the theorems of a given axiomatization of Euclidean geometry are defined in terms of notions appearing in the system's axioms; but the notions appearing in the axioms are understood only in terms of their role within these axioms (Hilbert 1900). Indeed, the axioms can be thought of as nothing more than descriptions of a web of interrelations among opaque nodes, with each node designated by a different conceptually primitive notion. Our grasp on the nature of these nodes is exhausted by the interrelations specified in these axioms. These theoretical roles can be articulated most straightforwardly using *Ramsey sentences*: sentences asserting the existence of something that satisfies a vast collection of descriptors (Lewis 1966, 1972).

This approach could be imported into moral phenomenology, with central phenomenological observations regarding some types of moral experience taking

the role of the axioms in a mathematical system. Consider, if only for the sake of illustration, the following collection of broadly phenomenological observations about respect, harvested more or less verbatim from the *Stanford Encyclopedia* entry on respect (Dillon 2018):

- Respect is a particular mode of apprehending the object: the person who respects something pays attention to it and perceives it differently.
- Respect often feels like trying to see the object clearly, as it really is in its own right, and not seeing it solely through the filter of one's own desires and fears or likes and dislikes.
- Respect feels object-generated rather than wholly subject-generated, something that is owed to, called for, deserved, elicited, or claimed by the object.
- Respect feels deliberate, a matter of directed rather than grabbed attention, of reflective consideration and judgment.
- Respect involves "a deontic experience"—the experience that one *must* pay attention and respond appropriately.
- We respect something not because we want to but because we recognize that we have to respect it.
- Respect is the recognition of something "as directly determining our will without reference to what is wanted by our inclinations" (Rawls 2000: 153).
- Respect feels reason-governed: it feels like we cannot respect a particular object for just any old reason or for no reason at all.
- Respect feels universalizing, in the sense that if F is a respect-warranting feature of object O, then respecting O on account of F commits us, other things equal, to respecting other things that also have feature F.

A comprehensive moral phenomenology of respect would involve a great many observations of this sort, which could then be "Ramsified" to capture the theoretical role of the experience of respect in the theory, thus providing the reader with a textured sense of respect's phenomenal character.⁷

This approach presupposes that there is sufficient uniformity among people's respect experiences, something that may well be called into question (Gill 2008; Sinnott-Armstrong 2008). Certainly, there may be little uniformity at a very fine grain of determinacy. At the same time, one might hope that at a sufficient level of generality, certain recurring patterns might be found interpersonally, such that even if different subjects find it difficult to *produce* similar phenomenological descriptions of respect, when they *consume* phenomenological descriptions of respect, some descriptions simply *resonate* with—command assent from—many.

In keeping with our pudding gambit, here we will assume that there is sufficient uniformity in people's respect experiences to make it possible to produce descriptions of those experiences—descriptions which do, or would, command widespread assent. The challenge is how to characterize the common component

of felt respect for persons in a substantive and informative manner. Discussions of respect for persons in the extant literature often start out from Kant's remarkably influential account of it. Here too, though, philosophers have tended to focus on the functional role, rather than phenomenal character, Kant assigned to respect. We believe, however, that Kant's moral writings contain fundamentally accurate, if somewhat incomplete, characterizations of the phenomenal character of recognition-respect; characterizations that can be more fully developed and defended against various objections. In what follows, we propose to build on Kant's insight but in a more overtly phenomenological direction than is common in the extant literature. We propose, in other words, to develop a broadly Kantian phenomenology of recognition-respect for persons. This task will occupy us for the next three sections. In the final section, we will briefly consider some outstanding challenges, pointing the way for further research.⁸

2. Kant on the Experience of Recognition-Respect: I. A Footnote in the *Groundwork*

Kant's account of the phenomenology of recognition-respect is found primarily in his 1797 *Doctrine of Virtue* (part II of the *Metaphysics of Morals*), where he discusses duties of virtue toward others.⁹ However, already in the 1785 *Groundwork* the feeling of respect is described in some detail in a long footnote, where, having characterized duty as "the necessity of an action from respect for law" (G 4:400), Kant responds to a potential worry that reference to respect is merely "an obscure feeling" that has no place in a purely rationalist ethical theory (G 4:401n). It is worth quoting the footnote almost in full (leaving out the first sentence that raises the worry), and in two parts. Inserting bracketed numbers to separate individual claims Kant makes, the passage reads:

[T]hough [0] respect is a feeling, [1] it is not one received by means of influence; [2] it is instead a feeling *self-wrought* (*selbstgewirktes*) by means of a rational concept and [3] therefore specifically different from all feelings of the first kind, which can be reduced to inclination or fear. [4] What I cognize (*erkenne*) immediately as a law for me I cognize with respect, [5] which signifies merely consciousness of the *subordination* of my will to a law without the mediation of other influences on my sense. [6] Immediate determination of the will by means of the law and consciousness of this is called *respect*, [7] so that it is regarded as an *effect* of the law on the subject, [8] and not as the *cause* of the law.

Of these eight claims, only [4] and [5] clearly include phenomenological observations.¹⁰ However, they reveal what is at the heart of this feeling of respect,

namely, consciousness of the subordination of one's will to the law, not mediated by one's antecedent desires or aversions. This consciousness of subordination, in its fullness, involves further elements:

[9] Respect is properly the representation of a worth that infringes upon my self-love. Hence [10] there is something that is regarded as an object neither of inclination nor of fear, though it has something analogous to both. [11] The *object* of respect is therefore simply the *law*, and [12] indeed the law that we impose upon *ourselves* and [13] yet [regard it] as necessary in itself. [14] As a law we are subject to it without consulting self-love; [15] as imposed upon us by ourselves it is nevertheless a result of our will; and [16] in the first respect it has an analogy with fear, [17] in the second with inclination. [18] Any respect for a person is properly only respect for the law (of integrity and so forth) of which he gives us an example. [19] Because we also regard enlarging our talents as a duty, [20] we represent a person of talents also as, so to speak, an *example of the law* (to become like him in this by practice), and [21] this is what constitutes our respect. [22] All so-called moral *interest* consists simply in *respect* for the law.

(G 4:401n; emphases original)

We may set aside remarks [18–21], which appear to concern moral appraisal-respect, and concentrate on the remaining elements, which concern recognition-respect proper.¹¹

As a feeling brought about not by external triggers, but by one's own intellectual apprehension of an abstract principle (see [1–2]), Kant's feeling of respect is suffused with a cognitive or intellectual dimension. There is a (somewhat old-fashioned) way of thinking of feelings that casts them as purely sensory, often *visceral*, experiences (James 1884). But on our (more modern!) conception of emotional feelings, they are much more complex, more textured experiences incorporating, among other things, a proprietary *cognitive phenomenology*, that is, the experience of engaging in conceptual thought (for this conception of emotional phenomenology, as involving cognitive phenomenology as constituent, see Kriegel 2014). It is clear that this kind of cognitive phenomenology is much more central to Kant's conception of what it is like to experience recognition-respect than anything to do with, say, visceral sensations.

If one revisits the sampling of phenomenological observations cited in the previous section, it is clear that many, if not all, are reflected in Kant's description. At the same time, Kant's formulations are more specific in phenomenological detail, thus yielding a distinctively Kantian conception of respect. One can detect, moreover, several "clusters" of salient phenomenological elements from Kant's description.

One cluster revolves around awareness of the moral law in the experience of respect:

- Recognition-respect is a particular mode of apprehending a person, in which one pays attention to and perceives her or him differently. In particular:
- Recognition-respect involves awareness of the moral law. [4]
- Recognition-respect has as its focus the moral law and its relation to one's desires and aversions. [11]
- Recognition-respect requires trying to apprehend clearly the relation between the moral law and one's desires and aversions. [5]
- Recognition-respect is a representation of a worth that infringes on one's self-love (one's self-regarding desires and aversions). [9]
- Recognition-respect involves exercising one's agency by imposing the law on oneself. [12]

This last claim paves the way to the core phenomenal feature of recognition-respect, namely, the subordination of one's will to the moral law:

- Recognition-respect involves *heeding* the law without consulting self-love. [14]
- That is, recognition-respect involves actively subordinating one's desires and aversions to the moral law. [15]
- Recognition-respect is object-generated in the sense that the moral law is experienced as *demanding* that moral reasons be given normative priority over reasons grounded in self-regarding desires and aversions. [13]
- At the same time, recognition-respect is also an expression of agency: it is a deliberate, directed attention, rather than grabbed attention, of reflective consideration and judgment. [Implicit in 12]

In addition to the active subordinating of one's will to the moral law, Kant also highlights one's *awareness* of doing so:

- Recognition-respect requires apprehending a subordination relation obtaining between the moral law (and its particular requirements) and one's desires and aversions. [5]
- It thus involves apprehending the normative superiority of the moral law (including its particular requirements) compared to reasons grounded in one's desires and aversions. [Implicit in 5]
- Recognition-respect involves the recognition of the law *directly determining* one's will without reference to one's desires and aversions. [14]

Finally, Kant also makes two claims about phenomenal overlaps between respect and fear, on the one hand, and inclination, on the other:

- Recognition-respect, because it involves attending to the subordination of one's desires and aversions to a law whose normative force is independent of our will, is similar to fear insofar as it has something exogenous (will-independent) about its source. [14, 16]
- However, because it also involves an exercise of one's will whereby one actively subordinates desires and aversions to the requirements of the moral law, recognition-respect is also similar to inclination insofar as it has something endogenous (will-based) about its sources. [15, 17]

These similarities to fear and inclination may seem quite incidental to recognition-respect, but they appear to resurface stubbornly in Kant's descriptions of respect.

3. Kant on the Experience of Recognition-Respect: II. The Contrastive Phenomenology of the *Doctrine of Virtue*

Phenomenological Ramsey sentences offer one kind of phenomenological perspective on the experience of respect for persons. Another potentially instructive perspective may be provided by *phenomenal contrasts*, whereby core phenomenal features of respect are put in sharp relief by the contraposition of the experience of respect with the experience of neighboring moral experiences.¹² By meticulously comparing and contrasting the experience of respect with the experience of other moral emotions—such as guilt, shame, admiration, and so on—one could inform our grasp of the phenomenal character distinctive of respect for persons.

Kant does not offer anything like this kind of comprehensive web of phenomenal contrasts. However, in Kant's final work in moral philosophy, the *Metaphysics of Morals*, part II, the *Doctrine of Virtue*, he offers focal remarks about recognition-respect for persons, often by juxtaposition with a certain (ethically fundamental) kind of *love*. In that work, Kant sets forth a system of mid-level duties—duties that mention act types, such as beneficence and gratitude, that are grounded in the more abstract, high-level categorical imperative, and from which one can infer concrete duties taking into account one's particular circumstance. He divides mid-level duties to others into duties of love toward others and duties of respect for others.¹³ Importantly, by “love” Kant does not mean anything like romantic love. Already in the *Groundwork*, he distinguishes between pathos-based love (*pathologische Liebe*) and a duty-based love, which he calls “practical love” (G 4:399). The former is a *passion*, something that *happens* to us rather than something we directly control. In consequence, it makes no sense to command such love. In contradistinction, practical love is something that can very sensibly be commanded, because it is not a passion but an action—something that we actively adopt. What

we adopt is a principle of action toward the loved one. To that extent, practical love is an action-guiding, ethically relevant emotion in the way respect is. Yet there are several striking and instructive contrasts between the two.

First of all, the duty of love requires most fundamentally that one adopt the maxim of making the well-being of others an end to be promoted. By contrast, complying with duties of respect requires, most fundamentally, that one adopt the maxim of “limiting our self-esteem by the dignity of humanity in another person” (MS 6:449). The experience of respecting another person involves a felt exhortation not to use her merely as a means to our own ends. But it does not involve a felt exhortation to adopt her ends as our own, that is, to commit ourselves to pursuing these ends as though they were our own ends (though respect certainly appears to be *compatible* with such commitment—see G 4:430). By contrast, it is of the essence of the experience of practical love that the other’s ends are taken on as though they were our own. This is perhaps the most fundamental difference between the two experiences.

From this fundamental difference flows another basic and quite abstract difference: The duty of respect embodies an essentially “negative” requirement, whereas the duty of love embodies a “positive” requirement. To that extent, the experience of practical love toward a person involves a felt motivation to *engage* in certain actions, whereas the experience of respecting a person involves a felt motivation to *refrain* from certain actions. The experience of practical love is that of being motivated to go ahead and do something for the furtherance of the loved one’s ends, whereas the experience of respect is that of being motivated to pull back and let the respected one pursue her ends.

One suspects, however, that the contrast between recognition-respect and practical love runs deeper than the two states’ relations to others’ *ends* and affects also relations to *means*. For it follows from the foregoing that when a person we both love and respect chooses what we think is the instrumentally wrong means in the pursuit of her ultimate end, our love for the person and our respect for her will issue conflicting recommendations: our love for the person makes us palpably want to correct her choice of means, or otherwise to intervene to avoid the failure and disappointment we expect to attend her ill thought out choice of means. In contrast, our respect for the person makes us feel the obligation to allow her to “make her own mistakes” in pursuing her life autonomously, despite the failure and disappointment we predict for her. The point is well articulated by Connie Rosati in her discussion of a related point by Darwall (2002: 14–16):

[We] must leave room for at least two attitudes that we may take toward a person. One attitude we may take is concern, treating her as a being with a welfare. A second is respect, treating her as a being with dignity—an autonomous agent. Out of respect for a person, we may honor her choices even when, out of concern for her, we would favor a different choice for her sake. (Rosati 2009: 321)

Rosati's "concern" can be thought of as a phenomenal component of practical love. It is this component that makes practical love go beyond adoption of the loved one's ends to a willingness (in some circumstances) to *overrule* the loved one's choice of means. In its more negative, more modest "approach," respect is unwilling to overrule the respected person's choice of means—and does not require adoption or pursuit of her ends in the first place.

The feeling of modesty is in fact crucial to Kant's phenomenological portrait of respect in the *Doctrine of Virtue*. Recall that at the heart of Kant's *Groundwork* conception of recognition-respect is the idea of subordination. In a similar vein, in discussing in the *Doctrine of Virtue* the duties of respect toward others—including duties to refrain from arrogance, defamation, and ridicule—Kant notes that at the heart of disrespect for others is a "lack of modesty in one's claims to be respected by others" (MS 6:462). This is what Kant calls *self-conceit* (*Eigendünkel*). This suggests that the phenomenology of recognition-respect involves the experience of modesty at its core. In contrast, modesty appears to be entirely orthogonal to love, including practical love: Neither modesty nor immodesty is characteristic of either love or the absence thereof.

Underlying this contrast between respect and love is another, more general but equally crucial difference between the two: respect is essentially egalitarian, whereas love is essentially discriminatory. In loving someone and committing oneself to pursuing her ends as though they were one's own, one is singling out the person, pulling her out from the crowd so to speak, and giving her personhood a special weight. In contrast, it is of the very nature of respect that recognition-respect is owed to everyone equally. One may speculate that the reason for this is that it is psychologically possible for us to negatively avoid treating *everybody* as means to our own ends, but *not* psychologically possible for us to positively take on everybody's ends.

In one striking passage, Kant presents what is perhaps the most dramatic phenomenal difference between (recognition-)respect and (practical-)love. Drawing an analogy with laws of attraction and repulsion in the natural world of physical causes, he writes:

In speaking of laws of duty (not laws of nature) and, among these, of laws for human beings' external relations with one another, we consider ourselves in a moral (intelligible) world where, by analogy with the physical world, *attraction* and *repulsion* bind together rational beings (on Earth). The principle of *mutual love* admonishes them constantly to *come closer* to one another; that of *respect* they owe one another, to keep themselves *at a distance* from one another.

(MS 6:449)

This passage comes immediately after Kant has indicated that one's duties of love and respect "are basically always united by the law into one duty" (MS 6:448),

which he illustrates with the example of beneficence (*Wohltun*)—a duty of love. He remarks that the obligation to help others in need (e.g., the poor) should always be tempered by respect for one's beneficiary, "to spare him humiliation and maintain his respect for himself" (MS 6:448–449).

What exactly to make of Kant's force analogy has been a topic of discussion in the secondary literature.¹⁴ One thing that should be pointed out is that the contrast between a drawing-nearer force and a distancing force parallels nicely the contrast, discussed above, between the felt desire to *do something for the other* and the felt need to *pull back*. In any case, whatever one makes of the force analogy, intriguing as it is, an interpretation of Kant's conception of recognition-respect should do justice to the idea that considerations of practical love and respect are in some ways distinct, "pulling" so to speak in opposite directions, yet are importantly conjoined in one's moral involvement with others. The flavor of this opposing-forces idea should be preserved in articulating Kant's (and, we would add, Kantian) phenomenology of recognition-respect. Indeed, we may think of this as a constraint on an account of respect qualifying as properly Kantian.

To summarize, we have pointed out *six* phenomenal contrasts between recognition-respect and practical love, as they arise from Kant's discussion in the *Doctrine of Virtue*. They are: (1) refraining from using the other as means to our own ends (respect) versus committing to taking on the other's ends as though they were our own (love); (2) negative felt demand to pull back (respect) versus positive felt demand to act (love); (3) a felt need to let the other pursue her ends using the means *she* deems suitable (respect) versus a felt desire to overrule the other's choice of means, the better to serve the pursuit of her ends (love); (4) the felt exercise of modesty (respect) versus the complete absence of either modesty or immodesty (love); (5) an egalitarian feeling of treating all persons the same (respect) versus the discriminating feeling that gives some person a special treatment (love); (6) the felt "repulsion" keeping one at a distance from the object of one's experience (respect) versus the felt "attraction" drawing one closer to the object of one's experience (love).

4. Filling out the Kantian Phenomenology of Recognition-Respect

Unfortunately, the *Doctrine of Virtue* does not contain a passage that neatly condenses all of Kant's main phenomenological observations about the experience of recognition-respect (the way the *Groundwork* footnote discussed in section 2 does). However, with a schematic characterization of Kant's phenomenal-contrast-based account of recognition-respect now before us, we may try to articulate a Ramsey sentence that captures those observations as they come across in the *Doctrine of Virtue*. We take up this task in this section.

Before starting, though, it is worth keeping in mind that Kant's primary concern here is with the phenomenology of the complex *experience* of respect, and not just the phenomenology of acting in ways that are merely outwardly respectful. There is a kind of "performative respect" we show someone when we are polite toward her, avoid rude or overtly inconsiderate behavior toward her, and so on. Such behaviors are nonetheless compatible with having arrogant or ridiculing private *thoughts* about the person. For Kant, this would still be a case of self-conceit and a failure to recognition-respect the person.

Our task in this section, then, is to develop a more determinate conception of Kantian recognition-respect that builds on Kant's own schematic characterization but may also go beyond it. To make the experience of respect vivid in our minds during the discussion, we begin with two vignettes that we take to be representative of at least some common, indeed typical, experiences of recognition-respect. Now, in an agent who has the *virtue* of respect, her actions will routinely express her respect for others automatically and without effort, in a way that may make the associated phenomenology relatively subtle and hard to discern. Our cases therefore involve *effortful* respect, respect that does not *come easy* to the person doing the respecting. The point is to make more manifest the phenomenology of recognition-respect experienced on some occasion of recognizing a duty toward others.

Case 1: Jones is a professor teaching a course in philosophy to first-year undergraduates. During one particular class session, he responds to a student's question in a curt manner, which conveys a dismissive attitude toward the question and the student. Later that day, in thinking about that class session, and, in particular, about his handling of the student's question, he feels sheepish and slightly ashamed of his curt, dismissive reply, which now strikes him as telegraphing a sense of intellectual superiority over the student. He realizes that his manner conveyed a lack of respect for the student—something he (mostly successfully) aims to avoid—and that on this occasion he was just too anxious about keeping to the course material and pressing ahead with his lecture. More than that, Prof. Jones is well aware that he is sometimes mildly irritated by this student, whose questions tend to be off the mark. Jones comes to think that the combination of his feeling toward this particular student and the felt pressure to get through course material is what prompted his manner of reply. As a result of these reflections, Jones vows to himself that he won't let such pressure get to him when dealing with students in future. He is now primed to put his vow into practice, having wallowed in his shame sufficiently long that he feels a strong motivation to avoid the same moral mistake in the future. In the very next session, the same student asks a question about the course material, again betraying fundamental misunderstanding. But this time Jones puts aside competing considerations and attends patiently to the question, delivering a thoughtful and cheerful reply at a proper level of sophistication for being understood by the student and the class. Moreover, he does so

while genuinely inhabiting a feeling of respect for this student as a person whose possible intellectual limitations do not make him any less of a person. Overall, Jones's demeanor conveys a proper attitude of modesty in answering the student, thus deliberately overcoming any negative feelings he may have toward this student's philosophical acumen.

Case 2: Prof. Jones is, by the way, a fresh tenure-track hire, and often discusses topics of mutual interest with his senior colleague Smith. One day, over lunch, they end up discussing the wider issue of what one might want out of an academic career as a philosopher, sharing with each other that although intellectual illumination and philosophical wisdom are what they ultimately value more, the desire for professional recognition and success can often be felt more vividly. Smith then offers Jones a number of wise tips she has garnered or formulated to herself over the years—tips essentially about how to avoid the temptations of professional vanity when the latter comes at the expense of pursuing that which they both just claimed to genuinely value more. Toward the end of the lunch, however, as the discussion veers back to more mundane matters, Jones proudly and joyfully reveals to Smith that he has been approached to apply for a prestigious fellowship; the fellowship would force him to work on a topic he is not really interested in, he says, but on the other hand it involves spending a semester at a top department, where he will make contact with some of the leading figures in his area, and the salary is higher to boot. Smith finds odd the discrepancy between Jones's stated life goals in the conversation they just had and the unbridled enthusiasm he shows for this fellowship. She is about to dampen his excitement with a pregnant remark, but just as she is about to do so, something holds her back. She contemplates the notions that his youth may make Jones hungrier for validation than she can relate to, and that perhaps he knows best just how much prestige he must chase in order to calm down the desire for it and be able to concentrate better on what genuinely matters to him most. She even considers that, all said and done, he may ultimately have ends different from hers, and that's okay too—"people are just different," she tells herself. She warmly wishes him success in his application and congratulates him for being approached in the first place, remarking that it is a sign of a rising notoriety and that he should be proud of himself.

Reflection on these scenarios and keeping in mind the phenomenal features brought into sharper relief through the contrast with practical love, we offer a phenomenological portrait of recognition-respect for persons that highlights four main groups of observation.

A first and paramount group of phenomenological observations pertain to the central role of modesty in recognition-respect (which comes across most vividly in Case 1):

- Recognition-respect for persons (respect, hereafter) is a particular mode of apprehending another person, in which one pays attention to and perceives that person differently. In particular:

- The attention one pays to the other person is an expression of one's modesty.¹⁵
- The modesty in question has as its focus oneself and the other person.
- Respect as modesty requires trying to apprehend clearly a particular relation between oneself and the other person.
- Respect as modesty requires apprehending, more specifically, a relation of equality between oneself and the other.

This modesty is not experienced as spontaneous, let alone as groundless. Rather, it is experienced as grounded in a special intrinsic worth that the respected person possesses—what we might call, following Kant (G 4:434), *dignity*:

- Respect as modesty is a representation of a worth possessed by the other person *as a person with dignity equal to one's own dignity*.
- Respect as modesty is a worth that infringes on one's self-love and strikes down one's self-conceit.
- Respect as modesty requires recognition of the dignity of the other as directly determining one's will regardless of one's desires and aversions.
- Respect for persons is thus object-generated in the sense that representation of the dignity of the other is experienced as *demanding* that consideration of this dignity be given normative priority over considerations of self-love.
- At the same time, respect is also an expression of agency: It is deliberate, directed attention, rather than grabbed attention.
- Respect involves exercising one's agency in that "I keep myself within my own bounds" (MS 6:450), in the sense that I refrain from unjustly elevating myself over others by denigrating their worth.¹⁶

In addition, there is an important group of phenomenological observations pertaining to the role of respect in relating to ends and means (highlighted by Case 2):

- Respect for persons involves a keen sense of when one is dealing with another in just the way one does in part because of what one expects to obtain from the other in virtue of so dealing.
- To that extent, respecting a person involves being aware when we start seeing her, if only in part, only qua means to our own ends.
- Respect involves the feeling of overcoming the temptation to see others only in terms of what they afford oneself in one's pursuit of one's own ends.
- Respect involves a degree of emotional acceptance of others' goals and ends, even when they differ in important ways from one's own.
- Respect also involves an element of acceptance of others' chosen means.
- Respect as acceptance, like respect as modesty, is grounded in an apprehension of the other as equal to oneself at the deepest level.

- It is also grounded in full appreciation of the distinctness or otherness of the other—the fact that she harbors an internal life which is ultimately separate from one's own.

Finally, there are also two phenomenological observations worth making about an affective valence involved in the experience of respect:

- Respect, because it requires subordinating self-love and striking down self-conceit, involves a negative feeling of humility.
- At the same time, because it involves a representation of one's equality with others, respect typically involves also a positive, almost cathartic feeling of being in community and fellowship with other human beings.

As before, in order to capture the theoretical role of recognition-respect for persons in the theory, we may construct a Ramsey sentence that includes these observations (plus presumably additional ones) asserting the existence of an emotion that satisfies all or most of these elements.

It might be objected that our portrait of respect is much too complex and over-intellectualizing, casting respect as an incredibly sophisticated emotion few would actually be able to experience. In response, we would like to stress two points. First, and most importantly, while some of the descriptors just used deploy high-level concepts, it does not follow that a person needs to possess the relevant concepts to just *experience* respect. The reason is that, in general, a person need not be in a position to articulate and accurately conceptualize every experience she is capable of undergoing. Second, however, we would like to insist that recognition-respect really is one of the most intellectual emotions in the standard human psychological repertoire, teeming with cognitive phenomenology, and is indeed much less frequently experienced than, say, guilt or joy.

5. Outstanding Challenges and Further Research

We have attempted to offer a phenomenological (first-personal) rather than psychological (third-personal) characterization of Kantian respect for persons, as it comes through both in the *Groundwork* and in the *Doctrine of Virtue*. Naturally, the above is just an initial sketch, almost an *illustration*, of what a phenomenological approach to respect would look like. We want to close with discussion of three major challenges to the project that may open fruitful avenues of research into the phenomenology of respect.

The first and most straightforward challenge is that Kant's phenomenological characterization of respect is inadequate. For instance, several scholars have argued that Kant casts respect as overly abstract and intellectual. One immediate

worry is that Kant often characterizes respect as intentionally directed, in the first instance, not at persons but *at the law*, and to that extent gets wrong the intentional content of respect (Drummond 2006: 2). As Kant himself puts it, “every respect for a person is properly only respect for the law . . . of which he gives us an example” (G 4:401n). In response, one might allow that respect for persons is intentionally directed at persons after all, but is so directed *in virtue of* being directed at the law (somewhat as an auditory perception can be directed at a bus in virtue of being directed at the sound of the bus’s engine). Some philosophers have charged, however, that Kant’s focus on respecting persons only in virtue of respecting their humanity, or only in virtue of their exemplifying the law, is too “cold” and impersonal. The problem is that Kant’s conception of respect for persons fails to do justice to a commonsense conception, grounded in everyday, ordinary phenomenology, according to which respecting persons “takes in” the wholeness of the person as particular agents with particular aims, interests, and concerns (Noggle 1999). Robin Dillon nicely summarizes the abstractness objection when she writes that the Kantian conception of respect for persons

abstracts from all particularities, regarding the details of our selves as contingencies irrelevant to our intrinsic moral worth. The morally significant feature of persons on this view is something abstract and generic, not what distinguishes one individual from another but what makes us all indistinguishably equal. An individual human being is an object of respect only insofar as she is an instance of the universal type, ‘being with the capacity for rationally autonomous moral agency.’ It is, in the words of the categorical imperative, the ‘humanity in us’ that matters morally and so calls for respect. (Dillon 1992: 116)

Because Kantian respect is focused on an abstract feature that all persons share, it is claimed to be “distant,” “cool,” “detached,” as well as being indiscriminate, as if the particular person who has the abstract property being respected could be switched out for any other particular person—and one’s respect would remain exactly the same (and equally appropriate).

There are two possible approaches to this challenge. One is to try to show that Kant’s conception of respect is much less abstract and impersonal than scholars have claimed (Bagnoli 2003). The other is to concede the generic and indiscriminate character of Kantian respect but defend it as a fitting reflection of the nature of recognition-respect. We are tempted by this latter approach. In fact, we suspect that authors who demand a more “particularist” conception of recognition-respect will find that the latter ends up collapsing into practical love. If one is impressed by the need to distinguish love and respect (or, more generally, one moral emotion that brings people closer and makes the agent adopt the other’s ends as her own and another moral emotion that protects the separateness of people and makes the agent avoid treating others as means), then one must indeed cast respect as

rather abstract and indiscriminating. This is of course just a sketch of a response. We do not pretend to have argued for it with these rudimentary remarks; merely to have pointed in the direction of response to which we are attracted.

A related challenge is that even if Kant's phenomenology of respect is broadly accurate, it cannot by itself be morally foundational, requiring instead supplementation by more "pathos-based" moral emotions, such as love, empathy, and care (Dillon 1992; Sherman 1998). The objection may be put impressionistically as follows: an ethical system based entirely on a force of "repulsion" that keeps people at a distance is a somewhat grim and uninviting system. Surely care and concern for the happiness of others must play a role in a comprehensive ethical theory.

In response, we can only agree with the objector's sentiment. But we do not agree that Kant has missed this point. His very distinction between duties of respect and duties of love is indicative of his sensitivity to it. Duties of practical love include beneficence (or "good-doing"—*Wohltun*) and sympathetic feeling. The duty of sympathetic feeling is an "indirect" duty in the sense that fulfilling it plays a significant role in providing one with information and motivation to fulfill one's duty of beneficence. Proper sympathetic identification with another's plight puts one in touch with factors about her or his situation that are morally relevant in determining how one might be of help. Kant claims that sympathetic feeling is a natural instinct, which, when cultivated, can serve to motivate one to perform acts of beneficence that "representation of duty alone might not accomplish" (MS 6:457). So unlike duties of respect, fulfilling one's duty of beneficence toward others will typically involve sympathetic feeling. Importantly, because the duty of beneficence is an "imperfect" duty, it allows for latitude in complying with it, and so the phenomenology of beneficence will typically not involve a felt demand, or at least not one of the same strength as experienced in cases of recognition-respect. Although in cases of close personal relationships duties of love and of respect tend to "fuse," it is important in Kant's scheme that the differences between them not be lost in one's theorizing. It remains that a complete understanding of Kant's moral phenomenology requires a more precisely articulated picture of the complementary roles of pathos-based moral emotions (paradigmatically: love) and pathos-free ones (paradigmatically: respect).

A different challenge to the present project is that the phenomenal character of conscious experiences of respect is a morally insignificant aspect of respect. In one version, the objection may be that feeling respect toward a person is a highly energy-consuming thing, requiring as it does apprehending the person in the right way and framing one's relation to her in a very specific way. We could certainly not be expected to enter this emotionally taxing state every time we crossed a person on the street. If so, moral life cannot be governed by this kind of emotion. Some other way of negotiating our social life morally would have to be devised.

Our tentative response has two parts. On the one hand, we would like to concede the point about the emotional cost of constant jolting into a state of experienced respect. What should morally govern our interactions with others, on our view, is, ideally, a trained-in *virtue* of respect (or “respectfulness”). This virtue of respect is best thought of as a cluster of automatized, unconscious dispositions, and to that extent calls for a psychological, third-person, functional-role-based characterization rather than our phenomenological, first-person, phenomenal-character-based one. At the same time, we insist that while some of the manifestations constitutive of the relevant disposition are behavioral, others are experiential, and are just as constitutive. A person who consistently acted toward other persons in all the ways required by recognition-respect, but whose internal experience as she did so conformed to none of the phenomenological observations cited above, could hardly be properly described as having the virtue of respect. (Thus, a respectful zombie would appear to be inconceivable!) To that extent, a complete functional characterization of the *virtue* of respect presupposes a phenomenological characterization of the *experience* of respect. It remains, however, that a fuller account of the respective roles of respect-as-experience and respect-as-virtue in a Kantian ethics would be required for a defense of the significance of a phenomenology of respect for our grasp on moral action.

Notes

1. This chapter is thoroughly collaborative; the order of authorship is alphabetical. Work for it was supported by the French National Research Agency's grants ANR-11-0001-02 PSL* and ANR-10-LABX-0087. A version of this paper was delivered at the June 2020 meeting of the North American Kant Society. We are grateful to the audience there, in particular Lucy Allais.
2. Chalmers himself thinks they turn out to also pick out different properties, but this does not fall out of the thesis of the double life of mental terms. The purview of the double-life thesis concerns, in the first place, only the realm of concepts.
3. Unless we recognize this ambiguity of “pain,” we are liable to fall into puzzle and paradox. Thus, when a toothached subject must suddenly attend to a fire in the kitchen and no longer feels her toothache, does it still qualify as pain? When she feels again the toothache after the fire has been put out, is she feeling the same pain as before or a new, numerically distinct pain? Such questions are readily answered once we distinguish between the psychological and the phenomenological concepts of pain.
4. There are in fact *three* features traditionally thought to make up the core of mental life: functional role, phenomenal character, and *intentional content*. The psychological conception of mind focuses on the first, the phenomenological conception on the second. What about the third? Is there also an intentional conception of mind? Such a conception could very likely be formulated, but in the present context it would be more

profitable to note that the notion of intentionality itself splits in two. On the one hand, we have the notion of intentionality as based on functional role, perhaps a long-armed role that includes connections to the environment and actions (Harman 1987). On the other hand, there is also the notion of intentionality as based on satisfaction conditions constituted by phenomenal character (Horgan and Tienson 2002; Loar 2003). In light of this, we might just distinguish two kinds of intentionality—*psychological intentionality* and *phenomenal intentionality*—and build the former into the psychological conception of mind and the latter into the phenomenological conception (Kriegel 2010).

5. We also acknowledge there are complicated questions surrounding their relationship. On one end of the spectrum is the view that the attitude is the psychologically substantive state here, with the emotion being a sort of occasional epiphenomenal spurt. On the other end of the spectrum, there is the view that the attitude is nothing but the disposition to undergo the emotional experience, so that we really have no handle on the attitude independent of our handle on the emotion.
6. Moreover, the attitude in question is, for Darwall, precisely the attitude Kant had in mind in discussing respect: “it is to recognition respect of persons that Kant refers when he writes, ‘Such a being is therefore an object of respect and, so far, restricts all (arbitrary) choice’” (Darwall 1977: 45).
7. Note that although for Lewis specifying a theoretical role for a term was supposed to go hand in hand with offering a functionalist assay of the T’s denotation, the two are separate moves. When T is a term appearing in a phenomenological theory, T’s theoretical role is the role it plays in an overall phenomenological, hence *non*-functional, characterization of T’s denotation.
8. Note well: we do not wish to claim that Kant’s only notion of respect is that of recognition-respect; on the contrary, we agree with Darwall (2008), that some of it concerns a kind of moral appraisal-respect. Thus, in the second *Critique*, Kant describes the feeling of respect one experiences upon witnessing the moral merit expressed in another’s action as “a *tribute* that we cannot refuse to pay to merit, whether we want to or not” (KpV 5:77). Here the topic appears to be moral appraisal-respect.
9. English translations are from the Cambridge Edition of Kant’s works (Kant 1996). Our abbreviations for the relevant works are: “G” for the *Groundwork*, “KpV” for *Critique of Practical Reason*, and “MS” for the *Metaphysics of Morals*.
10. The second conjunct in [6] is also phenomenological, but it appears to merely recapitulate [5]. As for [1–3], [7–8], and the first conjunct of [6], these appear to concern *causal antecedents* rather than *phenomenal constituents* of respect.
11. Recall that appraisal-respect is Darwall’s label for the kind of respect which contrasts with recognition-respect and which *is* grounded in appreciation of a person’s individual accomplishment or attributes.
12. This contrast methodology is heavily used in current discussions of perceptual experience (Siegel 2011), as well as so-called cognitive and conative (or agentic) phenomenology (Kriegel 2015).
13. He also discusses duties to oneself, which we may set aside here.
14. See, for example, Baron (1997); Johnson (1997); Filippaki (2012), and Sanchez Borboa (MS).

15. For defense of an account of modesty in terms of attention, see Bommarito (2013).
16. Our continuation of the quoted remark is a gloss on the remainder of the sentence, which in full reads: "I keep myself within my own bounds so as not to detract anything from the worth that the other, as a human being, is authorized to put upon himself."

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How to Treat Someone with Respect

Oliver Sensen

Respect is one of our fundamental moral ideas. We believe that it is a *universal* requirement in that *all* human beings should be respected, independently of their race, gender, religion, orientation, or social status. But we also believe that we should *always* respect others: Even a criminal awaiting a just punishment, for instance, should not be subjected to inhumane treatments. We should still respect him as a human being. Respect is not necessarily the whole of morality; there might be additional standards of care, culture, and appreciation, for instance. But we think of respect like a fundamental grid that protects dignity and rights, and it seems to be the necessary background for living together peacefully. In addition, we also care deeply about respect. For instance, the complaint “he was just using me” expresses not just a moral condemnation, but is associated with a host of strong feelings as well. But what, more specifically, does one have to do in order to respect someone? Is there a criterion, or a clear guidance, that can tell us what we have to do (or refrain from doing) in order to respect someone?

My aim in this chapter is to search for a criterion that could serve as such a *universal* moral demand. This would be a mid-level principle that converts the general command to respect someone into a more concrete directive (for example, not to merely use another). I shall argue that many of our strongest intuitions about respect—such as prohibitions on using someone as a causal means, or requirements of gaining their actual consent—only have a local application. They are of crucial importance in specific types of cases, but they are not the universal criterion of respect. In this they function like thick ethical concepts such as gratitude or forgiveness: One might be able to give a rich specification about when one violates these dictates, but they only apply to a limited range of cases (cf. Williams 1985: 129). Further, I shall limit my discussion to respect *for others*. This is not to deny the importance of self-respect (cf. Dillon 2015), but here I shall only explore how one should always treat everyone else, and I shall limit my analysis to competent human adults. In searching for the universal criterion, I shall take inspiration not so much from Kant who influenced many of our initial ideas, but more from contemporary authors such as Stephen Darwall, Robin Dillon, Joel Feinberg, Thomas Hill, Derek Parfit, Tim Scanlon, and Allen Wood who all have greatly enhanced our understanding of respect.

In order to search for the universal criterion of respect, I shall first distinguish different ways we use the term “respect” (section 1). I shall argue that the kind of respect I am after is about giving someone due regard, and I try to specify this notion further (in section 2). I shall then examine the main candidates for how we can specify due regard, as not using someone (sections 3 and 4), and as securing their consent (section 5), before arguing for my own conclusion (in section 6), as well as considering objections against it (section 7). I shall argue that respect consists in not exalting oneself above others, which itself consists in not breaking rules we regard as objectively necessary.

1. Different Kinds of Respect

What do we ordinarily mean by “respect”? The Oxford English Dictionary lists four main contemporary usages (in contrast to former and obsolete ones) of the word “respect”: (1) a form of politeness, (2) a feeling of esteem, or the state of being esteemed, (3) a due regard for something, or (4) a particular aspect of something.¹ In this section, I shall argue that of these four meanings only (3) is a candidate for the type of universal *moral* requirement I am looking for in this essay.

Usage (4) is not a prescription about any conduct; it merely refers to a particular aspect, point, or detail. We might use this notion of respect, for instance, in a sentence like: “In this respect, an electric car is cheaper than the gasoline alternative.” “Respect” here just emphasizes a particular perspective or detail, and is not the respect I am interested in in this essay.

“Respect” can also, as in usage (1), refer to politeness. In this sense, we might say that Paul treated Betty very respectfully. However, while it might be a moral demand to be polite—we teach it to our children and might demand politeness from others—it is not a criterion of the universal grid of respect. This is because politeness is neither necessary nor sufficient for conforming with the grid. One can conform to the universal standard of respect, while also being impolite or neutral. More importantly, one can be polite, but still violate the morally required respect. Consider the following case:

Highway Robber: A mugger holds you up at gunpoint. He greets you politely, holds open the door for you, and wishes you all the best on your way out. But he takes your money. (Cf. Parfit 2011: 215)

By itself, politeness does not track the universal grid of moral respect.

In usage (2), “respect” refers to an (involuntary) feeling of awe or admiration. We might feel this esteem for someone’s abilities, qualities, or achievements. However, it is not something that is commanded—for we feel it involuntarily—and it does not prescribe a moral behavior on our part:

Castle Attack: In a just war you are laying siege to the castle of your opponent. Upon seeing the castle for the first time, you are awed by its defenses, and feel respect for its builder. You would like to hire the builder for your own castle; nonetheless, you are justified in attacking the fortifications.²

This form of respect is often called “*reverentia*” or “appraisal respect” (see Feinberg 1973; Hill 1973; Darwall 1977) and is distinguished from “*observantia*” or “recognition respect,” i.e., the respect one *should* have for others. Scholars specify *reverentia* slightly differently, but the common thread is that *reverentia* is an involuntary feeling of awe or esteem. A heroic deed, an impressive quality can cause a certain form of reverence. This feeling can occur for morally neutral qualities, and it might not only refer to persons. For instance, a climber might have respect for a challenging mountain. However, some scholars argue that, properly speaking, appraisal respect only refers to a person’s character and its actions (cf. Darwall 1977; Kant 1996: 4:401n).³

This leaves usage (3). I shall argue that the respect one owes to others, *observantia*, consists in giving others their due regard. But what is due regard?

2. Respect as Due Regard

Since many of our intuitions about respect are inspired by Kant, we can use an initial reading of his Formula of Humanity as a first approximation of what moral respect requires. The formula runs: “*So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means*” (Kant 1996: 4:429). Kant calls the principle the “supreme limiting condition” (Kant 1996: 4:430–431) of our freedom, and regards it as *universally* valid. According to a compelling reading of this formula, one fails to respect another morally if the following four conditions are satisfied: (1) One violates a duty of omission. On this account, there is a difference between duties of respect and duties of love. While respect roughly covers perfect or negative duties, e.g., not to steal, lie, or injure another, duties of love are imperfect and positive, i.e., about helping others (cf. Kant 1996: 6:449–450). Respect, then, seems to correspond to that part of the Kantian formula that prescribes not to treat others as mere means. This itself is said to contain three further conditions (cf. Kleingeld forthcoming): (2) In order to treat someone as a *mere* means, one has to have a certain attitude, and do it intentionally; (3) the other has to be a causal *means* to fulfilling one’s intentions, and (4) one does not give adequate weight to the other’s actual consent.

While these conditions capture many of our moral intuitions, I shall argue that the requirement to respect someone is actually wider than these four conditions. I believe that this is so for the following reasons:

(1) The first point would restrict the scope of duties of respect to perfect or negative duties: One should not encroach upon life and property of another. In a Kantian setting, therefore, the following case would not be a failure of respect:

Bad Samaritan: A man walking in a desert, and carrying more water than he needs, encounters a person dying of thirst. Nonetheless, the man does not help the person in need. (Cf. Parfit 2011: 226)

However, there is no need to restrict respect to perfect or negative duties (cf. Wood 1999: 143).⁴ If you believe that one should respect a flag or a religious artifact, for instance, this might involve positive actions, such as putting your hand on your heart or kneeling, keeping the objects safe, repairing them, etc. Giving something its due regard does not seem to be limited to not harming the object (cf. Wood 1999: 141–142).

(2) The second point concerns the locus of respect. Does respecting someone amount to possessing a certain *attitude*, or does it consist in a particular *action* as an observable behavior? It is a common view, not just in a Kantian setting, that treating someone with respect requires a certain attitude on the part of the agent (cf. Darwall 2006: 140–143; Scanlon 2008: 89–90; Parfit, 2011: 227). While this is an important part of our everyday usage of “respect” (see section 7 below), it seems to be less important for the universal criterion of rightness I am after. Consider Parfit’s example of the criminal coffee buyer:

Ruthless Coffee Buyer: A criminal enters a coffee shop, and would have no qualms about shooting the clerk in order to get a coffee. He does not regard the clerk as having any importance or rights; nonetheless the criminal finds it easier if he acts friendly, pays for the coffee, and leaves a generous tip. (Cf. Parfit 2011: 216)

The criminal does not have an *attitude* of respect, but he *treats* the clerk correctly, and in a respectful manner. So, there are at least two different objects of evaluation. On the one hand, we can ask whether someone is a morally good person, i.e., has the right attitudes or a good will, and, on the other, whether the person does the right thing, i.e., acts correctly (cf. Kant 1996: 4:390; Scanlon 2008: 100f.; Parfit 2011: 216). Notice that even Kant’s formula starts with “*So act*” (Kant 1996: 4:429) and that it is only later that he wants to include the requirement about the right attitude in the content of the Formula of Autonomy (cf. Kant 1996: 4:431–432).

What I am after in this essay is a criterion for morally respectful *action*. However, I am not looking for a list of particular actions that make up respect (such as holding open doors, shaking hands, or looking someone in the eye). I am not sure that there is such a list. It seems that—depending on the context—any

action could be respectful or disrespectful. For instance, shaking hands might be respectful in normal circumstances, but disrespectful if one has the flu. Looking someone in the eye might be a sign of respect but looking someone else's partner in the eye might be considered an insult, and so on. What I am looking for instead is a mid-level principle that constitutes respect. Two candidates that immediately come to mind are (3) not to treat someone merely as a means, and (4) to secure another's consent. The lessons from analyzing these accounts will lead to another option.

3. Respect as Not Merely Using Someone

The first and foremost candidate for how one respects another is to not use them as mere means. In this sense Kant says that the "duty of respect for my neighbor is contained in the maxim not to degrade any other to a mere means to my ends" (Kant 1996: 6:450). This is the negative part of Kant's Formula of Humanity: "*So act that you use humanity... never merely as a means*" (Kant 1996: 4:429). In order to make sense of the prohibition not to use others as mere means, it seems that one requirement is that the other must be a *causal* means to my ends (cf. Scanlon 2008: 112; Kleingeld forthcoming). Take the following case:

Earthquake: After an earthquake, a building is about to collapse. I can only prevent the collapse if I take you and use your body as a pillar to prop up the building. (Cf. Parfit 2011: 185)

While treating someone this way seems wrong—all things being equal—I argue that it is not a candidate for a *universal* requirement of respect. This is because using someone as a *causal* means is neither (i) necessary, nor (ii) sufficient for a *universal* requirement of respect. Let's consider each case in turn.

- (i) That someone is a *causal* means is not *necessary* for all forms of disrespect, because one can treat others disrespectfully without involving them as a causal means. For instance, if you drive your car recklessly, or shoot a gun wildly, you might inadvertently injure and kill people. These bystanders are not a means to your driving the car or shooting the gun. You could perform your action even better if they were not there. These are two examples in which you are not treating others as a causal means, yet you are violating what we take to be the universal grid of respect.⁵
- (ii) Treating someone as a causal means is also not *sufficient* for violating the fundamental grid of respect. On a first level, the literature on respect is quick to point out that that using someone, by itself, is not morally wrong.

If movers carry boxes for you, or if you ask someone for information, you are using the other as a causal means. But this in itself is not necessarily disrespectful. What violates respect, it is said, is if you are *merely* using others. When does one merely use another?

In our ordinary conception of merely using someone it seems that in addition to using someone, one also has to regard the other as a mere tool (cf. Parfit 2011: 227). However, we have seen above that the question of how an agent *regards* another is an important judgment about the moral quality of a person, but not a question of the rightness of behavior. A better conception seems to be that one uses another merely as a means if one treats the other person in a way that one does not give adequate weight to their actual consent (cf. Kleingeld forthcoming), and does not explain one's actions to them, etc. One treats the other as a thing, as opposed to merely regarding them as such. However, even this conception would not be sufficient for violating the fundamental grid of respect. Take a similar example to Parfit's *Earthquake* case:

Leaking Boat: You are on a boat that has serious leaks, and is about to take on too much water. A quick thinker takes you, and—without explanation or asking for your consent—places you in a way that stops the leak before going on to do it to another.

In an ordinary sense, the quick thinker treated you merely as a means. However, everyone would have lost their lives, including you, if the quick thinker would not have acted this way. Although he treated you as a mere means, he did not violate what we and you yourself take to be the right way of behaving in this situation. It does not violate the universal grid of respect.

Against this analysis, one could object that we ordinarily do not believe that one uses another merely as a means if (a) if our behavior is guided by an important moral belief or goal, such as saving a life, or (b) if we are willing to bear a great burden to spare the victim, for example, although we put another in harm's way, we are rushing to try to take his place (cf. Parfit 2011: 227). However, this ordinary conception does not seem like the right analysis for a universal criterion of respect. For if disrespect could be allowed by another moral principle, as (a) holds, then this other principle would be the highest overriding principle, not "do not use merely as a means," and then this other dictate should be this principle which we should be looking for as the principle of respect. In addition, bearing a great burden for someone, (b), for example, sacrificing one's life for one's spouse or children, is still compatible with treating them as mere means in less extreme situations of everyday life, as Parfit points out (cf. Parfit 2011: 215).

So—to take stock at this juncture—our ordinary conception of not using someone as a mere means is not the best expression of a principle of respect that

we think is universal, in the sense that it is a fundamental grid in which our interactions should take place. However, there are several ways in which one could try to broaden the application of not using someone, and I shall first consider some of those.

On a *first* level, one can try to broaden the requirement of not using someone by proposing that one should not treat another *as a mere thing*. With this change one seems to be able to handle examples such as the reckless driving case, and the example in which you shoot your gun wildly. In these examples you are not using another person causally, but one could argue that you are treating the bystanders as if they were mere things. However, although this change seems to be an improvement for understanding what it takes to respect someone morally, in its literal meaning this change might not be enough. Consider the following case:

Psychological Torturer: A torturer finds that he can inflict more pain to its victim if he does not treat him as a mere thing, but if he uses psychological torture. So, the torturer finds out what the victim cares for, and presents the victim with a choice to destroy it or cooperate.

If the moral requirement of respect would consist in not treating others as a thing, the torturer could try to defend himself in court by saying that he did not treat the victim as a mere thing, but as a human being.

On a *second* level, one could argue that not only should one not treat another as mere thing, but one should give the other some consideration, and respond positively to their wishes. According to this requirement, the reckless driver is disrespectful because he does not consider the bystander, and the requirement forbids psychological torture because it does not respect the wishes of the victim not to be tortured. However, even this does not seem to be enough. For instance, a slave owner who lets the slaves rest during the hottest part of the day does give the slaves some positive consideration, but he still violates the requirements of universal respect by holding them as slaves (cf. Parfit 2011: 213).

On a *third* level, one could try to strengthen the requirement by saying that one should treat another *as if she is important*. On this account, it is not enough to give others some consideration, but one must treat them as if they have a high importance. Again, this seems to be an improvement over the other candidates and should be able to rule out holding slaves. However, even this might not be enough to establish a universal criterion of respect. One can treat a jewel, or a precious artifact, as being important, but one still would govern their fate. The agent would determine how it is kept, when it is moved, and so forth. In the human case, it would allow someone to treat human beings paternalistically, and this seems to violate the universal grid of respect. Something else seems to be needed to respect a fellow human being.

The solution, I believe, is that one should treat the other not merely as if she is important, but that one should also give the other an input, a voice, in how she is treated. The second part of the respect requirement, giving the victim a voice, points to the importance of consent. But there are different forms of consent, and we still must determine the right level (see section 5 below). Before doing that, however, I shall first argue that the importance of consent is also confirmed if one looks at the common complaint “he was just using me.”

4. Respect and Just Using Someone

The complaint “he was just using me” not only picks out a moral wrong, but it is also associated with a strong emotional reaction. However, what exactly is one objecting to in raising the complaint? Consider the following case:

Festival: Paul asks Betty to accompany her to a festival, and—although it is not explicit—the suggestion is that this is a date. However, later she finds out that he was just using her to get access to her social circle at the festival, and be introduced to one of her friends in whom he has a romantic interest.

(Cf. Scanlon 2008: 115–117)

It seems that in cases like these the complaint is not—despite the first appearance—that one was a causal means to someone else’s plans. Imagine a different scenario. You want to go to a festival, but everyone needs to bring a friend in order to gain entry. You might find a friend in a similar situation, and you both agree to be each other’s ticket. In this case you are both a causal means to the other, and we do not find it objectionable. What we find objectionable in the first case is not that we were a causal means as such, but that Paul *lied* about his intention, and withheld information to which Betty was entitled (cf. Scanlon 2008: 115). Betty was not given the truth, and she could not consent to the way she was treated. The complaint to be treated *merely* as a means, then, seems to refer to a requirement of consent.

Of course, there is more to the charge “she was just using me.” There is also a strong emotional reaction. We often feel incredibly disappointed when we find out about the other’s true intentions. However, the emotional reaction is not necessarily directed at a moral fault in the other person. Maybe there was no explicit expression that the outing was meant to be a date. So, in the first instance, the disappointment might track that one’s own romantic hopes were dashed. Such frustration might be common when we realize that a supposed friend only calls when he needs something. But one could object that the disappointment we feel is not necessarily about frustrated wishes. There could be situations in which one reacts to an immorality:

Business Partner: A successful businessman asks you to invest in one of his enterprises. He promises great returns. You are not friends with this person, and you know him to be motivated solely by profits. You later find out that he provided you with falsified data. (Cf. Scanlon 2008: 90–91)

Again, you might complain that “he was just using me.” But in this case the emotional reaction is not necessarily a disappointment in the other person—you knew that the businessman was just motivated by greed. You react to an injustice, that you were lied to and robbed of your money. What these examples show, I believe, is that the complaint “he was just using me” is not so much an objection to being a causal means, but about not having agreed to the way one has been treated. The complaint “he was just using me” also points to a requirement of gaining the other’s consent. But which form of consent is important for a universal criterion of respect, in contrast to being only of local character?

5. Respect as Consent

There are different kinds of consent, for instance: (1) actual, (2) hypothetical, and (3) possible consent. I shall discuss each of them in turn.

(1) The standard form of consent is *actual* assent. As a moral requirement it demands that one secures the other’s actual agreement regarding actions that immediately affect her. If, for instance, I drive your car, or enter your apartment, the moral permissibility of it seems to depend on whether I have your actual consent. However, although actual consent seems to be of prime importance in many cases involving property, including the ownership of one’s own body,⁶ it seems that actual consent is neither (i) necessary, nor (ii) sufficient for complying with the universal grid of respect.

(i) Actual consent does not always seem to be *necessary* for morally respectful behavior. If, after an accident, you are unconscious, and cannot give your actual consent to a life-saving surgery, the medical personnel is still allowed to perform the necessary procedures—all things being equal. One could object that doctors should follow advance directives, such as a living will, and that they are not allowed to perform the surgery if there is a prior expression of the patient that no life-saving treatment should be performed. It therefore seems that actual consent is still the most important consideration in this case.

However, there are other cases in which actual consent does not seem to be necessary. If, for instance, in a rising tide you are steering a boat and you have time to save either five who are stranded on one island, or one person who is stranded on another, you do not have to drive by the one person to get her consent to rescue the five instead. And there might be exceptions in cases of property as well. For instance, if your house is on fire, and the only water source is on my

property, you seem to be justified in coming onto my property, and taking the water even if you do not have my consent (cf. Scanlon 2008: 63–64). Or if your partner's or child's life is in danger, and the only way to get them to a hospital in time is to take my car, you seem to be justified—all things being equal—in taking my car even if I cannot give my consent.⁷ Actual consent does not seem to be morally necessary in all cases that pertain to the universal grid of respect.

(ii) Actual consent also does not seem to be *sufficient* for respectful behavior in all cases:

Cannibal: A man searches online for a volunteer who consents to being eaten. He gets responses to his advertisements and eats and kills the victim apparently with his consent.⁸

In cases like these, it is questionable whether the actual consent of the victim renders an otherwise reprehensible action morally right. Less extreme cases are selling yourself into slavery, or selling your organs. Does the actual consent of a victim make any action in agreement with the universal grid of respect? A society might limit the actual consent of an agent in the name of respect for the universal dignity of human beings. A famous example of this is the 1995 decision of the French Counsel d'État to uphold a ban on dwarf-tossing.⁹ Even if the dwarfs consented to being shot out of a cannon into a net, the action was still deemed by the court as demeaning human beings, and therefore to be against the universal grid of respect.

A different problem with actual consent is that people might agree to something even though the option is a case of exploitation, coercion, or they do not fully understand what is proposed. For instance, a freed slave might agree to wages that are less than fair and therefore fail to respect her equal status (cf. Williams 1973b: 236–237). A person might put a gun to your head and give you the option between your money or your life. A medical patient, or a computer customer, might sign a lengthy consent form without fully understanding what she assents to (cf. O'Neill, 2002: 40–44). This suggests that actual consent is not a sufficient criterion for equal, respectful behavior in all cases.

(2) One can remedy several of these problems if one switches from actual to *hypothetical* consent as the universal criterion of respect. The question then becomes what an agent *would* consent to under hypothetical conditions, for example, if she were awake, fully rational, fully informed, and not coerced, etc. Under these conditions, the accident victim would most often consent to the life-saving surgery, the computer customer might not sign away her privacy, and the robbery victim would not hand over the money. Hypothetical consent seems to be a more reliable guide when identifying morally respectful actions.

However, there are at least two problems with this form of hypothetical consent. One problem is how one can identify the right ideal conditions (of

rationality, impartiality, etc.). Consider the following dilemma: Either the ideal conditions are themselves moral in nature, or they are not (cf. Shafer-Landau 2003: 42–43). If they are moral in nature, e.g., if impartiality is already a requirement of moral respect, then it is not consent as such that is the moral criterion, but the moral conditions (such as impartiality). But if the conditions are not moral in nature, it is not clear why the result of the hypothetical consent procedure should yield a *moral* result. For instance, if it is merely prudent to be fully informed and uncoerced, then one would expect only a prudent result from hypothetical consent. It needs a further premise to generate a *moral* command.

In addition, there is at least one other problem with identifying the right hypothetical conditions. The second problem is a problem of degree. It seems that the more perfect the conditions are, e.g., if we stipulate that the decider has full information of all the relevant facts, perfect, god-like rationality and impartiality, and so on, the more there will be a gap between what people actually consent to and what they would consent to under these hypothetical conditions. For instance, one could argue that under perfect conditions, a person could rationally consent to being pushed off a bridge in order to stop a train that would otherwise kill five people (cf. Parfit 2011: 220). This is paradoxical: One could overrule someone's (actual) consent in the name of consent.

A defender of hypothetical consent could reply that—while it might be rational for the person to agree to being pushed—he cannot agree to being pushed against his will. This reply would also work against a rapist who tries to justify his heinous crime by saying that the victim could have rationally consented to sleeping with him. Again, one can respond that the victim could not consent to being forced against her will (cf. Parfit 2011: 191–192). While this response seems absolutely right, it would shift the focus from hypothetical consent back to actual consent. The rapist would only have to ask the victim first whether he can sleep with her. It then depends on the actual consent of the victim whether the act is a case of coercion or not. These examples make the case that actual consent is often more important than hypothetical consent. But then hypothetical consent is not the universal guiding principle we are after.

The lesson we should draw from this is, I believe, that actual consent is of prime importance in matters of property, for instance, and especially the ownership and integrity of one's own body (cf. Parfit 2011: 200). However, as I have argued above, this is not a universal criterion that applies to all cases. It has prime importance in a specified area, and so might hypothetical consent have importance in other areas, but neither principle is the criterion of respect we are searching for in this essay.

(3) However, there is at least one other form of consent, and since I have earlier argued that it does need an input from the victim in order to respect her, maybe this form of consent will be able to establish the universal criterion of moral respect. The third form is *possible* consent. If actual consent asks what one does

consent to, hypothetical consent asks what one would consent to, and possible consent asks what one *could* consent to. In this sense, Kant says against false promising that “he whom I want to use for my purposes by such a promise cannot possibly agree to my way of behaving toward him” (Kant 1996: 4:429–430).

However, there are still different kinds of possible consent, and which one is the right form for universal moral respect? One way is physical impossibility. For instance, if you are prevented from speaking or nodding your head, you cannot physically consent to a proposal. Another form is logical impossibility. If someone lies to you, you cannot consent to the way you will be treated because you are not told what the proposition is. One can argue that these two requirements of possible consent would rule out coercion and deception as violating the universal grid of respect (cf. O’Neill 1989: 110–111, 138; Korsgaard 1996: 138–140).

However, it seems that these constraints too do not seem to be either necessary or sufficient for a universal grid of respect. Again the example of being unconscious after an accident might serve as an illustration. If you are unconscious, you cannot consent to receiving a life-saving surgery, but it still would be right, all things being equal (cf. Parfit 2011: 190). Conversely, an action might be wrong even if it stays within these constraints of this type of possible consent. If someone says to you: “Start running, for I will try to kill you,” he is neither deceiving you nor physically hindering your consent, but he would still violate what we take to be the standards of universal respect.

There are several other forms of possible consent, and I shall argue that they fit our intuitions more closely. For instance, Kant seems to advocate a kind where one *morally* cannot consent to something. His example is that one “could not agree” to a tax that is leveled on some, but exempts others who are in the same situation, “since one cannot take this unequal distribution of burdens to be just.”¹⁰ What makes it impossible to consent to the uneven tax is that it is unjust. So, one cannot consent to it in light of a moral principle of equality, justice, and fairness (cf. Rawls, 2000: 190–192). On this view, consent is not by itself a right-making feature. It presupposes an independent moral principle of equality and fairness. But if it is guided by the moral principle it can track what is morally right. As such, it does not express the requirement to give another a voice, but rather the first aspect of treating others as of equal high importance. If I treat others unfairly, for example, by trying to be a free rider, I am treating others as if they are of lesser importance. Rules are valid for them, not for me.

A fourth type of possible consent is what one could *humanly* consent to. There could be proposals one could not humanly consent to, by which I mean that they go against basic human needs we ascribe to all human beings. These might include survival, safety, bodily and psychological integrity, as well as the need for human relationships, or the development of rational capacities (cf. Maslow 1943). As with the other kinds of possible consent, it would be possible for someone to

actually go against his basic needs, and consent to their violation. But any observer would understand that a human being could not normally consent to a violation of her basic needs. For instance, when a terrorist threatens to kill you or your family if you do not give him information, we might think of you as being a hero if you do not, but we do understand if you give in to fulfill your basic needs (of survival, having a family, etc.).

A fifth kind of possible consent is what one could *culturally* consent to according to the rules of one's community. To a religious person, for instance, it might not even occur as a possibility to go against the doctrines of her faith. But physically and logically she could have acted differently. The requirements of what one can humanly or culturally consent to track norms that are objective in the sense that they are not solely based on the contingent, particular desires of an agent.¹¹ In this sense, they give the other an input in a similar way as if we would respect and preserve a jewel or painting according to its nature.

Giving the other a voice, it seems to me, does foremost refer to actual consent. This can include personal projects it would be "*unthinkable*" (Williams 1973a: 92) or psychologically impossible for an individual to give up. Only this latter form, which is similar to actual consent, seems to be how the other has a direct voice. However, this is a more local form of respect that is only relevant for certain cases, but it is needed for the whole account.

6. The Nature of Respect

Respect as a universal moral requirement, I have argued, contains at least two central elements: (1) One should treat others as having an equal importance, and—on that prior foundation—(2) in a way that they have a voice in how they are treated. What, more concretely, does this require?

I will leave (2) in the narrow sense aside here. I have argued that actual consent is of prime importance, for instance, in property cases—including questions about one's own body—but that it is not a universal criterion of respect that could apply to all cases. The wider sense of having a voice—what someone could possibly consent to morally, humanly, and culturally—refers back to treating someone as if they are of equal importance and points to (1). So, what, more specifically, does one have to do in order to treat others as if they are of equal importance?

The clue to finding a more universal criterion of respect, I think, lies in the condition that respect should also work at a distance, so to speak. The recent literature on respect sheds an important light on the role of second-person interaction for the practice of respect. For instance, if one owes an apology, it is often not enough to simply utter the word "sorry," but one should look the other person in the eye, and shake her hand when saying the word (cf. Darwall 2006: 140–143).

However, again it does not seem to me that this form of respect is a universal form that applies to all cases. One also respects others if, for instance, one does not jump queues, pays one's taxes, and keeps socially distanced during a health pandemic. Some forms of respect do not require a second-personal touch, but work at a distance.

In order to cover respect at a distance as well, it seems to me, a central element of respecting others is that one should act on certain principles (for example, of not jumping a queue, of paying one's taxes, or keeping socially distanced). Acting on principles, in turn, means that one should not make an exception to these principles.¹² Not making an exception, I argue, is the first, formal requirement of respecting others. By sticking to the rules, one does not exalt oneself above others. In making an exception, one treats others as if they are bound by rules that do not apply to oneself. This is a form of exalting oneself: one behaves as if one is something better. It is the same as the requirement of what one can *morally* consent to, or the requirement of fairness.

However, by itself the first, formal requirement of respect, "do not make an exception," is not enough. This is because not every exception is morally objectionable. If you win at sports or get a job 200 others have applied for, you are the exception to the fact that 199 are not getting a job. But we do not think that this is immoral or disrespectful. We think that there should be a distinction between "being the exception" and "making an (unfair) exception." But we still need a criterion that distinguishes these cases. If it is only immoral to make an exception in some cases, but not in others, we still need a criterion that identifies the relevant difference. Think about the following example:

Traffic Jam: You are driving on the interstate, when you hear on the radio that there has been an accident ahead, and that you will soon encounter a traffic jam. You start weighing your options. You can wait in the traffic jam like most people do, you can leave the interstate and take a detour, or you can drive past the jam on the empty emergency lane.

If you leave the interstate to make a detour through the countryside, or if you drive on the emergency lane, in both cases you will make an exception to the generally accepted rule that people wait on the interstate until the accident is cleared. But only the exception to drive on the emergency lane seems immoral and disrespectful. What is the difference between the two cases? The difference, I gather, is that in the second case you make an exception to a rule that we believe to be objectively necessary. We believe that it is necessary to leave the emergency lane open so that first responders can quickly get to accident victims and save lives. By taking a detour through the countryside, you also make an exception, but since you are not breaking a necessary law, we do not think it to be morally objectionable.

There is, then, a twofold procedure to the criterion of respect: (1) Do not make an exception, (2) to rules that we believe to be objectively necessary. Other theories, it seems to me, also need both aspects if, for instance, they construe the universal grid of morality as a requirement to act on principles no one could reasonably reject, as a system of mutual accountability, or as principles one can rationally consent to (cf. Scanlon 1998: 106; Darwall 2006; Parfit 2011). These theories need, on the one hand, a substantive account of what no one could reasonably reject; when one can hold others to account; or what one could rationally consent to, and, on the other, the command not to violate these laws.¹³ However, which rules are objectively necessary? They are mostly determined, I shall argue, by what we can *humanly* and *culturally* consent to. (But, of course, there might be more elements at work.) Let us think about each case in turn.

What we deem to be objectively necessary is in the first instance determined by human needs, such as a need for self-preservation, social interaction, and personal development. What we believe to be objectively necessary are the *means* to these objective needs. For instance, to satisfy the need of self-preservation it is objectively necessary to not randomly murder people. These means to fulfilling our needs can be formulated in principles.

Within this plurality of needs and the principles that serve them there also seems to be a (not fully specified) hierarchy among them. Think about the following example:

Starving Monk: A monk wants to build a monument to his god. He is starving, and on the brink of death. When you offer him food, he rejects it, and asks you to help him finish the monument instead. (Cf. Scanlon 1975: 659–660)

Getting food and being alive seems to be the necessary condition for satisfying any need at all, including the religious need of the monk to build a monument. This supports the intuition that we have a duty to offer food to the monk, but not to help him build a monument. There is a natural basis for what we deem important. But it is not clear that we have an objective list of needs that universally applies equally to all people, and we do not seem to have a fully spelled out hierarchy of needs. In addition, the principles that serve these needs can change. First, our knowledge of what serves needs can change. For instance, in a pandemic we might think that people should not congregate in groups larger than fifty in order to contain the spread of the disease, but later we might learn that the actual number is ten or two. Second, our situation can change. If the virus mutates, it might spread less easily, and the rules for protecting people might change.

How we weigh different needs themselves, it seems to me, is regulated by *cultural* norms, and arrangements in particular societies. A society might decide that life is more important than country, or social equality more important than

individual property (cf. Prinz 2008: 69–72; Wong 2006). A particular society also might have needs another lacks, and it will determine how much freedom an individual has to prioritize her needs. What this means is that there is a limit to what philosophy can determine about our right conduct (cf. Timmons 2012). Philosophy can try to understand the structure of morality and criticize particular rules as unfair or ineffective. But the content of what is the basic framework of respect is largely an empirical theory that requires input from many disciplines such as psychology, sociology, anthropology, cultural studies, history, and so on. These sciences determine the rules we generally believe to be objectively necessary. Respect, I have argued, consists in not making an exception to these rules. But, of course, even if this is correct, my view invites immediate objections.

7. Objections

Against my account of respect as not making exceptions to necessary rules, one might object, first, that we do not want to be respected in such an impersonal matter—it is enough for the other to stick to rules—rather, we want to be respected for who we are (cf. Murdoch 1999: 215). While I agree that we care deeply about this kind of respect, it seems to be a different form than the moral kind. Consider the following case:

Credit Card: You call your credit card company to find out how much money you can spend this month before you reach your limit. The banker looks at your statement, and says: “I see that you did not buy a Valentine’s gift this year, does this mean I can ask you out?”

It seems to me that—in our recent Western culture—most of the time, and by most people, we want to be treated fairly as one equal among others. When we buy a train ticket, ask about our bank account, or visit a pharmacy, we do not want to get a personal treatment. There are times when we want to be respected for who we are. We want our parents, partners, and children to be proud of who we are and what we are doing. But this applies to people who are close to us, and it is a form of appraisal respect, *reverentia*, not recognition respect, *observantia*.

The second objection lays further requirements on the agent. According to it, it is not enough to follow a universally necessary rule in order to respect someone, but one also has to convey that one regards the other as an equal. For instance, we mentioned that in apologizing it is often not enough to merely utter “sorry,” but one should also look her in the eye, shake her hand, etc. (cf. Darwall 2006: 140–143). This point emphasizes an important aspect of our lives. We care deeply about the quality of will others have toward us (cf. Strawson 1962). If someone

wrongs us, it is not just enough to hear “sorry,” and maybe get reparations, but we want to know that the other does not carry further ill will toward us.

The question is whether this is a universal requirement we have. If someone does not jump a queue, is it important to you that the other also conveys that they regard you as an equal? If so, then it seems that respect does come with an additional requirement. It would not just be enough to follow necessary laws, but one would also have to convey one’s regard to the other. My feeling is that this is not a universal requirement. We do care very much whether people who are close to us, and people whose opinion of us is important to ourselves, regard us as equals. But with regard to everyone else, we care that we get the prescription in a pharmacy when it is our turn, and that we are not overcharged, etc. If that is true, then the requirement to communicate—in addition to my behavior—that I have an attitude of regarding the other as an equal is local in character. It is extremely important to us in some cases, but it is not a universal requirement. But I might be wrong.

8. Conclusion

We have many different ideas about respect. We often feel strongly about them, but I have argued that many only apply to a small well-defined subset of cases. They are local in character. My aim in this chapter was to analyze our intuitions in regard to a universal requirement of respect, a fundamental requirement that we should display always and toward all human beings. I have argued that our main intuition of respect consists in two elements that are part of this fundamental grid. One should treat others in a way as if they have equal importance, and in a way that they have a voice in how they are treated. Respect, then, consists in not making exceptions to rules we believe to be objectively necessary, or so I have argued.¹⁴

Notes

1. See “respect, n. (and int.)” OED Online. June 2020. Oxford University Press. <https://www.oed.com/view/Entry/163779?rskey=TY50DE&result=1&isAdvanced=false> (accessed June 28, 2020).
2. This is Simon Blackburn’s example.
3. All Kant translations are from his *Practical Philosophy*, edited by Mary Gregor (Cambridge University Press, 1996). Page numbers refer to the volume: page of the Academy edition of *Kants Gesammelte Schriften* (de Gruyter, 1902–).
4. Some Kantians agree with this. Kant himself, however, twice uses “not merely as a means” to distinguish perfect and narrow duties from weaker duties to also treat them as ends in themselves (Kant 1996: 4:429–430, 6:449–450).

5. A Kantian might reply that this behavior is forbidden because you are not treating the bystanders as ends in themselves. However, I find this reading less plausible as a Kant interpretation (see note 4). Additionally, these two examples equally rule out the Kant reading that what is forbidden is to use someone as a causal means to fulfilling *my desires* or ends (cf. Kant 1996: 6:450).
6. There are further important discussions about whether consent has to be affirmative, or whether one could also consent by omission (cf. Pallikkathayil 2020).
7. This point seems more plausible if there is little cost to the owner of the car: I get it back, it is not damaged, etc. The precise degree to which the costs are acceptable seems to differ from society to society, cf. section 6 below.
8. Cf. the real 2001 case of the “Cannibal of Rotenburg.”
9. Cf. <https://www.legifrance.gouv.fr/affichJuriAdmin.do?oldAction=rechJuriAdmin&idTexte=CETATEXT000007877723> (published October 27, 1994; last accessed June 29, 2020).
10. Immanuel Kant, *On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice*, 8:297n.
11. My use of “objective” here is not intended as a meta-ethical claim about the metaphysical basis of these norms.
12. If we discover circumstances in which someone could have a good reason to break a rule, e.g., in emergencies, then we would have to come up with more fine-grained rules.
13. Notice that this framework could also be extended to respect for marginal cases: We can have objective rules for what is necessary for small children or elderly demented persons. We should then not make exceptions to these rules.
14. For their helpful comments on earlier drafts of this essay I would like to thank audiences in Bochum, Chapel Hill, Melbourne, Munich, New Orleans, San Antonio, San Diego, Tokyo, and an online conference hosted in Bristol. I want to especially thank Richard Dean, Melissa Seymour Fahmy, Martin Sticker, and Mark Timmons for their detailed written comments on this essay.

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PART II

RESPECT IN MORAL THEORY

Respect and the Dynamics of Finitude

Carla Bagnoli

It is a peculiarity of Kant's ethics that respect for persons is tied to respect for the moral law. The connection is provided by a brief argument, which is meant to establish that moral standing is tantamount to the capacity for self-legislation. An aspect of the argument which deserves fuller attention is the role ascribed to the moral feeling of respect for the law, which is singled out as the unique moral incentive, in contrast to incentives that sustain conformity to duty (MM 6:465).¹ Contemporary constructivists have primarily focused on respect for others as a normative requirement, in the attempt to show that a formal construal of the practical standpoint suffices to justify duties to humanity (Hill 1994, 2000; Korsgaard 1996: ch. 4).

In this chapter, I attempt to show that Kant's conception of respect as a moral feeling is crucial to any constructivist theory of practical reason because it accounts for the subjective authority of moral cognitions understood as rational requirements, and the normative constraints that the recognition of others puts on rational deliberation. Respect names the specific sort of moral sensibility which enables finite and interdependent agents to feel bound to the moral law, and more generally make them capable to act on principle (G 4:401; C2 75–78; MM 6:399). The practical standpoint is formal and affective, and this double characterization is crucial to explain how objective reasons for action are generated. If constructivism advertises itself as an objectivist theory of meta-normativity, it cannot fulfill its promise without an account of moral sensibility marked by respect.

In section 1, I identify the basic features of respect as a moral ideal of mutual recognition, which is the normative core of Kantian constructivism. In sections 2–6, I illustrate that Kant's theory of respect as a moral incentive is an integral component of his constructivist conception of practical reason, which is designed to model the form of practical rationality in finite agents. Under this description, the main function of respect as a moral feeling is to establish that finite rational agents *can* take an interest in rational action, in addition to acting from interest. As the only moral incentive, respect provides an account of the subjective authority of moral obligations, which is necessary to prove their objectivity. In section 7, I criticize those contemporary constructivist theories which take "reflective endorsement" as the source of moral authority. In section 8,

I argue that this mechanism supplants Kant's original theory of respect as a moral incentive, and that it is problematic in its own right. In section 9, I conclude that the theory of respect as a moral feeling is an ineliminable element of Kantian constructivism, whose absence compromises the constructivist account of practical reason and undermines its objectivist aspirations.

1. Respect as a Moral Ideal of Recognition

Kant's conception of respect captures the idea that humans have a claim to full recognition insofar as they are persons, rather than because of their social status, skills, or merits.² Respect does not track objective properties that one possesses, but it is the attitude by which equal moral standing is unconditionally recognized. Under this characterization, respect is a second-personal attitude, owed to persons and exacted from persons: it can be claimed in entering and sustaining personal interactions, and reclaimed if it is violated—even vicariously, or on behalf of others. According to Thomas Hill, this conception of respect “answers to a deep and pervasive human need beyond the more concrete needs that characteristically lead to demands for justice and charity” (Hill 1994: 3). Kant acknowledges that recognition of equal standing by others is a fundamental human need, which is key to properly organize dependency and relations of power. In contrast to honorific and substantive definitions of respect, Kant's characterization identifies the basic structure of moral agency in a form of reciprocity. Precisely in virtue of its formality, this characterization of recognition respect purports to unconditionally protect humanity. Thus, the ethics of respect is an ideal of moral agency. But it is also, and more fundamentally, an ideal of rational agency, which fits the specific profile of human agency, and is congruent with the self-conception at work in ordinary human moral thinking. This is one way to underline the originality and radicalness of Kant's ethical project (Rawls 2000: 207).³

Relating to others as persons entails distinctive responsibilities of reciprocity, which are not dependent on roles or positions. While abstract, the form of reciprocity inherent in respectful interactions is sufficient to ground normative rights and duties, draw boundaries between people, strike deals, and govern interactions among mature, competent, and conscientious adults (Hill 1994: 4). Relations governed by mutual respect are not merely optional or peripheral: they are the most fundamental forms of personal relations. In such relations, partners are taken to share in reason and count as sources of valid claims. They represent themselves and others as “members of the kingdom of ends,” and under this representation, they relate to one another as co-legislators and independent origins of mutual constraints.⁴ The novelty of Kant's view lies in the equalitarian justification of respect, which stands in contrast to dogmatic, elitist, and religious

approaches that base moral standing on character, natural talent, religion, power, or social rank (Hill 1994: 6–7). Kant's respect is based on dignity, but differently from honorific respect, it does not track any quantifiable property; it is not a matter of degree, nor is it commensurate with descriptive features of agency, special merits or accomplishments. Rather, it captures the form of mutual recognition and constraint (Hill 1994: 16).⁵ Importantly, the attribution of equal normative standing cannot be forfeited solely on the basis of irreducible moral differences. This makes respect unconditional and such that it cannot be denied without denying humanity itself. Such denial is a moral transgression and counts as a violation of a rational requirement, which binds *a priori* and with necessity.⁶ The feeling of respect does not undermine the *a priori* character of practical necessities, because its nature is not pathological, but it arises out of contemplation of the moral law. Though more is needed to ground particular duties, this defense suffices to justify duties to humanity, and moral prohibitions on servility and arrogance, self-degradation and self-conceit.

These are rather abstract claims, and the relation between respect as “reverence for the law” and “respect for persons” has been the focus of much debate and the source of profound dissatisfaction. Critics have objected that there is but a thin argument that connects respect understood as reverence for the moral law and respect due to persons insofar as they are capable of self-legislation.⁷ The link between reverence of the law and respect for persons is provided by the principle of autonomy, that is, “the idea of the will of every rational being as universal legislating will” (G 4:431), which yields the imperative “do everything from the maxims of one's will as one that can at the same time regard itself as universally legislating” (G 4:432). Most of this debate concerns the alleged inadequacy of construing respect for persons as an attitude due to their rational capacity alone: “The dignity of a person consists precisely in this capacity to make universal laws” (G 4:440). On this construal, respect as directed to persons may seem secondary or at least derivative, because it acquires importance only indirectly, as if the real object of regard were the moral law. I hope to clarify that the claim that respect for persons is justified in relation to reverence for the law does not make it derivative or, worse, secondary. Rather, respect for persons counts as a decisive specification of what it is for a finite agent to relate rationally with herself and others as rational finite agents. To establish this claim, we shall consider how respect defines the practical standpoint on action.

2. Respect and the Practical Standpoint

Kant's constructivist account of practical reason targets rational but finite agents, and it is designed to show that and how such agents can be guided by reason in

identifying the ends of action, in spite of their finitude.⁸ Thus, one could say that the very purpose of the constructivist view of practical reason is to address problems posited by finitude and interdependency, by an account of the subjective conditions of susceptibility to duty.⁹ Such problems concern coordination among persons with equal standing, and thus require solutions that block possible violation of equal standing.

Kant's notion of finitude comprises reference to embodiment, temporality, dependency, sensitivity to natural incentives, and fragility. In this rich sense, finitude challenges the very possibility of practical laws understood as laws of reason, by calling into question their capacity to bind and constrain human will.¹⁰ In a way, finitude makes room for the problem of the normative authority of such laws. But the problem also concerns the motivational structure of rational agents and, specifically, the subjective conditions of susceptibility to duty. Respect is the cardinal concept in this account of susceptibility. Respect for the moral law is the immediate recognition of its authority and immediate determination of the will by law. Respect is qualified in relation to reason, as a "feeling self-wrought by means of a rational concept"; in relation to moral motivation, as "the immediate determination by means of the law and consciousness of this determination"; and in relation to its impact on natural incentive, as "the representation of a worth that infringes upon my self-love" (G 4:401).¹¹

Kant's argument is that reason is neither merely executive, nor is it driven by the passions; rather, the specific ends of action are generated through reasoning, and they are neither prior to nor independent of the activity of reason. The scope of reason is not limited to ratifying what nature promotes as good and it does not consist in an intellectual insight into goodness either. Finite beings cognize under limitations, not because their rationality is bounded or because they have a limited access to reality, but because their knowledge is constrained by concepts. Practical knowledge of what to do is shaped by concepts "of a necessitation (constraint) of free choice [*Willkür*] through the law" (MM 6:379). Through such concepts humans do not become directly acquainted with the moral law, but they become susceptible to its commands and thus capable of regulating their thinking and their acting in relation to the moral law (MM 6:389). Thus, to show that finite rational beings can act for the sake of morality one needs to account for the subjective conditions of susceptibility to duty. Such subjective conditions explain how humans can take an interest in acting for the sake of moral ends, rather than from interest: "Any consciousness of obligation depends upon moral feeling to make us aware of the constraint present in the thought of duty" (MM 6:399).¹²

This is a defining feature of Kant's theory of practical reason, which stands in contrast to all previous ethical views.¹³ These views cannot explain why moral obligations have objective and subjective authority for all rational beings because they fail to capture the autonomy of reason. The objection of heteronomy registers a failure to appreciate the constructive or generative powers of reason, that is,

its practical function. Constructivists have heavily relied on Kant's argument for practical reason in their defense of the view that there are no moral facts and reasons prior to and independently of reasoning (Rawls 1980; Korsgaard 1996).

3. Rational Construction and Finitude

To appreciate how the moral feeling of respect is relevant in the constructivist account of practical reason, we should notice that pure practical reason could take the form of intellectual insight. Arguably, infinite and disembodied rational agents do not experience morality in the guise of constraint or obligation; rather, for them the moral law is akin to a natural law, insofar as it is purely descriptive of what they spontaneously do (G 4:414). For finite rational beings, instead, the moral law is normative, that is, prescriptive and regulative.¹⁴ Because of their finitude, human agents do not discern the objective ends of action by an intellectual insight, but they find out that they start from a limited perspective on action and then move up to rational justification, which builds upon an agreement under undistorted conditions of rationality. As in the critical assessment of the powers of theoretical reason, we should consider the deliverances of practical reason by taking into account the limitations imposed by sensibility, if we are to understand and vindicate its significance. However, in the practical domain, the limitations associated with finitude do not have the same consequence as in the theoretical domain. While they certainly introduce specific challenges and complications, they are not merely sources of illusions or hindrances to morality.¹⁵ On the contrary, the peculiar and complex sensibility of finite and sensible agents allows for pure reason to achieve in the practical domain what cannot be achieved in the theoretical domain. Reason's striving toward the unconditioned is not an indication of its inadequacy or impotence, but of its normative status: the search for the unconditioned is the normative standard that regulates all its activities.

Thus, constructivism aims to vindicate the distinctive way in which reason works in finite agents. This presentation of the defining task of constructivism about practical reason emphasizes that rational construction requires a distinctive moral psychology centered on respect. This emphasis on the contribution of the moral feeling of respect is offered as a necessary corrective to current debates, which by and large identify the defining feature of Kantian constructivism with a formal method of construction. The only requirement for such a method is that it must check that the proposal of action can be willed as a law, according to the three complementary specifications of the categorical imperative. But to function properly, such a form must include an account of the subjective conditions of moral sensibility (Rawls 2000: 165; cf. Bagnoli 2011). Kant's view is that finitude does not make practical rationality bounded, although it makes the will weak and fragile.

Constructivism captures the basics of the reflective experience of frail, interdependent and mutually vulnerable agents, who are still capable of relating to one another as free and equal.

4. The Dynamics of Finitude

Why *should* finite agents reason at all (Korsgaard 1997: 252; Korsgaard 2003: 117–118)?¹⁶ Part of the problem in responding to this question concerns the distinction between the “practical standpoint” on rational action, which is performed under the representation of freedom, and the “speculative standpoint,” which represents agency under the category of causality. The naturalistic approach takes these standpoints to be in tension. Instead, the metaphor of construction is meant to capture Kant’s unique understanding of the practical function of reason, without compromising the naturalistic understanding of the theoretical standpoint on agency. To fulfill this explanatory role, and account for the sort of practical rationality distinctive of finite agents acting in time, the metaphor of rational construction must rely on moral psychology.¹⁷ Rational finite agents act under the subjective representation of freedom, but this self-representation is not an implicit abstraction or unreflective intuition: it is an affective disposition which plays a motivational role by enabling rational agents to be perceptive of and responsive to reciprocity. This piece of the constructivist machinery is meant to make sense of and respond to the challenges posited by finitude.

Finitude does not alter the canon of practical reason, which remains the same across all forms of rational agency, finite and infinite; and so, it is inappropriate and misleading to talk of “bounded rationality” for human agents because it mischaracterizes the impact of finitude on rational agency. However, finitude does enter Kant’s picture of rationality, and pervasively, as it directly affects the springs of action, which are sensible. For the finite being the satisfaction of needs is not a matter of self-content contemplation “but is instead a problem imposed upon him by his finite nature itself, because he is needy and this need is directed to the matter of his faculty of desire, that is, something related to a subjective feeling of pleasure and displeasure underlying it by which is determined what he needs in order to satisfy his own condition” (C2 5:25).

Unlike unreflective animals, humans are not merely driven by needs and inclinations, but act on them.¹⁸ Insofar as they are capable of reason, finite agents, can conceive of acting in two ways: by taking interest in action and by acting from interest: “The first indicates the dependence of the will on the principles of reason itself; the second its dependence on the principles of reason at the service of inclinations—that is to say, where reason merely supplies a practical rule for meeting the need of inclination. In the first case, what interests me is the action; in the

second case, what interests me is the object of the action (so far as it is pleasant for me)" (G 4:413 n.14). Every action is moved by an interest, but taking an interest in action itself is what warrants moral worth, rather than conformity to the moral law (C2 5:71–87).

These two forms of agency open to rational finite beings correspond to two forms of incentives, which account for the double form of motivation at work. Acting from pathological interest depends on the work of natural incentives, while taking interest in action requires reverence for the moral law. In the *Critique of Practical Reason*, Kant writes that respect is "the sole and undoubted moral incentive" (C2 5:78) and more precisely, not an incentive *to* morality but "morality itself *taken as* an incentive" (C2 5: 6, see also MM 6:399–402). The meaning and significance of the latter claim can be explained only by clarifying how the moral feeling of respect relates to the concept of practical reason. The contrast between incentives to morality and morality taken as an incentive is the basis of this explanation. Finite agents experience practical laws as normative constraints: Why do they obey?

Sensible nature provides finite agents with plenty of incentives, which function as *pro tanto* motives. Some such incentives may concur with and externally support moral conduct. For instance, agents may be motivated to comply with moral obligation by fear of sanctions, hope of future rewards, by seeking the esteem of others, or just through thoughtless deference. However, occasions often arise in which transgression escapes blame and virtue gains no rewards. Thoughtless deference may be put to test when moral conformity requires the agent to forego some of her plans and desires, and thus it is not a more stable incentive than interest. As a consequence, all such incentives make the rational agent motivationally unstable. To secure moral motivation, one must find an incentive that is stable across contexts despite the variability of interests and inclinations. Such an incentive must proceed from reason, since this is the only source that is unconditioned. For moral motivation to be stable across contexts, reason must be able to directly produce an incentive. Respect names such an incentive.¹⁹

In section 6, we shall consider in more detail how respect infringes upon and constrain natural incentives, thereby generating a complex account of moral motivation. But it is important to highlight at the outset that respect as a moral incentive figures prominently at the core of Kant's account of practical reason, and not as an external aid that drives finite rational beings to abide by the moral law. Rather, respect is a constitutive of practical reason as it takes place in finite agents. Consequently, the working of respect as the moral incentive is crucial to the constructivist account of practical reason because it is key to explaining the significance of its products as practical cognitions. To possess practical cognition of what to do is not to possess a piece of information that must be applied in practice when the occasion arises. Rather, possessing practical knowledge is

productive of action, as it amounts to possessing normative reasons for action, which are felt subjectively as normative because of reverence for the law.

Focusing on this function of respect, one can appreciate that Kant's account of objective ends and his account of motives are complementary. In some places respect is defined as the "feeling of our incapacity to attain to an idea that is a law for us" (C3 5: 257–260; cf. C2 5:57). It might seem that the concept of respect conveys the very idea of limitation, insofar as it is the feeling of the distance that separates finite rational agents from the moral law. Because of its embodiment, human rational will is not only finite but fragile, naturally and incorrigibly inclined to depart from the moral law. At the same time, however, respect signals that such fragile agents feel bound by the moral law.

In the *Metaphysics of Morals*, respect is aptly described as a "capacity," instead of the perception of the incapacity to attend and realize the moral law, because it is a sensitive disposition that allows finite rational agents to be guided by pure practical reason. Respect is one of the four concepts grounded in sensibility that explain how finite rational agents can be susceptible to moral duty (MS 6:221, 399). Along with love of humanity, moral feeling, and conscience, respect enables finite rational beings to think and act morally. Since they are responsible for making the moral law operative in finite rational beings, it is important to regard them as subjective conditions of susceptibility to the concept of duty, rather than conditions of mere receptivity. There is an interesting contrast between respect and "moral feeling" proper, which indicates the susceptibility of free choice to be moved by practical reason (MS 6:400). Respect is the subjective aspect of reason which preempts and selects *pro tanto* motives, hence providing the dislodgement of obstacles and positively assisting the causality of reason.²⁰ It is necessarily involved in self-legislation and thus it must operate at the stage of the formation of subjective maxims (MM 6:218), otherwise there would be objective necessitation but not subjective necessitation. This also indicates that self-legislation is always also co-legislation, as reverence for the law requires the recognition of equal moral standing.

According to this richer characterization, respect does not merely assist humans in their never-ending attempt to approximate the moral law, but rather it allows them to be concerned with the moral law, even though this remains a regulative ideal for them. In a sense, respect measures the distance from the moral law, but in another sense, respect puts us in relation to such a moral law, and explains how finite agents can take an interest in it.

5. Finite Agency, Divided Minds

The life of the mind of finite agents is conflicted, and yet aspires to unity. Practical deliberation is the forum where such a unity is built, if only momentarily, and

practical principles are the propositions that contain a general determination of the will. They are called maxims when they are subjective, that is, when their condition is considered by the subject as holding only for her will. They are called practical laws when they are objective, that is, when their condition is known to be valid for all rational beings. The skeptic denies that there are any practical laws, that is, practical principles valid for all rational beings. On this view, all principles capable of guiding the rational will are subjective maxims. If there are practical laws, rational finite agents will necessarily experience a conflict: they are “pathologically affected,” that is, furnished with *pro tanto* motives that are grounded on sensibility, but they are also rational, hence capable of acting on principle and constructing reasons that are independent of sensibility (C2 5:19). Such normative reasons must gain normative force through the moral feeling of respect.²¹ It is via this feeling that humans are bound by practical laws. Kant illustrates the case with an example. A person can make his maxim to avenge every insult “and yet at the same time see that this is no practical law but only his maxim” (C2 5:19). When he realizes that his maxim cannot be transformed into a practical law, he experiences a conflict of maxims, hence a division within the will. The apparent effect of this division is the inability to undertake action: in order to act, the rational will must be unified.

Finite rational beings enter rational deliberation exactly because the objective ends of rational choice are not already determined nor ranked, either by reason or by desire. In the process of determining what to do, the finite rational will is not guided only by practical laws. On the contrary, the finite rational agent typically starts considering grounds for action that initially have little to do with practical laws. Take for example, a generic commitment to avenge insults. It is only by engaging in deliberation that the agent discovers that his maxim avenging every insult cannot be willed as a law. Perhaps, such a maxim could attain some generality on the assumption that this agent tests his maxim with kindred spirits, for example, enthusiasts of the code of honor. But this is not enough to meet the test of universality, which requires the rational agent to consider whether his maxim can be willed as a strict practical law, and hence holding for all rational agents. When the agent finds out that his maxim cannot be transformed into a practical law, he is of two minds about what to do. On the one hand, the subjective maxim commands him to avenge every insult and, on the other hand, the practical law rules out revenge as a ground for action. These are two clashing principles of the rational will. How and why does the practical law command the agent with subjective authority?

In order to address this question, Kant introduces some distinctions, which clarify the complex normative apparatus in place in the case of finite rational agency. It may seem that one can answer this question simply by relying on practical rules: “A practical rule is always a product of reason because it prescribes action as a means to an effect, which is its purpose” (C2 5:20). But in the case of

finite rational agents endowed with sensibility, it is not sufficient to say that the agent has a practical rule. To be effective, the practical rule should become an *imperative*, which is expressed in terms of “ought.” Unlike subjective maxims, imperatives are objective. Finite rational agents appreciate objective ends by reconstructing them as obligatory and authoritative.

Part of the answer to the problem of how objective ends are established as objectively valid and subjectively authoritative via rational deliberation depends on the characterization of practical principles that are not generated by reason alone, that is, material principles. In contrast to practical laws, material principles presuppose an object of desire. They are all empirical because their determining ground is the representation of the desirable object, which is related to pleasure and displeasure. Since no relation of pleasure or displeasure can be known a priori, then they must be empirical and cognizable only a posteriori. A second feature of all material principles is that they are all of the same kind, that is, they all belong to the general principle of self-love (i.e., one’s own happiness).

Self-love is profoundly related to finitude and in a way that does not allow for alteration or reformation: “To be happy is necessarily the demand of every rational but finite being and therefore an unavoidable determining ground of its faculty of desire” (C2 5:25). Finite rational beings inevitably experience a conflict between the material principles grounded on self-love and rational principles. Given that this conflict is original and ineradicable, how to characterize the life of such agents? A natural answer to this question is that the mental life of finite rational agents is necessarily marked by division. But a fragmented mind lacks the sort of integrity that is necessary for the exercise of agency. If finitude involves a radical conflict between principles of action, then finitude is a threat to the very possibility of rational agency. The moral feeling of respect plays a crucial role in exiting this conflict, by functioning as a normative constraint.

6. Respect as Self-Governance

To carefully consider the import of respect as a normative constraint, it is useful to contrast it with the normative role of sanctions and emotions. Both sanctions and emotions may play an auxiliary role by sustaining the efforts of the finite rational will to attain the moral law. Sanctions work as constraints insofar as they impose a prospective cost associated with the violation of moral obligations, and thus work as moral deterrents. The threat of a high fee may be the only way to discourage the scoundrel who wants to park on the sidewalk; but for more socialized agents, the same result may be achieved by the expectation associated with blame and praise, reproach and reward.

That motivation by ulterior motives is commonplace is something that Kant recognizes; he consistently relates such phenomena to the predicaments of

finitude. While he is well aware of how crooked the timber of humanity is, he is also convinced that finite rational agents are capable of both categorical and instrumental reasoning. Finitude makes room for practical conflicts that infinite and disembodied agents would not experience, due to bounded cognition and fragility of the will, but it does not fundamentally alter the rational structure of the mind. Differently than rational beings as such, finite rational agents have to discipline themselves, and can do so in many ways. Sanctioning behavior and preemptive emotional costs, for example, fear of exclusion and punishment, are not the only way to explain why finite rational agents conform to practical laws, when they conflict with natural desires. Actions exacted by sanction conform to the moral law only externally, because they are based on the expectation of a result that is not the end of action (C2 5:76). By contrast, respect is a form of self-discipline that is not exogenous, but it is generated by the practical law, and hence it is not relative to and conditioned on anything sensible. Like sanctions, respect works as a normative constraint on deliberation, but unlike sanctions, respect is generated by the appreciation that something has the form of the law, not by fear of punishment or the prospect of reward. Like sanctions, respect constraints, but it does not aim at correcting, repressing, or punishing natural inclinations. The fundamental difference between these two modes of self-governance is that respect does not point to any ulterior motive in addition to the moral law.

A similar argument applies in the case of actions elicited by emotions, such as parental love or compassion. Importantly, Kant denies that there are any "moral emotions," properly speaking, since emotions do not bear any intrinsic relation to the moral law, although they can be recruited in service of moral agency.²² Second, while he recognizes that some emotions may concur with moral motivation, he denies that they might contribute to reinforce moral motivation: their function is merely auxiliary (C2 5:152ff.; MM 6:402, 456–458). In such cases, emotions are "surrogates for the motive of duty," which facilitate action conforming to morality but do not interact or merge with the moral feeling of respect. In fact, when finite rational agents are motivated to act in conformity with morality only due to concurrent emotions, moral obligations fail to be genuinely authoritative (C2 72, 83, 85, 152–153, 156–157). This is a case of mixed motivation, not a case of overdetermination, nor are these integrated moral motives.

According to Kant, all philosophical theories that explain the authority of moral obligation by sanctions or emotions external to the obligation itself are self-defeating because they undercut the very concept of obligation. To say that moral obligation is compelling solely in virtue of the presence of concurring emotions or sanctions is to recognize that moral obligation is *not* obligatory per se and thus needs some external device in order to bind finite agents. When finite rational agents are driven by sanctions and emotions that provide them with ulterior motives, external to the motive of duty, they do not act under the representation of freedom (G 4:441). Likewise, moral obligations lose authority when they derive

their normative force from thoughtless deference, dogmatic reliance on beliefs, uncritical adherence to conventions and ideologies. In short, all surrogates of reason undermine reason's autonomy and expose the rational agent's lack of genuine moral motivation.

The role of respect is to establish that moral obligations are rationally binding: their contents are requirements of practical reason and they are binding through reason (C2 5:42, 72, 83, 85–86). Moral obligations are cognizable by all rational beings as such, albeit in different manners. In the case of finite rational agents, they become accessible and operative, that is, obligatory and authoritative, in the guise of respect. This argument is crucial to Kant's conception of reason as practical, that is, capable of influencing and directing the mind (C2 5:156, 157). Thus, the constructivist account of Kant's conception of practical reason must include an account of respect as its psychological counterpart. This is because it is the moral feeling of respect that shows how reason has a direct effect on the mind of finite rational agents. The very possibility of practical reason, that which is said to elude non-constructivist accounts, rests on the possibility of respect as the only moral incentive.

7. Respect and the Formality of the Practical Standpoint

Constructivists largely agree that the merit of Kant's view is that it vindicates respect for others and self-respect as integral elements of the self-conception that is at work in ordinary moral thinking. Kant acknowledges that persons regard themselves as self-originating sources of valid claims, and the constructivist interpretation emphasizes that this reflexive claim plays a central role in his account of persons as independent sources of value (Rawls 1985, 1980: 452; Hill 1994: 14). Respect is a form of affective consideration and regard, which defines the practical stance from which persons undertake moral relations to one another. In carrying on Kant's legacy, constructivists have taken on a simplified view of respect: they have emphasized the formality of the practical standpoint, in order to differentiate Kant's rationalism from dogmatic and robust forms of moral realism (Korsgaard 1996; Street 2012. Against the canonical objections of empty formalism, which have threatened Kantian ethics since its birth, they have focused and developed Kant's conception of respect as the key normative principle which governs personal interactions and just institutions by constraining deliberation.²³ But they have abandoned Kant's distinctive view of respect as the sole moral incentive.

One could speculate that contemporary constructivists may have at least two good reasons for this choice. The first may seem obvious: since respect for humanity is the normative core of Kantian deontic ethics, the focus on respect as

a normative principle can be justified by the practical vocation of constructivism as a moral theory. The second reason is more technical, and concerns the fact that Kant's theory of moral incentive rests on a distinction between moral and pathological feelings that many find both problematic and obsolete because it is grounded on transcendental psychology, at odds with an up-to-date empirical psychology.

My worry is that the Kantian constructivist account of practical reason cannot be fully vindicated by leaving behind the moral feeling of respect as motor of moral motivation. By setting aside respect as a moral incentive, constructivists overlook Kant's most original insight, which is that for finite agency the practical standpoint is both formal and affective (Bagnoli 2011). This claim is crucial to Kant's distinctive account of the objectivity of moral obligations, and deserves to be developed and supported by a plausible psychology.²⁴

In the final sections, I shall argue that Kant's approach to the springs of action is more promising than the devices so far exploited by contemporary constructivists, centered on reflective endorsement.

8. Moral Authority by Reflective Endorsement

I have argued that Kant's view of respect as a moral incentive is meant to explain the subjective authority of moral obligation, and represents the subjective aspect of practical reason. Thus, absent this aspect of Kant's ethical theory, the question arises how moral obligations could be subjectively binding and authoritative. Constructivists are not insensitive to this issue. On the contrary, a purported merit of Kantian constructivism is that it explains moral authority more convincingly than realism or expressivism do (Korsgaard 1996).²⁵ But some constructivist theories address moral authority by relying on a concept that is alien to Kant's vocabulary, that of *reflective endorsement*. A paradigmatic case is Christine Korsgaard's theory, which identifies reflective endorsement as the basic mechanism of rational agency, which explains how social identities become sources of normative reasons for action (Korsgaard 1996: Lectures II and III). Along similar lines, Thomas Hill writes that "endorsement under conditions of reasonable reflection, not mere sentiment, is what grounds values" (Hill 1994: 14–15). Reasonable reflection allows for the impartial selection of reasons for action, while endorsement accounts for their bindingness (Hill 1994: 14–15; Hill 2002: 7, 68, 72; Hill, 2000: 132–133, 250). On this reading, it is the structure of reflection that allows for the normative authority of duties to humanity. Adapting Rawls's definition, Hill characterizes reflection with the thick qualifier "reasonable," which is meant to capture the Kantian view of rationality, in contrast to the thin usage of the term that is prevalent in current action theory and theory of rational

choice.²⁶ Reasonable reflection does not determine any specific moral domain but governs relations to others in specific ways, namely, by constraining individual preferences, projects, and interests, in light of “whatever basic framework for human interactions would be accepted by reasonable, autonomous, and mutually respectful persons” (Hill 1994: 16).

The rationale behind the argument that imports a device alien to Kant’s theory of rational agency is the attempt to avoid metaphysical commitments in accounting for the source of value.

[O]n the Kantian perspective the ultimate source of human values is not Platonic forms, natural teleology, God’s will, or universal human sentiment. Ultimately all that is valuable for us stems somehow from the reflective endorsements of human beings. Particular ends, means, ground projects, discovered delights, joint endeavours, social networks, and histories are valued differently by different individuals and cultures. But the common framework Kant proposes as worthy of reflective endorsement by all is a basic requirement, across cultures and individual differences, to respect every human being as a source of value.

(Hill 2002: 77)

Reflective endorsement names an impartial process by which the contents of moral reasons for action are constructed and, then, adopted. It is double-stage: first, the agent reflects according to the canon of reason, and then endorses whatever survives reflection. It is reflection itself, insofar as it is guided by the categorical imperative, which represents the ultimate source of normative authority. What is the role of endorsement, then? My speculation is that endorsement accounts for subjective normative authority. It explains how it is that finite subjects, endowed with needs, desires, and interests, can take up an interest in acting morally. If this is correct, then endorsement does the work that respect plays in Kant’s account of moral motivation. This substitution may be treated as a welcome corrective to Kant’s theory of respect, since it plainly avoids any transcendental psychology. However, this is not a minor adjustment to Kant’s theory of moral authority. In fact, it presupposes a rather different understanding of the practical standpoint on rational agency.

The model of moral authority centered on reflective endorsement is a psychological test, which comprises two stages because it acknowledges a gap between reflection and moral motivation.²⁷ The stance of reflection is not itself “practical,” but precedes action. Thus, once the reflective agent has reviewed her reasons for action, the practical question arises on which reason she will act. Ultimately, this model transforms Kant’s claim about the rational necessity of moral obligations into “inescapability,” a sort of volitional necessity. Moral authority is depicted as the result of a psychological survey, and it remains unclear how reason governs

agency all the way down to action. So, the model invites the objection that Kantian constructivism does not preserve the aspiration to ethical objectivity, which is a defining task of Kant's ethical theory. It better qualifies as a subjectivist form of voluntarism, rather than as an objectivist theory of practical reason (Hill 1994: 62; Korsgaard 2008: 294–297).²⁸ Furthermore, in separating the stages of reflection and action, this model does not serve constructivism well, as it fails to answer the question that constructivism is designed to address, about the universal and categorical authority of moral obligations. The metaphor of construction is deflated and underplayed, in favor of less promising metaphor of detachment and endorsement. Thus, it becomes difficult to see how constructivism improves as it promises upon competing accounts of moral obligations. In fact, by way of reflective endorsement, this theory condemns itself to a dangerous instability: it shares the weaknesses of subjectivist theories as it disregards the aspiration of ordinary moral judgment to universal authority; it shares the weaknesses of standard rationalism, in that it represents reflection as affectively disengaged; and it shares the weakness of standard realism, in that it rescinds the links between moral thinking and agency.²⁹

In the face of these difficulties, we are better off reconsidering Kant's own model of subjective authority, which appreciates moral sensibility not as a surrogate of duty but as its subjective aspect. For the purposes of an objectivist account of practical reason, Kant's model of respect as a moral incentive is preferable to the model of reflective endorsement, and for two reasons. The first is that it avoids the objection of subjectivist voluntarism, though it duly recognizes that there is a subjective aspect of practical reason. Second, it coheres with the phenomenology of moral choice and vindicates the affective dimension of the sort of self-conception at work in ordinary moral thinking. If so, then, the notion of respect should be recognized as the centerpiece of the constructivist account of moral cognitions as universal practical cognitions.

9. Conclusion

On Kant's theory, respect defines the practical standpoint as both formal and affective. Its role is twofold: it explains how finite agents could become interested in acting rationally, and it explains how they act rationally, despite the pressure of natural incentives. In short, it is both an incentive (indeed, the only moral incentive), and a normative constraint. Under the former characterization, respect identifies the specific motivation that is characteristic of acting under the idea of freedom. Under the latter characterization, respect constrains the reasoning that justifies action. It requires that rational agents reason by considering others as co-legislators. In deliberating about what to do, rational agents ask whether their

particular incentive can be willed universally, hence including all relevant others to bear on such reasoning. I have argued that under both descriptions, respect is a necessary complement of the constructivist account of practical reason. Those constructivist theories that dispense with respect and dismiss its role as a moral incentive, e.g. by relying on reflective endorsement, are at a significant disadvantage in providing for an objectivist defense of the subjective authority of moral obligations.³⁰

Notes

1. Respect for the law in its subjective aspect is called moral feeling. Citations from Kant's works are by volume and page numbers of the Academy edition of *Kants gesammelte Schriften* (Berlin: De Gruyter, 1902–). The English translations are thus abbreviated: G: *Groundwork of the Metaphysics of Morals* (Cambridge University Press, 1998); C2: *Critique of Practical Reason* (Cambridge University Press, 1997); C3: *Critique of the Power of Judgment* (Cambridge University Press 2000); MM *The Metaphysics of Morals* (Cambridge University Press, 1996).
2. This view of respect roughly coincides with “recognition respect” as defined by Darwall (1977). See also Hill (1994: chs. 1, 2, and 11). On the recognitional aspects of respect and the boundaries of moral community, see Bagnoli (2007).
3. On the Kantian view of finitude and vulnerability, see, especially, O'Neill (1989).
4. On the relation between respect and the categorical imperative, see Bagnoli (2017).
5. On the idea of human dignity, see Hill (1992, esp. chs. 2 and 10).
6. This notion of practical necessity (and its subjective dimension) differ significantly from Korsgaard's notion of inescapability, cf. Korsgaard 1996.
7. For an excellent account of duties of humanity, see Sensen (2013).
8. As a corrective to common readings of Kant's conception of reason as otherworldly, self-sufficient, and timeless, some recent studies have highlighted Kant's concern with finitude by calling attention to his study of empirical subjects, see for example Loudon (2000), but also Frierson (2005).
9. Recent studies have underscored how Kant's account of reason preserves the features of responsiveness and interdependency that are characteristic of the human condition, stressing the ambivalence of Kant's ethics. For instance, Sweet recognizes that Kant's approach to our finitude “may be seen to be unique in the history of philosophy” but emphasizes its paradoxicality, in that it “preserves our finitude and perpetually encourages to think its dissolution” (Sweet 2013: 10). My contribution in this chapter is that the paradoxicality vanishes when we appreciate the complex (normative and motivational) role of respect as a moral feeling.
10. C2 5:42, 151–153, 156–157. This is part of the ambitious plan presented in *Doctrine of Method*, which aims to prove that (a) the laws of pure practical reason govern the human mind and influence subjective maxims (5:151); (b) objective practical reason can be made subjectively practical (5:151, 153, and 157); and (c) it is possible to produce not only mere conformity to moral duty (legality of actions), but also the “morality of dispositions” (5:151).

11. Reath calls this the intellectual or practical aspect of respect, but notices that it is also affective or emotional: "Though the practical and the affective aspects of respect at first sight seem quite different, Kant does not keep them apart. In fact, he seems to devote effort to showing that they are the same thing" (Reath 2006: 10).
12. These are the subjective conditions of our moral susceptibility to duties (MM 6:399–402).
13. G 4:441–444; C2 5:35–41, 153, 157.
14. G 4:397, 414. One should further specify whether the moral law is prescriptive or regulative.
15. They certainly are also sources of illusions, mainly narcissistic, and related to self-love, see C2 5:74–75. Duty pertains to finite rationality and it characterizes the human condition insofar as it is "under certain limitations and hindrances" (G 4:397).
16. For a critique of the Kantian constitutivist argument, see Street (2012: 40–59), and cf. O'Shea (2015).
17. Cf. Rawls 2000: 153.
18. "Contrary to what is occasionally said, there is no such thing in Kant as an action from reason alone, if that means an action without a moving interest... This is true in Kant as it is in Hume" (Rawls 2000: 178).
19. "Actions done from duty are actions done from respect or out of respect for the moral law" (G 400–401). "Respect is, by definition, the recognition of a principle of volition as a law for us, that is, as directly determining our will without reference to what is wanted by our inclinations" (Rawls 2000: 153).
20. "This dislodgment of an obstacle is, in the judgment of reason, equally esteemed as a positive assistance to its causality" (C2 5:75). See also C2 5:79.
21. On the role of respect in establishing ethical objectivity, see Bagnoli (2015).
22. On the complexity of Kant's treatment of emotions in relation to agency, see Sherman (1996).
23. "The Kantian moral perspective implicitly contains within it an important, though relatively formal, requirement of respect. In accepting moral constraints as what, ideally, all human beings would agree upon in reasonable joint deliberations, we are, in a sense, respecting each person as a potential co-legislator of the basic principles we must all live by" (Hill 1994: 55–56).
24. Constructivists have often turned to Aristotle or Hume, for a better account of moral psychology, see Korsgaard 1996, Herman 1993, Sherman 1996, cfr. McCarty 1993, Frierson 2005. However, recent developments in empirical psychology have made room for a moral sensibility marked by reflexivity, which is congruent with Kant's view of respect; but this is an issue that I must set aside.
25. This claim is contentious (see Stern 2013).
26. Rawls takes reasonable to mean "judicious" or "ready to listen to reason" (Rawls 2000: 164; see also 230–231, 240–241). Rawls notes that Kant takes for granted that the CI presupposes a certain moral sensibility and a capacity for moral judgment (MM 6:399–400).
27. "The test for determining whether an impulse is a reason is whether we can will acting on that impulse as a law. So the test is a test of endorsement" (Korsgaard 1996: 108). Hill relates valuing and reflective endorsement so as to differentiate valuing from desiring (Hill 1994: 23). But the view remains dangerously unstable, precisely because it exploits

- devices that are foreign to Kantian ethics and that undermine the constructivist approach to the practical function of reason.
28. Indeed, Korsgaard claims that “values are created by human beings” and this is “a matter of making laws” (Korsgaard 1996: 112). Korsgaard takes this view to coincide with Kant’s: “In both Kant’s version and mine the subject is unequivocally the author of the law” (Korsgaard 1996: 236); but Kant distinguishes between legislator and author, see MM 6:227. Korsgaard’s treatment of practical reflection is ambivalent: there is a tension between the appeal to reflective endorsement, which builds on Humean materials, and the constitutivist claims, which instead assumes a thicker metaphysical view and is more ambitious about normativity, as in Korsgaard (2008: section 7.5.1).
 29. For a critique of these neo-Kantian arguments as akin to bootstrapping, see Herman (2008: 164–175). Herman objects that these arguments fail to secure the bridge from agency to morality at all (see Herman 2008: 173). I am pressing the case that they also misconceive of the relation between reflection and action, because they ultimately rely on a theoretical account of practical reason.
 30. This chapter has been written during my term as a Visiting Fellow at the Ecole Normale Supérieure de Lyon in 2016–2017. I would like to thank Christophe Salvat, Oliver Sensen, and the referees of Oxford University Press for comments on previous drafts.

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The Peculiar Idea of Respect for a Capacity

Richard Dean

There is a view that is fairly widespread in normative ethical theory that all duties, or at least some broad class of duties like the treatment we owe each other, are based on respect for some capacity common to all persons. The view apparently is intuitively appealing to many moral philosophers, given its popularity, but I think its appeal is largely based on some subtle ambiguities and confusions, and that rejecting the view does not have the pernicious implications that one might fear.

Some clarifications are needed. First, I am not denying that one ought to respect all persons. In fact, I think that we do have a duty to respect all persons, or at least all but the most morally despicable. But admitting that we have such a duty is not the same as claiming that the duty is based on recognizing and respecting some capacity that all persons possess. There could be some other basis for the duty to respect all people (Dean 2014). A consequentialist might think that universal respect promotes the best outcomes, a contractarian might think that idealized bargaining would lead to a requirement of respect for all persons, a divine command theorist might think God commands it, and so on. I am ruling out one strategy in normative ethical theory for providing a basis for all (or a wide set of) duties, namely the strategy of basing such duties on respect for some capacity possessed by all humans.

To further clarify, the view I am questioning is specifically a view that gives a central role to some trait (a capacity) possessed by all actual persons, and then claims that possession of this trait and a requirement of respect for the trait is the basis of moral duties toward those actual persons. So, I doubt that respect for or duties toward actual human persons (or non-human persons if convincing examples turn up) is based directly on some respect-demanding capacity that is universally possessed by all actual persons. This is not to deny that respect, or even respect for persons, may play some important role in the grounding of moral theory. In fact, I think that an *ideal* of respect-for-persons may well play a foundational role in moral theory, but that this respect is idealized respect among idealized persons, for example deliberators arriving at moral principles and rules. This is different from respect for some capacity possessed by all actual persons.

Although my aim is specific, it is not trivial, since many moral philosophers claim that respect for a capacity of (real) persons lies at the heart of their theories. Some who take their approaches to be quite close to Immanuel Kant's, such as

Allen Wood, have taken moral duties to be based on respect for each person's capacities, as have theorists who take their approaches to be more loosely inspired by Kant, such as Thomas Hill, Jr. In applied ethics, principles requiring respect for all persons often are taken to be based on the capacities each person possesses, and are then employed to resolve important issues. Even theories that are not especially close to Kant's, like contractarianism, may be thought to be based on respect for each person's capacity for reasoning and bargaining, and T. M. Scanlon explicitly takes his contractualism to be based on respect for persons, and their capacity for reasonable deliberation and agreement.

I do not claim that this widespread approach to deep normative theory, basing moral duties on respect for a capacity of persons, is incoherent or otherwise impossible to maintain, and I do not doubt that some readers' intuition that this is how morality works will survive the reading of this chapter. But I do hope that clarifying an ambiguity in the idea of a capacity will significantly vitiate the potency of the intuition that some characteristic possessed by all persons demands respect, and I will suggest that many prominent attempts to base moral duties on respect for a capacity of persons trade on this ambiguity in one way or another.

1. An Important Ambiguity

Immanuel Kant is often taken to be the most influential proponent of the view that every person must be respected equally because of some capacity possessed by all, usually described either as a capacity for rationality or a capacity for morality. Although I do not think this is the best reading of Kant's ethics overall, there undeniably is some textual evidence for attributing this view to him.¹ And many moral philosophers have been eager to defend the idea, either as a reading of Kant, or as a central element of a moral theory that is either closely or more loosely based on Kant's ideas. In fact, even approaches that are not particularly Kantian can include this strategy of claiming that respect for some capacity of persons (their capacity for rationality, for choice, for morality...) is the foundation of either all duties or, as in Scanlon's case, a large and central class of duties such as "what we owe each other" (Scanlon 1998).

Given its popularity, it is obvious that there must be something intuitively appealing about the view (which I will abbreviate as RCB, the "respect for a capacity as a basis of morality" view). One of the clearest examples of RCB is the moral theory closely based on Kant's views that Allen Wood presents in *Kantian Ethics*. Wood says, "Kantian ethics rests on a single fundamental value—the dignity or absolute worth of rational nature," and that our complete set of moral duties is determined by "the kinds of conduct required to show respect for this value" (Wood 2008: 95). Wood has identified rational nature as consisting of "humanity," or the "capacity to set ends according to reason," and of "personality,"

which consists of “the capacity to give oneself moral laws and obey them.” Samuel Kerstein takes a more loosely Kantian approach to resolving many issues in bioethics, offering a basic moral principle (influenced by Wood) that demands that we “[a]ct in a way that expresses respect for the worth of humanity,” where “humanity” is identified as having “certain rational capacities, among which are the capacities to set and pursue ends and to conform to self-given moral imperatives” (Kerstein 2013: 155). As Wood says, the picture of respect for the absolute value of some capacity possessed by every person is “[a]n idea that is widely appealing and fundamental to modern moral consciousness” (Wood 2008: 95).

It is worth taking a longer look at what makes RCB intuitively compelling as a big picture. Moral philosophers and many non-philosophers share some of the ideals and beliefs that comprise the view: there ought to be some basic obligations that regulate our treatment of everyone; people ought to be treated equally; respect is very important, and everyone deserves it. And there is something special about everyone, some important reason each person has dignity, regardless of social class, education, gender, race, or wealth. These widespread ideas, when combined with moral philosophers’ more technical approach and knowledge of philosophy’s history, naturally enough may lead to some version of RCB. Since not everyone possesses equal abilities, the special thing that gives each person equal status must not be a developed ability, but a capacity possessed to some degree by every person, whether it is more developed or less. But the capacity ought to be something morally important. The capacity to digest food, for example, seems less morally significant than a capacity for morality, or for rational choice, or for reasoning together to reach agreements. Partly because these capacities are the very things that let us live together, it is plausible that they have a special status or dignity in morality. Since respect is one important way to think about recognizing a person’s dignity or value, we can put RCB in terms of respecting some moral or rational capacity that every person possesses. Of course, the big picture is not the whole case for RCB. Strong arguments never hurt, and later in the essay, I will quickly examine some specific philosophers’ more developed versions of RCB. But part of the appeal of RCB undoubtedly is its intuitive force, seeming to capture many of the important, egalitarian ideas that have helped inch humankind forward morally through the centuries.

Perhaps because of the appeal of the big picture, it is surprisingly common to overlook, or at least understate, an important ambiguity that vitiates RCB’s allure, an ambiguity in the concept of a “capacity.” A capacity can be an unrealized, or only partly realized, potential, as when someone says, “She has the capacity to become an excellent philosopher if she applies herself, but who knows if she’ll ever realize that potential.” Or a capacity can be a more fully realized and displayed ability, as in, “She certainly has the capacity to write a lot of excellent papers, who knows where she finds the time.” The first reading of “capacity,” as potential, is perhaps clearest in negative statements, such as, “I’m sorry to have to say that I don’t

think your daughter really has the capacity to become a world-class soccer player.” The same ambiguity appears in Kant’s own writings on ethics, since the German word “Fähigkeit,” usually translated as “capacity,” can mean either something more like an unrealized potential or like an actively exercised skill or ability. This ambiguity threatens to make RCB less compelling.²

On the large view, if all persons must be treated with respect, and this universal respect for persons is meant to be based on some feature they all possess, then the feature intuitively needs to be quite morally important. Doubts have been raised about whether there is any such characteristic that meets both requirements, of being possessed by all persons, and also being morally significant enough to ground strong requirements of respect. Michael Neumann has asked basically this exact question, whether there is any characteristic actually possessed by all persons that is important enough to justify universal and inviolable duties of respect (Neumann 2004). Carl Cranor has similarly resisted the idea that there is any trait possessed by all persons that is suited to be used to justify broad classes of duties of respect for persons (Cranor 1982; Cranor 1983). It might be thought that some important capacity is well suited to fill the gap. One might argue that a capacity for morality, or for rational thought and choice, is possessed by all persons, and is in fact the defining feature of personhood that makes it possible to live ordered and reasonably peaceful lives together. What more perfect candidates could there be for a feature of persons that grounds universal respect?

But the ambiguity in the idea of a capacity significantly undermines this line of thought. More fully realized moral or rational capacities are not possessed by all actual persons, and the unrealized, or poorly and infrequently exercised, capacities fall far short of being indisputably compelling bases for RCB. Take, for example, the capacity for rational end-setting, choice, and means-end reasoning. This capacity may be just a poorly realized potential, possessed by someone whose actual ends and choices are an incoherent mess that leads to frustration and misery for her and those around her. Or it can be a well-developed ability, possessed by someone who regularly assesses how to prioritize her ends, make them more consistent, and engage in the best means to them. Either person could be said to have a capacity for rational choice and action, but that is because of the ambiguity in the word “capacity.” If we mean only a poorly realized potential for rationality, then all persons have it. If we mean a more fully developed ability, then some people have it and some people do not. As for the question of which “capacity” seems better suited to ground universal respect, one could, of course, insist that even the largely unrealized capacity does so. But once the ambiguity is pointed out, this claim is less convincing. The very nature of the ambiguity, the contrast between a realized and unrealized capacity, provides some pull toward the idea that the former is just better. If we add another feature of the big picture, that one reason the capacity for rationality has foundational importance in morality is that it is what helps us live reasonably decent lives and engage in successful

cooperative ventures, then the case looks even worse for RCB. Only fairly well-developed rationality contributes to the project of living together prosperously, while willy-nilly choices and the setting of inconsistent and unachievable ends is at least as likely to undermine the project.

The same problem applies to a version of RCB that takes the capacity for morality to be the feature that demands respect. As an unrealized potential, let us suppose all persons have this capacity.³ But some people fail badly at realizing the capacity, whether by failing to develop empathy, by consistently prioritizing self-interest over moral requirements, by simply failing to notice the moral dimensions of their actions, or for many other reasons. Others realize it fairly well, trying (for example) to be aware of other people's situations and views, to preserve a balance between personal bonds and general welfare, to develop empathy, and to frame some issues in terms of fairness. Again, it is possible to say that the quite poorly realized potential for morality justifies respect for all persons, but again it is not unreasonable to feel some pull toward thinking that merely possessing a profoundly important potential while doing little or nothing to fulfill it does not seem like an adequate ground for respect. And again, if what one thinks is intuitively important is that morality is what lets us live together and engage in complex cooperation, and that this is what mainly distinguishes us from other animals, then it is important to note that an unrealized capacity for morality is as likely to be an obstacle as an asset to the project.

It may seem that I have missed something obvious. As Stephen Darwall points out in his deservedly influential "Two Kinds of Respect," it is possible to maintain that all persons deserve a basic "recognition respect" as persons, while only some also deserve a further "appraisal respect" for more fully developing their rational or moral capacities. But that distinction only creates a conceptual space for RCB, it does not prove that RCB is a correct view. Darwall's recognition respect "consists in giving appropriate consideration or recognition to some feature of its object in deliberating about what to do" (Darwall 1977: 38) and recognition respect can have various objects. Darwall mentions the law, a person's feelings, nature in general, and social institutions as possible objects of recognition respect, but his main interest is in recognition respect for persons as such, in order to explain how universal respect for persons is consistent with having a different kind of respect (appraisal respect) for a person who accomplishes more or has greater virtues. The distinction is of course relevant to my project, and Darwall and many others have maintained and argued for a universal recognition respect for persons. But the very question at issue here is whether, when it comes to persons, there is some universal "feature of its object," or feature possessed by all persons, that grounds universal recognition respect. The answer is not obvious (Neumann 2004; Cranor 1982, 1983; Williams 1962; Christiano 2015), and I am arguing that once the ambiguity of a "capacity" is pointed out, the only kind of

capacity that can plausibly be attributed to all persons is not well suited to ground universal recognition respect.

Keeping in mind that it would have to be a largely unrealized capacity that serves as a basis for universal respect also points out another intuitive sticking point for RCB. The claim that some unrealized capacity or potential demands profound respect, in fact the most profound respect, in and of itself is inconsistent with the way that we usually think of the reactions that are appropriate to an unrealized capacity or potential. In general, the treatment demanded by a mere potential is intrinsically tied to the eventual realization of the potential, the development of the actual ability or trait. And the most obvious reaction called for by a potential is to encourage the realization of the potential. To recognize the potential of a student to be a brilliant physicist may provide a professor not only with a thrill, but with a feeling of obligation to do what she can to bring the student's potential to fruition. Recognition of the potential of a run-down old house to be restored to a beautiful mansion may produce a feeling that it would be a shame if it is not, and perhaps a feeling that someone really ought to do something. The appropriate reaction to the potential of children in general may well be to feel some obligation to give them a chance to realize their potential. But if all of morality, or some large and central subset of moral duties, is founded on a profound respect for some potential that all persons possess, then the unrealized capacity works in a radically different way from other capacities. The unrealized capacity (for morality, for example, or rational choice) leads not just to a specific obligation to encourage the development of that capacity, but to a much larger, in fact huge, set of all sorts of obligations. At the least, a thorough argument is needed for how some capacity produces such different responses (or such a different form of recognition respect) than other capacities.

One may object that potential or unrealized capacities in general sometimes demand a variety of reactions, not just a reaction of encouraging the development of the capacity. But these reactions all involve an eventual realization of the potential, rather than being a very general respect for the potential in itself. For example, it may be that we have some obligations to seek out or identify potential. But the obligation arises only in virtue of the importance of the ultimate development of the potential—to the extent one is confident the potential will never be realized, the activity of recognizing it becomes pointless. It also may be that some capacities should simply be valued or cherished, such as the potential of a child to do great things in the world, or the potential of a political leader to resolve a long and brutal conflict. But again, this seems to be derived from the value of the ultimate realization of the ability. If the political leader is assassinated, her unrealized potential is more to be mourned than cherished. In general, the value of a potential depends on it becoming realized, and the only obligation obviously generated by a potential in itself is an obligation to encourage its development into an actual ability.

Another response to the claim that RCB owes an explanation of why a rational or moral capacity requires a response that differs from most unrealized capacities could be that, in fact, basing a wide set of our moral duties on the capacity for morality or rationality actually only involves attempting to fully develop those capacities themselves. Maybe an entire system of morality can be based on attempting to develop the human capacity for, say, morality. Certainly some duties can follow plausibly from such a starting point. One might argue that in order to develop properly, a person (at least a human person) requires the satisfaction of some basic needs, such as nutrition, education, and the absence of frequent physical violence or threats of such violence, and corresponding duties could follow to satisfy these needs. But the project of developing a large, systematic set of duties based on respect for the capacity for morality would be problematic. For one thing, it seems to give a bizarre explanation of some basic, widely agreed upon duties—it appears mistaken about what makes some actions wrong. It may be true, for instance, that breaking promises may have an effect of diminishing trust overall, and so discouraging others from keeping their own promises. But that is not a convincing account of what basically makes promise breaking wrong. Similarly, what makes it wrong to physically abuse a child does not seem most fundamentally to be that it may interfere with the full development of the child's moral potential, although this does seem like a terrible effect. A problem of circularity also looms for some duties—even if breaking one's own promises discourages others from keeping theirs, why does this show that we should think it is wrong to break promises, instead of that maybe promise keeping should just be left out of the inventory of what counts as a well-developed moral capacity?

To keep things in context here, I am not claiming that it is obviously implausible to group together some duties into a category of “duties to promote the development of moral capacities.” I am only questioning the plausibility of a version of RCB, a freestanding system of duties that begins with each person's unrealized potential for moral development, then makes respect for this unrealized potential lead to the subsequent system of duties without appeal to further foundational moral considerations. For all I have said above, there is no reason to doubt that duties to promote moral development could be one category of duties in a moral system that has independent foundations. That overall picture is plausible enough, so the details of the position make the difference. In fact, Kant himself takes moral self-development to be an important category of duty, along with development of one's natural abilities, other duties to oneself, and duties of love and respect to others. But the most thorough development of Kant's position on this issue, Robert Johnson's *Self-Improvement: An Essay in Kantian Ethics*, does not closely resemble RCB in general or in its derivation of the duty of moral self-improvement (Johnson 2011).

It still may appear I am too hastily dismissing some approaches to moral philosophy that have many adherents. The capabilities approach, a highly respectable

intellectual view that cuts across many disciplines, may sound like it relies on something like RCB, if only because “capability” and “capacity” can serve as synonyms. The capabilities approach proposes that the best standard for measuring human well-being is the extent to which various human capabilities are achieved, such as physical health, freedom of movement, or participation in governance. There is not exact agreement among proponents of the capabilities approach about which capabilities are central to well-being, but the basic claim of its adherents is that measurement or comparison of human well-being is best accomplished by looking at the extent to which the satisfaction of a cluster of these central human capabilities is achieved, rather than by looking at some simpler measure, such as subjective feelings of well-being or possession of economic resources. The capabilities approach may seem to fit naturally with RCB, with RCB serving as a justification of the idea that a person ought to be allowed to achieve her capabilities. But the capabilities approach generally focuses more on the usefulness of capabilities as a metric, rather than on providing a systematic rationale for a duty of promoting the fulfillment of capabilities. Martha Nussbaum, who along with Amartya Sen is one of the two most prominent proponents of the capabilities approach, certainly does not embrace a strategy like RCB. She does emphasize the importance of human dignity, and that every person should receive equal respect, but says that founding her position on one concept such as dignity would be a mistake because it “is an intuitive notion that is by no means utterly clear,” and, “If it is used in isolation, as if it is completely self-evident, it can be used capriciously and inconsistently” (Nussbaum 2011: 29). Instead, she offers a “holistic and nonfoundational” defense of the theory, in which “dignity is one element of the theory, but all of its notions are seen as interconnected, deriving illumination and clarity from one another (Nussbaum 2011: 29–30).⁴

In this section, I have mainly described some of the large-scale features that contribute to the appeal of RCB, and then raised some equally abstract concerns about whether the big picture carries as inexorable an intuitive force as it may first seem. This, of course, leaves it open that some more specific version of RCB may cleverly solve the problems I have pointed out, or that the overall arguments for some specific version are so strong that they outweigh doubts raised about the moral significance of a mere potential. So it is worth taking a look at some more specific philosophers’ positions, to see if they capture RCB’s intuitive appeal while avoiding problems stemming from the ambiguity of the concept of a capacity.

2. How Widespread Is Reliance on the Ambiguity?

A number of prominent contemporary moral theories are described by their authors as being based on respect for every actual person’s capacities, and many other moral theories, including the theories of major historical figures, are often

taken to fit this description. RCB is a popular strategy. In this section, I will take a quick look at some of these theories, to see if they avoid the ambiguity I pointed out in the concept of a capacity.

What this brief survey of RCB theories reveals is that a reliance on the ambiguity persistently accompanies the RCB strategy. There must be something deeply compelling about the slip between the ideas of capacity as an unrealized potential and as a developed ability. And I think this is not just a matter of a verbal slip—it is unlikely that talented, even brilliant, philosophers would again and again just become confused about a word's meaning, and its role at the heart of their theories. Instead, I think the prevalence of the slip suggests that the very ambiguity of the concept of a capacity makes it valuable as a solution to a deep problem in normative ethics. The problem is how to find a way to base a moral system on respect for every actual person. What is something that every actual person has, and which seems worthy of respect? A capacity for something morally significant (rationality, morality). But every person only has it in a weak sense, while what seems worthy of deep recognition respect, or what is suited to play a role as a foundation of moral theory, is the more fully realized capacity. So moral theories embodying RCB are forced into equivocation. I think the theories examined here reveal the temptation of this equivocation. To the extent the theories examined here succeed as basic accounts of normative ethics, they succeed by not really being RCB theories. That is, the versions of the theories that are viable are versions that actually rely on something other than respect for the capacities of actual persons (such as hypothetical respect among some set of idealized deliberators).

I realize that it would be foolish to claim that I have given a thorough examination of several hugely influential theories in a few pages, let alone that I have reached indisputable conclusions about them. Instead, I am offering a *prima facie* observation about the theories, in order to suggest that it is not only RCB in the abstract, but also its particular instantiations, that encounter intuitive problems of equivocation. Perhaps defenders of the particular theories as versions of RCB can produce cogent responses, and I hope to hear some of them.

Kant is often taken to be the most conspicuous advocate of RCB, basing all moral duties on respect for a capacity for rationality and morality that is possessed by all humans, regardless of how well these capacities are realized. It is impossible to fully explore here the possibility here that this is a misreading of Kant, and that he actually takes a more fully realized rational nature, or “good will,” as the cornerstone of morality, though I have argued for this elsewhere (Dean 2006, 2013). But it is worth a look at a passage from *Groundwork for the Metaphysics of Morals* that neatly encapsulates not only the two alternative readings of Kant's ethics (that the fundamental principle of his moral system is based on the special status of a mere capacity for rationality and morality, or on a more fully realized good will), but also the historical roots of the deep ambiguity in the concept of a morally significant capacity (Kant 2002: 235–236 [4:435]). In the

much-cited passage, Kant is describing the one thing that deserves respect as an end in itself and has a dignity, and says it is “morality,” meaning actions like keeping promises and kindness based on principles, or more precisely the “mental attitude” of someone who performs such morally right actions. The one thing that is “infinitely above all price,” and so is worthy of respect, is “a morally good disposition, or virtue.” This would seem clear enough, but near the beginning of the passage, Kant also says, “morality, and humanity so far as it is capable of morality, is the only thing that has dignity.” Because of the word “capable” (*fähig*) it is standard to take the entire passage to be talking about a potential or capacity for acting rightly, possessing a good will, and the like. This illustrates at least that the roots of the ambiguity in the concept of a capacity lie deep, although I think it also reveals the pressure toward equivocation in support of RCB (since the passage overall seems to be talking about a realized and demonstrated capacity, not a mere potential).

When it comes to scholarly commentary on Kant’s principle of treating humanity as an end in itself (which is often taken as equivalent to treating humanity with a profound recognition respect), one of the most influential and widely discussed interpretative arguments is Christine Korsgaard’s “regress argument.” And it relies on the ambiguity between a minimal potential and a realized capacity. Korsgaard offers the regress argument to justify Kant’s principle that humanity is “unconditionally valuable,” and to explain what this “humanity” is that is so valuable. The argument begins with the supposition that there is something valuable about a person’s contingent ends—that if someone chooses to complete a marathon or write a book, that these ends actually have value. But what could explain this value? Korsgaard proposes that within Kant’s framework, what confers value on contingent ends must be that the ends are set by a rational agent. So, “the unconditioned goodness of the goodness of anything is rational choice. To play this role, however, rational nature must itself be something of unconditional value, an end in itself” (Korsgaard 1996: 123). She takes “humanity” to be exactly “the power of rational choice” (in Kant’s terminology, *Willkür*). So far, this is consistent. But she rightly adds that not every end that a rational agent sets is actually good, because immoral ends, which are set in disregard for others’ ends, are not actually good, or in other words, “what you make good by means of your rational choice must be harmonious with what another can make good by means of her rational choice.” So, it appears, only rational choice guided by morality is actually unconditionally valuable. Along these lines, she also notes that her position that the power of choice in itself has unconditional value “might seem, at first sight, somewhat different from the claim with which the *Groundwork* opens, that the good will is of unconditional value.” Her proposed resolution of the tension is that

humanity is the power of rational choice, but only when the choice is fully rational is humanity fully realized. Humanity... is completed and perfected only

in the realization of “personality,” which is the good will. But the possession of humanity and the capacity for the good will, whether or not that capacity is realized, is enough to establish a claim on being treated as an unconditional end.

(Korsgaard 1996: 123–124)

The tension between the apparent conclusion of the regress argument (that a good will, or a power of choice governed by morality, is of unconditional value) and Korsgaard's position that a mere potential for good will has unconditional value is a real and significant threat to her position. But the solution she offers relies on equivocation between the two, the mere potential and the realized capacity.

Moving beyond strict exegesis of Kant's texts to normative theory that is more loosely informed by Kant's ideas, Thomas Hill, Jr.'s project of developing a constructivist moral theory inspired by Kant's kingdom of ends also may seem to be based on respect for the moral capacity or potential of actual human persons. Hill himself sometimes says that his “reconstruction and reconsideration of Kant's idea” of a kingdom of ends involves, in some sense, a basic recognition respect for actual humans. “In accepting moral constraints as what, ideally, all human beings would agree upon in reasonable joint deliberations, we are, in a sense, respecting each person as a potential co-legislator of the basic principles we must all live by” (Hill 2000c: 101). There also is a good deal of talk about the “potential” or “capacity” of real humans to act as moral legislators, or “their capacity to reciprocate and acknowledge the moral standing of others” (Hill 2000a: 78).

But the actual foundation of Hill's constructivist theory lies in the choices and agreement of idealized, hypothetical legislators in the kingdom of ends, not the choices of actual humans. As a device to move from basic moral principles or ideals, such as treating humanity as an end in itself, to more specific moral requirements or rules, Hill asks us to imagine an idealized set of deliberators, who are conceived of in exactly the ways that are meant to capture some basic intuitions about sound moral deliberation. So, “the legislators in the kingdom of ends are meant to represent the basic features of a reasonable attitude regarding moral rules” (Hill 2000b: 46). The Kantian legislators will all “recognize one another as ends in themselves” (Hill 2000b: 47) and “all accept the constraints that they jointly will as legislators” (Hill 2000c: 97). In addition, we are to imagine that “their decisions about rules [will] be guided so far as possible by specified moral procedures, values, and criteria of relevance instead of by special preferences and attachments they have as individuals” (Hill 2000b: 47–48). The place where basic recognition respect fits into Hill's constructivist theory is at this level, of hypothetical moral deliberations in the kingdom of ends. He describes the respect that legislators in the kingdom of ends show one another as “formal or procedural,” consisting of listening to one another, not being manipulative, and other such requirements. He says, “at least formal requirements of respect for persons are implicit in the basic framework for deliberation,” and even acknowledges that it is

a further task to “argue from the Kantian framework to reasonable presumptions of further (substantive) respect,” meaning respectful treatment for actual persons (Hill 2000c: 114). On Hill’s picture, to arrive at the best set of moral rules, we must imagine an idealized situation of deliberation that includes deliberators who show recognition respect for one another. Hill, a thoughtful theorist, sometimes acknowledges that it is still an open question whether this thought experiment involving hypothetical recognition respect among idealized deliberators will lead to duties of respect among actual, non-idealized, persons like us. At other times, he moves too quickly from claims about the hypothetical respect among idealized deliberators to a rule of treating actual persons with respect—“human beings are viewed as if they were jointly authors of binding principles and individually subject to them, once the principles are finally decided” (Hill 2000c: 97). The more basic part of Hill’s theory involves the hypothetical respect among idealized deliberators in the kingdom of ends, and the attempts to directly draw respect among actual humans from that hypothetical kingdom of ends are peripheral and less convincing. Hill’s theory is most plausible when seen not as a version of RCB, deriving duties from respect for actual human persons, but as relying on an ideal of respect among idealized deliberators.

It is not only Kantian theories that may rely on a strategy of RCB. Traditional contractarian theories and their more recent descendants, such as T. M. Scanlon’s contractualism, rely on a metaphor of bargaining or agreement, which may seem in turn to imply respect for the perspective or consent of every actual person. A person, one might think, is only subject to moral requirements to which she agrees, which builds recognition respect into the foundation of morality.

But there are good reasons for moral philosophers in the contract tradition not to suppose the parties to the basic moral agreement are actual human agents, but rather some hypothetical, idealized agents who are imagined to be bargaining in some hypothetical circumstances. Hypothetical circumstances must be imagined, to avoid apparently insurmountable logistical problems. Moreover, real bargainers are highly unlikely to reach unanimous agreement on any set of principles, even principles that benefit them all, and any principles they did arrive at would be unlikely to match widespread intuitions about what is morally required. This is partly because actual humans are poor reasoners—they are inconsistent, prone to failures of understanding and attention, and frequently bad at both logical inferences and means-end reasoning. They also frequently make choices based on envy, resentment, bigotry, superstition, stubborn commitments to specific political and religious ideology, and inaccurate assessments of their own abilities and desert. For these sorts of reasons, it appears that any viable contract-based approach to arriving at moral principles must employ both hypothetical circumstances of deliberation and rational deliberators who are in some way idealized.

Traditional contractarian theories, which attempt to justify moral principles by showing that they serve everyone’s self-interest, have employed some sort of

idealization of both the circumstances of deliberation and the moral deliberators themselves. Hobbes appears most directly to concede idealization of the former kind, by admitting that the circumstances in which rules of justice arise (the state of nature) may never have existed as a matter of historical fact (Hobbes 1994: ch. 13). But he also grants that actual human individuals can be mistaken in their reasoning about the principles of justice that they should accept on self-interested grounds,⁵ and so implicitly recognizes a need to identify these “Laws of Nature” through an examination of the choices of idealized rather than actual deliberators.⁶ David Gauthier, the most influential contemporary contractarian, idealizes both the deliberators whose choices lead to moral requirements and the circumstances of deliberation. He identifies moral norms as the outcome of agreement among rational, effective maximizers of their own utility, from an initial bargaining position that excludes benefits that the bargainers have gained by worsening others’ situations (Gauthier 1986).

While traditional contractarian theories take self-interest to be the basic motive in the hypothetical bargaining that leads to moral requirements, some recent theories in the contract tradition also build more substantial moral ideas into the bargaining process. T. M. Scanlon’s contractualism is an example of such a theory. Scanlon attempts to give a criterion for moral wrongness within an important range of actions, namely actions that involve how people treat one another. Specifically, Scanlon develops and defends a standard of moral wrongness for actions that affect others, saying that

an act is wrong if its performance under the circumstances would be disallowed by any set of principles for the general regulation of behavior that no one could reasonably reject as a basis for informed, unforced general agreement.

(Scanlon 1998: 153)

Scanlon’s account may appear to be based on recognition respect for persons in that it determines the moral status of specific actions by considering the standpoint of each person (asking a question about what no one could reasonably reject). Scanlon himself takes his theory to give a central intuitive role to the idea of justifiability to others. Actions are wrong if they are not justifiable to others, and the test for this justifiability is to ask whether anyone could reasonably reject the principles on which the action is based. His contractualist account is meant to capture an intuitively appealing ideal of a “relation of mutual recognition” with others, which sounds like a kind of recognition respect (Scanlon 1998: 162). And Scanlon does not hesitate to characterize his theory as being based on mutual respect. He says that at the level of seeking general principles for how to treat one another, “the idea of justifiability to others and the idea of respecting their value ceases to be distinct” (Scanlon 1998: 171). So he does take his view to give a foundational role to respect for persons, in some sense.

And sometimes, it appears that he takes his theory to be a version of what I have called RCB, giving a foundational role to respect for actual human persons. In several passages, he says that the point of acting on the principles that his contractualist procedure regards as justifiable is to show respect for humans, or rational beings, and he seems to mean actual human beings. So, "respecting the value of human (rational) life requires us to treat rational creatures only in ways that would be allowed by principles that they could not reasonably reject insofar as they, too, were seeking principles of mutual governance" (Scanlon 1998: 106). Or similarly, "Human beings are capable of assessing reasons and justifications, and proper respect for their distinctive value involves treating them only in ways that they could, by proper exercise of this capacity, recognize as justifiable" (Scanlon 1998: 169).

But the respect that is actually central to Scanlon's contractualism is not respect for actual persons, but respect among idealized deliberators as a structural feature of a hypothetical position of deliberation. Scanlon rightly recognizes that attempting to test the principle of any action by asking whether any actual human beings would reject it "is a recipe for moral gridlock, since every principle is one that someone has a reason to object to" (Scanlon 1998: 170). So the justifiability that is central to his contractualism "is not the activity of actual justification to others," and the question we are to ask about rejection is not a question about whether actual human agents would reject a principle (Scanlon 1998: 168). The way Scanlon differentiates between people's actual reactions to a proposed principle and the reasonable reaction is to have us imagine that the principle is being considered by deliberators who are all committed to finding and acting on "principles for the general regulation of behavior" that could not be rejected by anyone "similarly motivated," meaning "insofar as they, too, were seeking principles of mutual governance which other rational creatures could not reasonably reject" (Scanlon 1998: 106). The very idea of reasonable rejection asks us to imagine a hypothetical union of deliberators who share the joint project of finding principles to live by. Given this, when Scanlon says he views morality as "a system of co-deliberation" (Scanlon 1998: 268), the co-deliberators are not the set (or a subset) of actual human individuals, but idealized deliberators who are all committed to finding mutually acceptable principles of conduct.

It may seem that in discussing Hill's constructivism and Scanlon's contractualism, I have simply missed something. After all, are the developed capacity for mutually respectful joint deliberation and the mere potential for it not the very same thing, just developed to different degrees? There are brighter and duller shades of red, but they are all red. In the same way one might think more or less developed capacities for morality or rational agreement are all the same characteristic.

But this line of thinking is not compelling, regarding the role in normative theory of a potential versus a developed capacity. The whole point of the idealization involved in the hypothetical situations of deliberation that are central to

contractualism and other forms of constructivism is that actual persons lack the sufficiently developed moral characteristics that are central to the idealized deliberation—if actual human persons realized their capacities, then normative theory could rest on their actual agreements. And if what is supposedly special about a capacity (for morality, reasonable deliberation, or rationality) is that it makes it possible for us to live together under a set of coherent rules, it should be recalled, as argued above, that poorly developed potentials for such traits actually are as likely to undermine the overall project as to bolster it. We can add, after looking at some instantiations of RCB theory, that poorly developed potentials for such traits not only undermine the actual achievement of morally ordered societies in the real world, but also undermine the theoretical project of imagining such societies in the abstract in order to arrive at moral rules. It should not come as a surprise that in moral philosophy our attitudes toward a potential and a realized capacity are very different, since this is true of capacities in general. The tiny, colorful poison dart tree frogs of Central and South America certainly have the capacity to be highly poisonous, and in their native habitat this capacity is realized (even touching one can kill you). But scientists have discovered that this is because they accumulate and concentrate chemicals from the insects they consume, and when kept in captivity with a different diet, their capacity for toxicity is an unrealized potential. To say that the potential toxicity of a captive frog is the very same characteristic as the actual toxicity of a wild frog is implausible, as reflected in the different ways one would treat the two frogs. If an unrealized potential and a realized capacity are to be regarded as the same trait in normative theory, then this is not because of a general feature of capacities. It is an anomalous divergence from the way we regard capacities in general.

Conclusion

I have tried to raise doubts about whether RCB, the strategy of basing normative theory on respect for a capacity that all persons possess, is as unproblematic and alluring an approach as some philosophers take it to be.

The point is not to deny that every person should be respected in substantial ways, by having their viewpoints and welfare taken into account, by being listened to and taken seriously, or by being given a role in policy decisions that affect them. The point, instead, is about the theoretical basis for moral duties, and is meant to caution against relying dogmatically on an idea that any legitimate moral or political theory must begin by assuming that all persons are equally worthy of respect. Questioning dogma often leads to sounder theories, and it has recently become more acceptable to question the particular piece of cherished canon that claims every person is equally worthy of respect.⁸ This essay has focused on raising doubts about one attempt to bolster this once sacrosanct position,

by relying on the apparently ambiguous concept of respect for a capacity for rationality or morality.⁹

Notes

1. For contrary readings of Kant's ethics, see Dean 2013, Dean 2006.
2. I do not mean to imply that the ambiguity has never been noticed by defenders of RCB. For example, Paul Formosa recognizes the ambiguity, and decides that in order to make moral principles apply to ordinary humans, it is necessary to take an unrealized capacity as the object of foundational moral respect (Formosa 2017: 123–124).
3. I am putting aside some possible complications, for example, the case of psychopaths.
4. Similar structural differences between standard approaches to virtue ethics and to the version of RCB that I questioned above should allay concerns that I am dismissing virtue ethics in a quick paragraph. Virtue ethics does give a central role, of course, to developing one's moral capacities. But I do not think they focus on overall moral potential, then attempt to develop a systematic set of all or most human duties based on respect for every person's moral capacities.
5. For example, the Foole rejects the rule requiring keeping of covenants (Hobbes 1994: ch. 15).
6. Hobbes's basic definition of a law of nature implies that it is prescriptive and discovered by reason, so it may be obeyed or disobeyed (Hobbes 1994: ch. 14).
7. Scanlon 1998: 4. Scanlon uses the phrase "similarly motivated" throughout the book, e.g., 162, 202.
8. See Steinhoff 2015, and other essays in that volume. I take it that Carter 2011 also is best taken to be questioning whether there is some characteristic that makes every person worthy of respect, although Carter does not emphasize that reading of his position. Carter first points out the difficulties in claiming that possessing some minimum level of a characteristic is sufficient to ground equal respect for all, then argues for an independent requirement of "opacity respect," or not looking too closely at whether the characteristics of some particular persons make them worthy of more, or less, respect. But this seems to suggest that, in fact, agents do deserve unequal levels of respect.
9. For helpful comments on earlier versions of this essay I thank Carl Ficarotta, Eric Barnes, Chris Johns, and the participants in a workshop on respect and appreciation held in Chapel Hill, NC on May 20, 2017.

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Beyond Respect and Beneficence

An Ideal of Appreciation

Thomas E. Hill, Jr.

What are the attitudes that we should strive to maintain in friendships, families, and other close personal relationships? Everyone seems to agree that ideally friends, family members, those in other close personal relationships care for each other's welfare and not simply for the benefits that they expect to receive in return. Many of us would add the important qualification that they should also respect each other. They should respect each other as friends, parents, sons, daughters, partners, etc., but at least respect each other as fellow human beings. These two ideal orienting attitudes, respect and concern for others' welfare, have been repeatedly highlighted in contemporary as well as historical discussions of personal relationships (Kant 1996: 198–216 [6:448–471]; Dillon 1992). This is a welcome trend, in my view, but I suggest that a fuller discussion of ideal moral attitudes in close personal relationships should also highlight and emphasize the importance of a further ideal moral attitude that I call “appreciation.” The three attitudes—respect, beneficence, and appreciation—are distinct and can at times be in tension with one another, especially in non-ideal circumstances, but in good relationships we try to achieve a balance with appropriate priorities among them. They are among the most important orienting attitudes that we should strive to maintain and honor in practice, but they are not fully determinate values that always tell us specifically what to do. Arguably, maintaining these attitudes especially towards friends, family members, and others in close personal relationships is not simply an expression of affection-based partiality but is an appropriately targeted application of a proper regard for humanity in all persons.

These are the main themes that I shall try to develop here.¹ To preview, my plan is this: (section 1) I explain briefly what the main questions are, why they matter, and how I think moral theorists should investigate such questions. Here I explain more specifically why I focus on *ideal moral attitudes* in close personal relationships and how this relates to the more common debates about what is *right* and what is *wrong* to do. Then, in the next three sections, I summarize my understanding of the three basic orienting attitudes that are especially important in close personal relationships. To begin (section 2), I give a brief account of beneficence or “caring” as I understand it here. Next (section 3), I describe several ideas

of *respect* for persons, distinguishing respecting persons as human beings, respecting persons for their offices or social positions, and respecting particular individuals for their merits and accomplishments. Then (section 4), I discuss an idea of *appreciation* that is distinct from both *respect* and *beneficent caring* for another's happiness and well-being. In ideal friendships one not only respects and cares for the friend but appreciates good things about the friend and in the friend's life. Appreciation, I suggest, is not the same as gratitude, though to be grateful is in part to appreciate the evident good will of another person, for example, in their efforts to benefit or please one. In conclusion (section 5), I call attention to several merits of supplementing standard accounts by including appreciation as an ideal.

1. Investigating Ideals of Moral Attitude: Aims and Methods

Ethical theories are often divided into those that focus on primarily *right and wrong action* and those that focus on primarily *virtues and vices* of character. Consequentialists and Kantians are typically cited as representatives of the first group, and Aristotelians as representing the second. But, of course, the moral phenomena available for philosophers to study are many and diverse, and they are related in complex ways that should be reflected in any moral theory. My questions are about moral *ideals* and *attitudes*, which are two under-studied topics that do not fall neatly into contemporary dichotomies.

Moral ideals are ideas about what is good to aspire for, to admire, and to hope for. Failures to live up to ideals or to achieve ideal outcomes are not necessarily wrong or immoral, or vicious, though such failures typically reveal moral flaws, deficiencies, or at least something regrettable about a person. Falling short of a moral ideal may not be blameworthy but it is not the sort of thing to be proud of. We have ideals regarding how we act, feel, think, and want, about what we hope to achieve, and how we relate to society and to those closest to us. We often think of ideal attitudes and conduct as what would be morally best in a more perfect world where everyone is cooperative and lives by the same moral norms and values, but this is not always what is morally best—or “ideal”—to do, think, and feel in the real world where there are free-riders, criminals, and oppressors. My focus now is on moral ideals of attitude in this real world but in conditions that are reasonably just and secure, keeping in mind that in more corrupt and dangerous conditions exceptions may be justified.

To have an attitude, I assume, is to have a complex set of dispositions to *act*, *feel*, and *think* in certain ways in response to various circumstances. Some attitudes are morally good, some are bad, and many are morally neutral or irrelevant. For example, we count compassion and respect for others, proper pride, and due

humility as generally good, whereas we regard vindictive hatred and dismissive contempt for others, servility, and conceit as generally bad. Favoring a particular sports team, disliking certain foods, and wishing to avoid crowds are attitudes commonly thought to be in themselves neutral or mostly irrelevant to moral concerns. Attitudes may be self-consciously principled or picked up and adopted with little thought, but they are often “judgment-sensitive” in Scanlon’s sense (Scanlon 2000). Within limits we can adopt and maintain our attitudes for reasons, good and bad, and we can with varying degrees of success strive to develop a set of good moral attitudes that approximates our ideals. Human nature, our individual genetic make-up, and cultural forces pose (mostly unknown) limits to how much is possible for each of us, but in moral philosophy we should think constructively about which attitudes would be morally admirable and good, even best, to have if we strive successfully. This requires thinking about the kinds of *acts* that are morally commendable and the general *policies* and *intentions* to act that are good to adopt, but to have a good attitude we also need to be disposed to have appropriate *thoughts* and *feelings*. For example, if a nephew does a special favor for his rich and generous uncle while feeling nothing but disdain for him and constantly thinking “He had better reward me for this!” then the nephew’s attitude seems far from ideal even if he did a good deed.² The feelings and thoughts we have when we act are not something we can consciously control or change *at will*, but developing the dispositions to feel and think in ways appropriate to the context is at least partly up to us. The question for moral theory, then, is: what attitudes should we adopt and maintain *insofar as we can*?

Good moral *attitudes* are dispositions to act well and have feelings and thoughts that are appropriate to the circumstances we encounter, but so are moral *virtues*. So, what is the difference? Since ancient times virtues have often been taken to be broadly applicable, unified, and relatively *stable* traits of character that, once achieved, serve over a lifetime, but good attitudes can be more narrowly focused, less unified, and more readily modified in response to reasons. Virtues may be lost once acquired, but attitudes can change even more readily. This contrast is significant because, as some psychological research is said to show, human beings may rarely, if ever, achieve comprehensive, unified, and stable dispositions in the way that classical virtue theory requires (Doris 2002). We may, for example, show courage and kindness in routine circumstances but not when confronted with particular unanticipated cues. These objections to virtue theory derived from psychology have been challenged and much discussed, but, in any case, one advantage of focusing first on moral attitudes is that even if broadly focused, unified, and stable virtues are unattainable, we can still have some success in adopting and maintaining good moral attitudes with regard to specific sorts of situation. Presumably, too, any plausible account of the virtues will include an account of the sort of attitudes that we should aspire to develop.

The attempt to identify ideal moral attitudes belongs, at least initially, to normative ethical theory, which in my view begins with considered judgments about more or less realistic examples and aims to find what Rawls called “reflective equilibrium” (Rawls 1999: 20). Many of our initial judgments turn out to be rooted in ignorance and prejudice and need to be adjusted or rejected. Even when we conscientiously try to learn the relevant facts and to avoid bias, our judgments in one case may have implications that conflict with our judgments in other cases, and so we need to find ways to reconcile them in the search for a more consistent, coherent, and comprehensive set of principles and ideals. This aim of normative ethical theory is itself an ideal towards which we can make progress, though it is never fully attainable, and it leaves open further questions that belong to meta-ethics and practical (“applied”) ethics.

2. Beneficent Concern for Others’ Happiness

The ideal most commonly commended is a persistent and effective readiness to promote the happiness of others beyond the minimum that may be morally required of everyone.³ It is generally agreed that we have *duties* of mutual aid to help others in distress when we can at little cost to ourselves, and perhaps most would agree that in times of crisis we have duties to protect or rescue children and others most vulnerable to life-threatening forces. In general, it is wrong and vicious to let oneself be utterly indifferent to others’ welfare. We may not agree entirely on exactly how to specify the moral duties of beneficence and mutual aid, but some minimum requirements of this sort are rarely disputed. But, as indicated, my primary concern here is with ideals, not strict duties, and so I want to focus on beneficent attitudes that are good to have even if they are not strictly required of everyone. This includes, I think, a readiness to do special *favours*, to offer assistance to others with their optional projects, and to exert *extraordinary effort* to serve charities that try to meet basic needs. The ideal attitude here is not, of course, to promote the good of others reluctantly, cheerlessly, or for ulterior motives but rather in a good-spirited way variously called generous, kind, benevolent, and the like. We tend to admire people who have this sort of attitude and act on it appropriately, but few would say, on reflection, that for everyone helping others is a good thing to do, and *the more the better* (Wolf 1982). There are other commendable ideals and normally we have an area of optional personal choices to pursue our own projects without being deemed either immoral or morally deficient. Efforts to make others happy can be excessive, off-putting, and even offensive. How much charitable effort is required, how much is optional, and how much is good to do beyond duty depend on context, and no bright lines can be drawn here even though extremes of what is deficient and what is beyond duty

are easily recognized. For example, the character Scrooge in Charles Dickens's *A Christmas Carol* before conversion is a paradigm of vicious indifference to the happiness of others; Albert Schweitzer and Mother Theresa are often cited as commendable examples of people who sacrificed for the good of others more than required; and most people, I expect, fall between these, ready to be helpful to some extent but committed to projects of their own, not maximally beneficent but also not viciously indifferent to the welfare of others. Some of these less beneficent people may be pursuing other commendable ideals, but some may be resting content with doing what is strictly required but otherwise choosing to pursue projects of their own.

A maximally beneficent person, as I understand this, would be committed and ready to promote others' happiness as much as he or she permissibly can, but it would be mistaken or at least misleading to say that this is "ideally beneficent" because that might suggest that being maximally beneficent is what everyone should strive for rather than "*a* good" and "*an* ideal" (not the only one) that would be good to choose. There are many ideals that one could strive to fulfill but it would be impossible to seriously undertake to fulfill them all to the greatest extent permissible (Strawson 1961). One is commendable for fulfilling them but not necessarily to be disparaged (e.g., with "She is less beneficent than she *should* be!") for not striving to fulfill the ideal so long as she is beneficent to a degree beyond vicious indifference and sufficient to meet the basic moral requirements. Most obviously, if a person pursues another commendable ideal, such as excellence in art or science, to the highest degree compatible with fulfilling basic duties, that person cannot also realistically strive to fulfill the ideal of beneficence to the highest degree. More generally, we should not assume that one is to be disparaged or treated as deficient from a moral point of view if one chooses not to pursue any ideals to the maximal extent permissible. That such pursuits are ideal, in my view, means that they are optional at least in the sense that one is not blameworthy, or morally deficient, or subject to criticism by others if one chooses not to strive towards fulfilling any such ideal to the greatest extent compatible with basic duties.

Philosophers have given different accounts of happiness or well-being, which is what the ideally beneficent person aims to promote in others. Aristotle saw the goal as human thriving in excellent activities as guided by practical wisdom in many dimensions; Epicurus viewed it as pleasure that he understood primarily as the absence of pain; Epictetus's ideal was to free oneself from desires and attachment to things that only appear to be good; Jeremy Bentham regarded it as a balance of pleasurable over painful sensations; and J. S. Mill argued that some pleasures are of higher quality and so contribute more to a happy life (Aristotle 1999; Epicurus 1994; Epictetus 1983; Bentham 2003; Mill 2001). Bishop Butler conceived of happiness as the satisfaction of our first-order intrinsic desires ("particular passions")

of many different kinds, and he observed that these are not typically desires *for* pleasure even if we often find it pleasant to achieve the objects of our desires (Butler 1983). Immanuel Kant at times suggests that perfect happiness would be achieving all one's desire-based ends over time, but he also writes of happiness as including a sense of lasting contentment with one's life (Kant 2002: 200 [4:399]). Contemporary theorists distinguish subjective accounts that make happiness dependent on agents' preferences and feelings and "objective list" accounts that take happiness to be having a cluster of good things, such as health, companionship, achievements, etc. (Crisp 2017). For present purposes it should not be necessary to decide among these different accounts. My aim here is to contrast ideals of *beneficent concern for others' happiness* with ideals of *respect* and *appreciation*, and the contrast can be made, I think, with most of these various conceptions of happiness.

3. Respect

In general to respect something is to see it as something that one should acknowledge as significant in shaping one's conduct, giving one reason especially to stand back and limit how one treats it.⁴ Ideally respect also includes dispositions to acknowledge positively the worth or status of what is respected, but it is not in general a requirement to produce, promote, or improve something. A feeling of respect can be like a justified warning that there are legitimate grounds to restrict how one behaves towards something and thinks about it.⁵ We respect the laws, for example, that we think and feel we have good reason to obey. When we respect an expert authority on a scientific question, we count his or her judgment as giving us reason to believe and act on that judgment. Similarly, to respect a person seems to imply acknowledging that we have reason to limit our behavior, feelings, and thoughts regarding the person in some ways. If so, a general moral principle of respect for persons would imply that we should acknowledge moral reasons to restrict how we act, think, and feel about persons, and these moral reasons may be characterized differently from different moral perspectives. Kantians, for example, hold that basic respect for persons is respect for a moral law that counts humanity in each person as an end in itself. In Kantian ethics *humanity in a person* is a person's "rational nature" (Kant 2002: 227–233 [4:426–431]). This sometimes has been narrowly interpreted as just "the capacity to set ends," but it can also be reasonably be construed more broadly to include other higher-order capacities of mind and spirit that are commonly attributed to human nature—for example, capacities of understanding, reasoning, creative imagination, and prudential and moral self-governance. Consequentialists typically make happiness or well-being their ultimate aim, treating benefits and harms to persons or all

sentient beings as the final reasons that must be respected, but they may support a limiting respect for persons as a derivative and conditional principle. For them whether it would be justified and ideal to treat a person with respect depends on what the effects would be, and this varies with the circumstances, whereas Kantians tend to treat the basic respect for each person as an invariable priority. Both Kantians and consequentialists acknowledge that societies have developed more specific legal, social, and cultural norms of interpersonal respect that are supported by their foundational principles⁶ but may be subject to exceptions.

Philosophers have distinguished different kinds of respect for persons. Stephen Darwall, for example, distinguishes what he calls *recognition respect* and *appraisal respect* (Darwall 1977). The first is a recognition and appropriate response to a person's status or office, not implying a positive judgment (appraisal) about how well the person has performed in that position. The status could be, for example, being a parent, a judge, a coach, or an elected leader, but significantly it could also be the status everyone has as a human being (in a normative sense). Kantians, and others, say that morality requires us to have a basic respect for every human being, but social norms often require that we also show a special respect for others according to their place in a social hierarchy. Sometimes these demands for respect are morally justified, but often they are questionable or deplorable aspects of unjust social hierarchies. For example, an "honor culture" may demand that members of a ruling class must duel in response to serious insults and that peasants be ready to prostrate themselves before monarchs and persons of nobility (Darwall 2015).

Unlike recognition respect, appraisal respect implies a judgment of merit. For example, we may have respect for Federer as a great tennis player, for Rene Fleming as a gifted and accomplished singer, and for our best colleagues as smart and effective teachers. More broadly, we may say that we respect someone as a person (in the appraisal sense) when we are confident that the person has integrity or is overall a morally good person. Appraisal respect can and must be earned, and so we should respect in this sense only those who are worthy of high regard and due deference because of their special merits. Sometimes when legitimate office-holders have little or no merit and so do not deserve appraisal respect, others may still respect them as persons who, for better or worse, hold an office (such as the US presidency) considered worthy of recognition respect. From a moral point of view, many of us believe, people who do terrible, even evil, things do deserve condemnation and punishment rather than appraisal respect, but we should nevertheless afford them basic recognition respect as human beings. Here *being human* is to be understood as an office, position, or status of a special kind, with global scope.

My focus here will be primarily on recognition respect for persons as human beings, especially as seen from a broadly Kantian perspective. Respect of this kind

is a constraint on what we may do in our efforts to promote someone's happiness. In good friendships, as Kant suggests, love pulls us closer together and respect holds us back to some extent, leaving the friend some privacy and space to pursue happiness in her own way (Kant 1996: 215–218 [6:469–474]). Respect is distinct from both affectionate love and practical love. Affectionate love consists of feelings for others, such as wanting to be with them, to share their joys, and know them intimately. Practical love, in Kant's view, is an active commitment to promoting the happiness of others as they see it, not as we might interpret it (Kant, 1996: 198–199 [6:448–450]). Both affectionate and practical love, however, should be constrained and guided by respect for the friend as a human being. At least insofar as the friends are rationally and morally competent persons, their own choices and opinions, autonomy, and moral responsibility are to be recognized and respected. Suppose, for example, that you passionately love your friend and think it would make your friend happier if your friend would make a major life change that is neither morally wrong nor obligatory. Nevertheless, out of due respect for your friend as a human being, you must not try to take over or control the friend's decision by use of deception, manipulation, force, or other disrespectful interferences—or demean the friend afterwards for making the wrong decision. Even in the most intimate friendships, friends need and are owed some private space, opportunity, and encouragement to develop their own thoughts, aspirations, plans, and activities. In personal interactions of many kinds we need to constrain affectionate feelings and beneficent impulses with basic respect; and arguably for a similar reason, in global relations we should not let sympathetic feelings or an unqualified commitment to “the greatest happiness of the greatest number” lead us to treat with disrespect those we mean to help—or anyone else.

4. Appreciation

Let us consider now a moral ideal that is distinct from the more familiar ideals of beneficence and respect, namely the ideal of appreciation.

To appreciate something, as I understand it here, is to recognize and respond appropriately to its value as something worth attending to, observing, admiring, cherishing, or the like, for its own sake. In appreciating an object, we regard it as worthy of our positive attention independently of its value as a means to some other good thing, but the object of appreciation is not necessarily regarded as an end that we should try to *achieve* or a kind of thing that we must *produce* more of. Consider, for example, beautiful sunsets, cute kittens, and hearing a child's first words. What we appreciate is seen as good in itself, worth attending to and enjoying in an appropriate context, but not necessarily as the kind of thing that consequentialist philosophers propose as ultimate goals to pursue, such as pleasure,

preference-satisfaction, or what G. E. Moore famously called an unanalyzable, non-natural property (Moore 1976). To say that a thing is good in itself, or valuable for its own sake, in a non-technical sense intended here is not to say that it is of a kind that always has as some weight on a scale of commensurable reasons (“pros and cons”) that determine what one ought to do. The point, rather, is to offer a consideration for trying to see the thing itself, apart from its utility, as among those worthy of attention, liking, admiring, cherishing, commending, or the like, assuming an appropriate context.⁷

We can appreciate an aspect of something (e.g., an activity, a person, or a work of art) as good in this way despite the fact that it is embedded in a larger context that we recognize to be all-things-considered bad (e.g., harmful, immoral, ugly). Similarly, we can appreciate things, such as complex activities, personalities, and art works, as in themselves good and worthy of attention, admiration, and recommendation to others, even though we recognize aspects of these things as quite bad. There is an analogy here to Moore’s principle of organic unities, which says that the intrinsic value of a whole is not the sum of the intrinsic value of its parts. That is, the parts (or aspects) of things and the whole things (or larger contexts) of which they are parts (or aspects) can be appreciated independently; but, contrary to the suggestion implicit in Moore’s language, we should not think of intrinsic values as quantities that can be added and subtracted.

Appreciating works of art and beautiful natural scenery are paradigms of appreciation, but we can appreciate many kinds of things, including puzzles, elegant proofs, original ideas, graceful movements, acts of kindness, pleasant tastes, and meaningful personal experiences. In appreciating an object, we recognize, take in, or perhaps project onto things some degree of non-instrumental value or worth, but what we can appreciate is not just perfection or even what is *almost best* of its kind. Museum-goers in a hurry understandably move quickly past minor artworks in order to see the masterpieces, but this does not mean that they think that the minor works are not *worthy* of their attention. Similarly, we can appreciate a fifth-grade orchestral concert, or aspects of it, without imagining that this is the Chicago Symphony playing or needing to compare the two.

The attitude of appreciation is not the same as beneficence. Obviously, we can appreciate all sorts of things that we cannot benefit, aid, or do favors for. Consider sunsets, the ancient pyramids, philosophical problems, and “the starry heavens above” that Kant so admired. We can benefit people and animals but trying to improve their lot does not mean that we appreciate them, or vice versa. Consider a character I call the Distant Father who cares for his son’s happiness, welfare, and success, but who does not even try to appreciate the person his son is now that the son is an adult living with his gay partner in the lifestyle of a Bohemian artist. Distant Father, as I imagine him, does not disapprove of or disrespect the son and stands ready to help him out as needed, but, as his son fears, Distant Father does

not see anything worthy of his attention in his son's artwork, his loving relationship, his passion for old films, or indeed in the son himself.⁸ The beneficent disposition to promote a person's welfare does not necessarily translate to a readiness to appreciate what is good in a person and the person's life. The distinction between beneficence and appreciation can also be seen in a reverse kind of case. Imagine a cruel rival artist who readily appreciates the good in the son and his life but nevertheless tries to make the son's life miserable.

Appreciation is also distinct from basic (recognition) respect for a person. Distant Father, as described in the previous example, may have basic respect for his son as a human being, as shown (for example) by honoring his privacy and personal choices. We can imagine that Distant Father maintains this basic respect for all human beings, for he is scrupulous to honor their rights, acknowledge their status as moral equals, and avoid demeaning comments about them. Distant Father may also have some appraisal respect for the son, as shown, for example, by a readiness to give him character references (although this presupposes that at least Distant Father can appreciate his son's moral qualities). The distinction between basic respect and appreciation may be evident too in an opposite example—appreciation without basic respect. Imagine, again, the cruel rival artist who, lacking both beneficence and basic respect, nevertheless really understands and appreciates the son's qualities and passions and, all the more for that, wants to steal his work, insult him, and spread false rumor about him.

Finally, appreciation is not the same as gratitude, another virtue sometimes mentioned as important in personal relationships. We do often express gratitude by saying "I appreciate that," and this conveys the message that we acknowledge and *appreciate* a benefit and the good will of the person who bestowed it. So, we can say that genuine gratitude presupposes appreciation, but not that these are the same. Appreciation is a broader attitude than gratitude. One can appreciate what is intrinsically worthy of attention, admiration, and the like, in all sorts of things that are not gifts or services. Appreciating the beauty of sunsets and artworks is often pleasant, of course, and it may contribute to the observer's happiness, but the attitude of recognizing the intrinsic worth of something one sees, even if pleasant, is different from the attitudes of enjoying it, finding it pleasant, and seeing it as a benefit to oneself. When people take delight in appreciating art and nature, they may say that they thank God, Nature, or their lucky stars for their happiness; but atheists and scientific naturalists may appreciate and enjoy the same things without attributing them to a beneficent agent. More important, we can appreciate what is worthy of admiration in works of art, natural phenomena, and meritorious human lives without seeing these things as beneficial to us. Art can be corrupting, nature frightening, and virtue confining.

The ideal of appreciation in personal relationships, as I see it, is partly an extension of the more general ideal of being *open* to recognize and respond positively

to intrinsic worth wherever one can find it. Obviously, there is more to appreciate than anyone has time for, and there is no moral imperative to appreciate all that one can or to maximally promote appreciation through the world. We can appreciate the worth of things for their aesthetic qualities and excellences of many kinds, but, in my view, the ideal of appreciation *in personal relationships* is a *moral* one, at least in the broad sense of “moral” that includes, not just duty, but all that is good to aspire for in a human life. It is sad when people become so busy, bitter, angry, or depressed that they can see nothing good in their lives beyond what is useful or immediately gratifying,⁹ and it is morally bad when, despite ample opportunity, they can see nothing good in the lives of friends and close associates. Those of us who can, ought at least to avoid this extreme lack of appreciation, and beyond that, I think, ideally we would aspire to be open to find and appreciate what is good in close associates and their lives, not to any particular determinate degree, but as appropriate to the circumstances. Insofar as appreciation is an ideal, conformity cannot be demanded as anyone’s right and neglect should not be considered blameworthy by others or one’s punitive conscience. But context matters, and sometimes in particular relationships, perhaps like Distant Father’s with his son, one would be wrong not to try harder be appreciative.

5. Conclusion

My proposal has been to consider the three basic attitudes described here—beneficence, respect, and appreciation—as ideals particularly significant in close personal relationships, but obviously they raise many questions. For one thing, we may wonder, why should one want to supplement familiar discussions of respect and care in moral theory by adding an ideal of appreciation? There are several reasons to hope that a satisfactory account of appreciation can be added.

First, and most obviously, normative moral theorists aim to explain and refine common moral thought judiciously, and arguably the proposed ideal of appreciation described here reflects common thought sufficiently to warrant a place in a systematic theory.

Second, more interestingly, the proposal may partly address a persistent objection to Kantian theories of respect. The objection is that basic (recognition) respect for a person as a human being is really respect for humanity (or rational nature), which is a property that all human beings share; but the respect that we want, especially from close associates, is respect for oneself as the very individual that one is. To the reply that there can also be deserved appraisal respect, the critic can rightly note that this respect amounts to high marks for merits that an individual (along with many others) may be judged to have, but what the critic thinks is missing is *being respected, valued, or taken seriously as “the very person I am.”*

Now it is not entirely clear to me what exactly this means and whether there are always legitimate grounds for giving what is wanted; but in any case, supplementing ideals of beneficence and respect with an ideal of appreciation may be helpful. Appreciating a particular friend fully as an individual would involve understanding, recognizing, and responding favorably to the vast array of the friend's features, uniquely combined, especially those features with which she identifies; and this is more than judging or appraising the friend's merits (for example, as teacher, a tennis player, or a parent). There is no guarantee, of course, that each individual has many particular features that are intrinsically worthy of appreciation, but for most, if not all, there should be little to complain about if friends *cared* for them, *respected* them, and *appreciated* them, according to the ideals presented here.

Third, more speculatively, contemporary Kantian moral theory could perhaps gain in plausibility, without loss of its distinctive merits, if it incorporated an ideal of appreciation along with its principles of respect and beneficence. A distinctive merit of Kantian ethics, I think, has been its refusal to reduce the criteria for morally permissible conduct to whatever most effectively promotes a final end. Too often, before Kant and after, moral philosophers have seen their task as the two-stage process: first find the final goal, the *summum bonum*; and then prescribe the kinds of choices and traits of character that best promote it. In ancient ethics, on one reading, Aristotle proposed happiness, or flourishing as a human being, as the final good and then described the virtues as traits that enable fortunate citizens to achieve or approximate it. In the early twentieth century G. E. Moore introduced a confused technical notion of intrinsic goodness, and then claimed that the duty-determining goal to be promoted is the greatest possible amount of intrinsic goodness that one could bring about. Kantian ethics and Rawls's theory of justice have had a special appeal for me, and doubtless others, because they reject the goal-oriented approach to ethics, an approach loosely described by the slogan "the good is prior to the right." So far, so good, I think. But my conjecture is that once we reject Moore's extraordinary idea of intrinsic goodness, with its metaphysical and epistemological problems, and give up the two-step goal-dominated approach to ethics, then there is room for taking seriously ordinary, commonsense judgments of intrinsic worth that are exemplified in appreciation of nature, art, and innumerable other things. In personal relationships, basic respect no doubt takes priority and beneficence is vitally important, but the pursuit of a moral and good life would be impoverished if there were no place for appreciation.

Notes

1. This essay expands on themes initially developed for a discussion of attitudes towards disabilities (Hill 2020). I am grateful to Adam Cureton and Richard Dean for the helpful comments and editorial suggestions.

2. Sometimes we identify a “deed” or act, such as giving aid, independently of its motives, such as kindness, a sense of duty, or a desire to appear generous, though we can also speak of deeds or acts in terms that imply motives. For example, “giving aid” describes a deed in the first way and “a kind act” in the second way. The nephew’s good deed was giving aid but it was not an act of kindness.
3. Different views on beneficent giving are represented in Woodruff (2018: 13–39).
4. Cureton (2020); Sensen (2018).
5. It is perhaps appropriate to note that the German word *Achtung* is translated as *respect* as well as a call for *attention*.
6. This point is most obvious for those identified as rule-utilitarians but act-utilitarians and virtually any other consequentialist will surely grant that many of the historically developed conventional norms that we have are justified and deserve respect. The difference between these types of theory lies in their implications regarding exceptions to rules that normally should be respected. Roughly, if it would actually promote the best consequences to deviate from a rule obedience to which usually promotes the best consequences, then act-consequentialism implies that it is right to deviate while rule-consequentialists say that one must stick to the rule unless the rule has a justified “built-in” exception clause for the situation.
7. A non-technical use of “good in itself,” distinct from G.E. Moore’s, is discussed further in Hill (2006).
8. The example is from Hill (2020).
9. The point is beautifully made by Keller (1933).

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Valuing Our Humanity

Christine M. Korsgaard

1. Introduction

In 1986, I published a paper on Kant's Formula of Humanity, the version of Kant's categorical imperative that commands us to treat every human being not merely as a means, but always also as an end in himself or herself.^{1,2} In it, I claimed that Kant's argument for the value of humanity goes roughly like this: because we are rational, we cannot decide to pursue an end unless we take it to be good. Most of our ends, however, are simply the objects of our inclinations, and the objects of our inclinations are not, just as such, intrinsically valuable. So we need some further story about why we take them to be good. That further story is that we attribute to ourselves the power to confer value on our ends *by* rationally choosing them. In so doing, we attribute a fundamental kind of value to ourselves.³ We attribute value to our own humanity, a property which Kant identifies with our capacity to determine our ends through rational choice (Kant 1998: 4:437; Kant 1996: 6:387, 6:392).⁴ I summed this all up by saying that humanity is the unconditioned condition of all value, and as such, it must be valued. I also argued that in various ways, the duties that Kant discusses in connection with the Formula of Humanity follow from the value we must set on what I then called our power of, or capacity for, rational choice.

Over the years, readers of that paper and of a later version of the argument that I used in *The Sources of Normativity* (Korsgaard 1996b:118–123) have expressed doubts about a number of points. For instance, they have not been able to see why it should follow from the fact that something is the condition of all value that it is valuable itself. And they have not been able to see why, even if that is so, an individual cannot just value *his own* humanity, rather than humanity in general. In recent years, I have added to the perplexity of my readers by arguing that it is an implication of Kant's Formula of Humanity that we must also value all animals, or all sentient beings, as ends in themselves (Korsgaard 2005; 2011; 2013; 2015; 2018).⁵ Surely, many people think, if what we value in ourselves is our capacity for

rational choice, then we must conclude, as Kant himself did, that the other animals lack value, or have only such value as we confer upon them.

These objections raise important questions about what it means to value something. I now think that this is a notion whose complexities I have not been sufficiently attentive to in the past. For one thing, the value we set on different kinds of objects shows up in quite different kinds of attitudes and activities. The normal way that you show that you value people, for instance, is by conferring value on the objects of their choices or their interests (Scanlon 1998: 105). I would now appeal to that claim to answer one of the objections to my original argument—the objection that the fact that we confer value on the objects of our rational choices does not necessarily show that we set a value upon ourselves, because the condition of all value need not be taken to be valuable itself. I now think that in order to make that part of my argument, I do not need to defend the general thesis that if something is the condition of all value it must be taken to be valuable itself. Since what it means to value people is to confer value on the objects of their interests or choices, the fact that you confer value on the objects of your own interests, for no further reason than that they are your interests, shows that you do set a value on yourself. In taking what is important to you to matter, to matter enough to determine the ends of your actions, you reveal the value that you necessarily set on yourself.

But what exactly are the implications of the value that we set upon ourselves? A certain kind of metaphysical realism about value suggests that to value something is to respond appropriately to the fact that it has value. Exactly which responses are appropriate depends on what sort of value it is. Value, so conceived, is a metaphysical property; valuing, the activity, is a response to that property.⁶ Because I reject that kind of realism, I think we should reverse the order of priority between value and valuing—that is, we should explain value in terms of valuing, rather than the reverse. But that leaves me with the task of explaining what valuing our humanity involves.

So my aim in this essay will be to take a closer look at what is involved in the idea of “valuing” something, and what Kant might mean when he claims that we both do and should value our humanity. In section 2, “Valuing Morality,” I will ask what is involved in valuing our moral nature, and in particular whether valuing our moral nature requires thinking of ourselves as in some way superior to non-moral animals. In section 3, “Valuing People as Ends in Themselves,” I will consider two different interpretations of what is involved in valuing people as ends in themselves that both seem to be at work in Kant’s own arguments, and propose a way to relate them. Finally, in section 4, “Valuing Yourself as an End in Yourself,” I will describe a somewhat different sense of “end in itself” in which each of us also takes herself or himself to be an end in itself, one that I think has implications for the way we should regard the other animals.

2. Valuing Morality

Kant himself associates the value of humanity with our capacity for morality. In the *Groundwork of the Metaphysics of Morals*, he says:

morality is the condition under which alone a rational being can be an end in itself, since only through this is it possible to be a lawgiving member in the kingdom of ends. (Kant 1998: 4:435)

Notice that it is a little unclear whether Kant is saying that a rational being can be an end in herself only if (or to the extent that) she realizes her moral capacity, or instead that only beings who have the capacity for morality can be ends in themselves. He clearly believes both, although the first claim—that a rational being can be an end in herself only if she realizes her moral capacity—must be understood in the light of another claim which Kant makes—namely, that we can never be certain what anyone’s fundamental (or noumenal) moral disposition is (Kant 1998: 4:407). In other words, the claim that we realize our own value only through morality is not meant to imply that we are entitled to treat people whom we suppose have bad characters as mere means. It is meant to imply only that we must realize our own potential value by choosing morally. But suppose we understand the claim in the second way, as the claim that only beings with the capacity for morality can be ends in themselves. Should we agree with Kant about this?⁷

In some recent work, I have defended the traditional thesis that human beings are the only rational and therefore the only moral animals (Korsgaard 2009b: Chapter 6; 2009: 30–32; 2011: 100–103; 2010: 16–23). There are people who think that when you claim that only human beings are “moral animals,” you are claiming that human beings are especially noble or admirable in some way that makes us superior to the other animals. But when I claim that only human beings are “moral,” I do not mean that only human beings are morally *good*. I mean that only human beings can perform the kinds of actions that *can be* either morally good *or* bad. Human beings alone have the ability to reflect on the grounds of our actions, to determine whether those grounds constitute adequate reasons for action or not, and to act accordingly. To put it more simply, human beings alone have the capacity to act on what Kant called maxims or principles, and it is the character of our principles that renders our actions morally good or bad. So being a moral animal in this sense means being capable of being *either* morally good or morally evil.

Should we regard that—the capacity to choose in a way that is either good or evil—as a form of human superiority? Let me consider one argument that suggests that we should. “Substantive moral realists,” as I will call them, believe that moral obligations are grounded in mind-independent facts about reasons or

values.⁸ When we recognize these facts, they think, we are motivated to act in accordance with them. For such philosophers, the claim that the other animals are not moral would apparently have to mean that there is a dimension of reality, the moral dimension, to which non-human animals are insensitive, or to which they lack epistemic access. The other animals do not act morally because, as we might colloquially put it, they do not know any better. This raises an admittedly silly-sounding question. Is the realist committed to the view that the other animals actually have reasons to act morally, although due to their lack of awareness of that fact, they do not act on them?

Although the question sounds silly, there is an important philosophical issue behind it; namely, the issue of what we mean when we say that someone “has a reason” to do something. What relation, exactly, is named by “have” in this context? Intuitively, it seems that we can speak intelligibly of what a non-human animal has reason to do. The antelope who is about to be attacked by the lion has a reason to run faster, say. Of course, the antelope herself does not exactly know that. She knows “to run,” as we might put it, but not that she “has a reason to run.” But in the objective sense of “has a reason,” we can say that someone “has a reason” even when he does not know and could not know that he has that reason. By “the objective sense,” I mean the way we use the phrase “has a reason” when we say, for instance, that if right now the roof of the building we are in is about to cave in, we “have a reason” to leave the building, even if we do not know that. We are using “has a reason” in the “subjective sense”; by contrast, when we say, after the catastrophe, that because we did not know that the roof was about to cave in, we “had no reason” to leave the building.

The point I am making here actually depends on a slight extension of this familiar distinction, so I need to explain what this extension is and why I take it to be justified. The ordinary way of understanding the distinction between “objective” and “subjective” reasons relativizes a person’s subjective reasons to his beliefs about the facts. The question then arises whether we should also relativize a person’s reasons to his beliefs about reasons, that is, to his beliefs about what counts as a reason for what. When reasons are grounded in what have been traditionally regarded as the formal requirements of rationality, the answer to that question seems plainly to be “no.” You have a subjective (as well as an objective) reason to, say, take the means to your ends, or to avoid believing contradictions, regardless of whether you believe in the principle of instrumental reason or in the law of non-contradiction or not. The familiar argument that the principles of logic cannot function as premises shows this. Suppose that George does not reason in accordance with *modus ponens*: he cannot see how you get from “if A then B” and “A” to the conclusion that “B.” It does not help to add *modus ponens* as a premise—that is, to add, “if A then B, and also A, then B” to George’s list of premises, for you still need to reason *in accordance* with *modus ponens* in order to get

any conclusion from these premises, and that is what George does not do. So the formal requirements of rationality neither can nor need to function as premises (Korsgaard 2009b: 67; 1996a: 321–325).⁹ It seems natural to relativize our account of a person's subjective reasons to what he must accept as a premise if he is to draw the conclusion that he has a reason. But substantive reasons that are not grounded in principles of rationality must be accepted as premises in our reasoning if they are to guide us at all. And many contemporary substantive realists suppose that most or all substantive reasons are independent of rational requirements in this way (Korsgaard 2009a: 26–30).¹⁰ T. M. Scanlon, in particular, argues that we should regard all reasons that way, except possibly the reason that we have to make our attitudes conform to our own judgments about what we have reason to believe, do, or feel (Scanlon 1998: 25–32). So if we are going to appeal to the distinction between objective and subjective reasons, it would seem natural, on a view like Scanlon's, to take a person's subjective reasons to be relative to his beliefs about reasons themselves. And that means, to borrow an example from Scanlon, that someone who does not believe that "the fact that the car [he is driving] will injure and perhaps kill a pedestrian if the wheel is not turned" has no subjective reason to turn the wheel (Scanlon 2014: 2).¹¹

With that extension of the subjective/objective reason distinction in place, the question whether you have a certain reason, subjectively speaking, sometimes depends on whether you believe that the reason itself exists. That makes it seem as if you can have reasons in the objective sense but not know it, because of your lack of knowledge about reasons themselves. So the claim I am envisioning would be that animals "have" moral reasons, objectively speaking, but fail to recognize that fact. But if the other animals have moral reasons but do not act on them, then perhaps we should think that there is a sense in which this makes them inferior to us, not blamably, of course, but in the way they are inferior in intelligence. There is something important about their own situation that they fail to grasp, and we do grasp that thing.

But at least some substantive moral realists would reject the view that their theory implies that the other animals have moral reasons but fail to realize that fact. The argument I just sketched depends on a certain conception of what realism involves. It depends on the idea that—objectively speaking—reasons are mind-independent entities or facts with intrinsic normative force. This in turn apparently implies that all that it means to say that you "have" a reason in the *objective* sense is that there is a reason about which you might possibly do something; and that therefore, all that it means to say that you "have" a reason in the *subjective* sense is that you are aware of this fact. The "having," in so far as it is relational at all, is therefore a purely epistemic relation. Is the substantive realist about reasons committed to all that? Thomas Nagel and T. M. Scanlon, to take two prominent examples, would both deny it.

I will have to fill in a little background to explain why. In *The View from Nowhere*, Nagel argues that objectivity is a matter of degree. You start from a conception of the world that is completely subjective in the sense that you take the world to be simply what it appears to you to be. You then form another conception of the world that is more objective because it includes you, facts about your position in the world, and the resulting facts about how the world appears to you, as among the facts that constitute the world. In your original subjective conception, tomatoes are red; in your more objective conception, it is also a fact that tomatoes look red to you. The claim that tomatoes are red, objectively speaking, is true to the extent that it survives into more objective conceptions, given the explanations of the appearances that are made possible by those conceptions. When the explanations are in, not all of the subjective appearances survive: some of them are dismissed as illusions.

The process of objectification that I have just described concerns our reasons for believing things, but Nagel thinks a parallel process can be constructed for identifying our objective reasons for doing things. Accordingly, Nagel thinks that we have objective practical reasons when something that appears to be a reason within our subjective point of view survives as such when we take up a more objective point of view that includes that appearance itself as a part of reality. When that happens, Nagel says:

The reasons are real, they are not just appearances. To be sure, they will be attributed only to a being that has, in addition to desires, a general capacity to develop an objective view about what it should do. Thus, if cockroaches cannot think about what they should do, there is nothing they should do.

(Nagel 1986: 150)

So on this view you “have” a reason in the objective sense only if you have a certain kind of subjectivity—the kind that allows for the development of an objective conception of the world.¹²

I think Nagel’s view raises a somewhat dizzying question: if something that is real exists only for someone who can form an objective conception of the subject matter in question, does objective reality exist only *for* such beings? Is there no distinction, for cockroaches, between the way they see the world, and the way the world is? In fact, there is a way to block this odd implication, but it draws our attention to an important disanalogy which the realist must posit between theoretical and practical reasons. To block the implication, Nagel could point out that he need not deny that objective reality exists for the cockroach; he need only deny that the cockroach has any reason to believe anything (Nagel 1986: 4).¹³ The proper analogy, he could insist, is between reasons for action and reasons for belief. But then it immediately becomes clear that the realist is committed to the

view that practical reality is wholly constituted by reasons for action, while theoretical reality plainly is not wholly constituted by reasons for belief. To put it another way, realists about reasons must suppose that an action that is supported by practical reasons is therefore everything that it should be, while a belief that is supported by theoretical reasons is not therefore everything that it should be. Beliefs must also be true, and being supported by reasons does not guarantee that they are (Korsgaard 2009a: 25–26, 35–39). This suggests, although obscurely, that “having a reason” in the practical sense is really something quite different from “having a reason” in the theoretical sense. Having a reason in the practical sense is having got hold of a bit of reality, while having a reason in the theoretical sense is more like having a clue.

Scanlon, on the other hand, holds the view that reasons are relational. A reason, according to Scanlon, is a four-place relation $[R(p, x, c, a)]$, which holds when a consideration, p , is a reason for an agent x , in certain circumstances, c , to do a certain action, a (Scanlon 2014: 31). This formulation is intended to block the implication that “having” a reason is just, so to speak, knowing that a reason that you might possibly do something about is out there. As Scanlon says:

If we take the basic normative claims to be apparently non-relational claims that these things “are reasons,” or similarly apparently non-relational claims that certain things “are good,” the question then naturally arises what these normative facts have to do with *us*. (This puzzlement lies behind Christine Korsgaard’s caricature when she says that according to a realist view we notice reasons “as it were, wafting by.”) The idea that the basic elements of the normative domains are relations avoids this puzzlement. (Scanlon 2014: 120)¹⁴

Scanlon’s view makes the reasons relative to agents by definition. Do animals have them? In personal conversation, Scanlon said that he thinks animals have reasons in two senses: first, there is a point of view, defined by their interests, relative to which there is some reason to prefer some things to others; and second, they consciously act in pursuit of things that are often in their interests. But animals do not have reasons in the strongest sense implied by being able to think about or see them.¹⁵ Animals, it appears, have reasons in this lesser sense to do what is in their interests, but they do not have moral reasons.

In connection with this, it is important to note that Scanlon has another resource for denying that animals have moral reasons, even though he grants that they do in a sense have practical reasons. On Scanlon’s view, we have moral reasons because we have reasons to want to be able to justify our actions to each other, and we have those because we have reasons to want to be in unity with others. The kind of unity he has in mind is the kind that we have when we treat one another with respect, making human friendship and other essentially human

relations possible (Scanlon 1998: 160–168).¹⁶ Morality, to put it succinctly, is therefore a part of our good. Since the other animals do not act on principle, questions of justification do not come up for them; so being in *that* kind of unity with others is no part of their good. Non-human animals therefore do not have moral reasons. So both Nagel and Scanlon would deny that their view implies that non-human animals “have” moral reasons even though they do not know that.

I believe that each of these views gets part of the story right. What I think they both get wrong is that they locate the normativity of reasons in something objective, whether it is a relation or a fact. And I believe that, because I believe that what Nagel gets *right* is that whether you have reasons *at all* depends not on what is out there in the world, but on what sort of subjectivity you have. Reasons exist in the first instance in the deliberative perspective itself. But the kind of subjectivity that is needed is not the capacity to form an objective conception of your reasons: it is rather the kind that Kant associated with autonomy, the capacity to make a law for yourself. The essential element of a reason is its normativity, and its normativity for you rests in the fact that you legislate acting on it as a law. What I think Scanlon gets right is the claim that animals do in a sense have reasons, but that those are determined by their interests, not by moral considerations. As I argued in *Self-Constitution*, there is a sense in which animals are autonomous, since their instincts are the laws of their own nature, and so when they follow their instincts, they are laws to themselves (Korsgaard 2009b: 104–108). So there is a sense in which they have reasons. But their instincts concern only their own good. This may extend to the good of their offspring and sometimes to the good of their group, but it does not extend to anything that looks like general moral reasons.

The foregoing dialectic has been a little complicated, so let me remind you why I was discussing these questions. I was examining the question whether the bare capacity for morality should be regarded as form of human superiority. I had proposed that perhaps a realist about moral reasons is committed to the view that it is, because such a realist is committed to thinking that there is some important feature of the world, relevant to the actions of both people and the other animals, that we grasp but that the other animals do not. There are moral reasons for doing things, and the other animals fail to respond to those reasons. I examined Nagel's and Scanlon's views because Nagel and Scanlon are examples of realists who would deny that their views have this odd implication. Although they think that reasons are mind-independent facts, they also think that only people “have” moral reasons.

If we suppose that morality is grounded in human nature, rather than in objective features of reality, we can make a simpler argument against regarding the bare capacity for moral action (morally good or bad action) as a form of human

superiority. This is true whether we ground morality in our rational nature, as Kant did, or in our sentimental nature, along with Francis Hutcheson, David Hume, Adam Smith, and their descendants, Allan Gibbard and Simon Blackburn. According to all such theories, morality is something like the proper use or perfection of a distinctively human attribute, and since the other animals lack that attribute, the standards defining its proper use or perfection are simply irrelevant to them. Kant's view illustrates the point. I am counting Kant's view as grounding morality in human nature, because, as I said a moment ago, Kant grounds morality in a feature of human subjectivity. That is the form of self-consciousness that makes us capable of assessing the grounds of our beliefs and actions, determining whether those grounds count as good grounds or not, and issuing laws to ourselves accordingly. This form of self-consciousness makes possible a distinct form of agency, rational agency, that the other animals do not share. Morality is the perfection of that form of agency, and as such, represents a standard that does not apply to the other animals.

Of course, agency in general is an attribute we share with the other animals. It is arguable that there is a sense in which the human form of agency, rational agency, is superior considered just as a form of agency. What I have in mind is this: Agency is a kind of control. To be an agent is to be able to move under the control of your own mind. One might argue that an agent who can reflect on and evaluate the grounds of her own actions has more control than one who cannot do that. There is a dimension along which we might judge ourselves superior. But having this additional form of control is not, in and of itself, a virtue. Nor, as many thinkers have pointed out, is it obviously a blessing—something prizeworthy rather than praiseworthy, as Aristotle might say.

These claims are not uncontroversial, of course. David Hume and the other sentimentalists believed that our moral nature is prizeworthy, in the sense that we are the happier for having it and acting in accordance with it. He also believed that, because the moral sense approves of anything that tends to make people happy, the moral sense can therefore approve of itself. So on Hume's view, just being a moral being apparently turns out to be a kind of virtue after all, or at any rate, something morally good (Hume 1975: 278–284; 1978: 619–620).¹⁷ But of course it is one thing to argue that a rational and social animal would be deformed without morality, and another to say that a different kind of animal altogether—say a tiger—would be either better, or better off, if she were moral.

I think there is a reason why these claims seem so odd. The question of the value of being moral—and now I mean mainly in the prizeworthy rather than the praiseworthy sense—is one of a nest of what I think are rather interesting questions that arise once we take seriously an idea that I think we should take seriously—namely, the idea that the good for a thing is relative to its nature. Just to give you an example of what I have in mind: John Stuart Mill famously claimed

that it is better to be Socrates dissatisfied than a pig satisfied (Mill 1979).¹⁸ Mill believed this because he believed that it is good for human beings that we have access to what he called “higher pleasures,” like, for instance, the pleasure of poetry. But for whom is it better? Would it be better *for the pig* if he were Socrates? Why exactly would that be? Temple Grandin, in her book *Animals Make Us Human*, reports that there is nothing pigs love more than rooting around in straw (Grandin 2009: 185–186).¹⁹ Poetry is not good for a pig, so it is not something valuable that is missing from the pig’s life, that he would get access to if he were changed into Socrates, any more than rooting around in straw is something valuable that is missing from your life, and that you would get access to if you were changed into a pig. But isn’t poetry a higher pleasure than rooting around in straw? If what makes a pleasure “higher” is, as Kant and others have suggested, that it cultivates our capacity for the even deeper and greater pleasant activities of that very kind (Kant 1997: 5:24),²⁰ then we must have that capacity before the pleasure can be judged a higher one for us. Since the pig lacks that capacity, poetry is not a higher pleasure for a pig. Of course, we might try the argument that, so far as we can tell, none of the pig’s pleasures are “higher” in this sense. But then perhaps it is only for us jaded human beings that the lower pleasures seem to grow stale. So long as the straw itself is fresh, pigs apparently *never* lose their enthusiasm for rooting around in straw.

I believe that this point about the essentially relational nature of the good generalizes to other standards: it does not make sense to judge human beings either superior to the other animals or better off than they are by standards that only apply to human beings. But if we decide it does not make sense to say it would be better for the pig if he were Socrates, does that mean we have to give up valuing our own ability to appreciate poetry? And—by the same token—can we value our own moral nature, either as something praiseworthy or as something prizeworthy, without thinking that a pig would be better, or perhaps better off, if he had a moral nature too?

This question brings us back to the issues with which I began. In “Kant’s Formula of Humanity” and in *The Sources of Normativity*, I argued that there is a sense in which we must value our moral nature. In *The Sources of Normativity*, in particular, I argued that we must value our moral nature as what I call a form of practical identity, a description under which we value ourselves and find our lives worth living. The argument goes roughly like this: You affirm your value as the bearer of a practical identity whenever you act on the reasons to which it gives rise. But our moral nature—our capacity to give ourselves laws—is the source of the normative force of all of our reasons (Korsgaard 1996b: §3.4). It is what enables us to “legislate” those reasons to ourselves. So whenever you act on a reason, you affirm your value as a moral being. But how can we value our moral nature if we can think neither that it is praiseworthy nor that it is prizeworthy to have a moral nature?

The answer is that it does not follow from the rejection of Mill's argument that we cannot value our moral nature. When we say that we value something, there are different things that we might mean. One is that we place it within a domain to which we think evaluative standards importantly apply—let me call that an “evaluable domain.” In that sense, the value we set on poetry is expressed just as much in our disdain for doggerel as it is in our admiration for Dickinson or Donne. A second sense in which we value something, of course, is when we have a positive attitude towards some item because it meets the standards of some evaluable domain within which it falls.

Valuing in the first sense, that is, placing something in an evaluable domain, is not merely a matter *believing* that the items in question are subject to an evaluative standard, but rather requires taking that standard to be normative for yourself in some active way. Someone could believe that a certain performance of, say, ballet or boxing is the sort of thing that can be good or bad of its kind, and not care at all about it, in the sense that there is no imaginable circumstance in which he would act differently because of that value. But exactly *how* you take the standard to be normative for you depends both on the nature of the object and on your relationship to it. The value you set on poetry might be expressed in activities of writing it, reading it, appreciating it, reviewing it—including writing scathing reviews of the doggerel—or making sure that the great poems of the past get preserved. But the value you set on poetry does not require you to consider it to be superior to say, prose, or music. And in the same way, the value we set on the life lived under the government of moral values does not require us to think that the life lived under the government of instinct and sensation is an inferior form of life.

A moment ago I mentioned my argument that we value our moral nature as a form of practical identity. It is written into the very notion of practical identity that you value forms of practical identity by living up to the standards that they set for you. So to value your moral nature, that is, your practical identity as a moral being, is to think it all-important that you live up to the standards that it sets for you, moral standards. In that sense, you can value your moral nature, without thinking that you are a very fine fellow just for *having* it, just as a man can place a high value on his role as a father, without thinking badly of men who are not fathers. Of course, once something falls within an evaluable domain, we value it in the second sense when it meets the standards of that domain, and disapprove of it when it does not. Here, of course, there is room for a thought about superiority: a good human being is, in a recognizable sense, superior to a bad one. So we do disapprove of *bad* fathers, even though we do not disapprove of men for not being fathers, just as we disapprove of people who do not live up to the standards implicit in their moral identity.

So one way in which we value our humanity or moral nature, then, is by seeing our actions as falling within an evaluable domain, and treating that fact as

normative, by living up to the standards that apply to them. But that way of valuing our moral nature does not commit us to thinking either that we are superior to the other animals, or that we are blessed in comparison with them. It commits us to caring about whether we are good, to admiring good moral people for their goodness, and thinking badly of human beings, ourselves included, when we go wrong. But it does not imply any particular attitude at all about the value of non-moral beings.

But valuing our moral nature in this sense clearly is not all there is to valuing our humanity. The argument for the Formula of Humanity itself turns on a different sense in which Kant invites us to value our humanity. But this sense turns out to require some further distinctions, to which I now turn.

3. Valuing People as Ends in Themselves

When we say we value humanity, in the sense involved in Kant's argument, we are using "value" in a somewhat different sense from those I have distinguished so far. Sometimes valuing something has nothing to do with placing it within an evaluable domain: it just has to do with treating it as normative in some positive way, as making some kind of a claim on you. This notion of "valuing" is unfortunately rather obscure, since there are many different positive actions and attitudes, and it is not clear which ones you are required to have or to do in order to count as valuing something. The only thing that seems to be clear is that, as I said before, there has to be some imaginable circumstance in which you would act differently because of the value. Anyway, as I said earlier, valuing people—and valuing the other animals—is like this: to value people is to take up some sort of positive stance towards their interests or the objects of their choices. Valuing people involves promoting their interests or respecting their choices, where we do that either by promoting the objects of those choices or simply by refraining from interference. In "Kant's Formula of Humanity" I tried to express this idea by saying that, in taking your own choices to confer value on the objects of those choices, you are in effect setting a kind of value on the power of rational choice itself. But in fact there are (at least) two different ways in which we might understand what that involves. Interestingly, if a little awkwardly, both of them show up in the casuistical arguments that Kant uses to illustrate the moral implications of the Formula of Humanity.

To show you what I have in mind, I want to recall a familiar objection to Kant's argument. People sometimes ask: Why couldn't I just value *my own* humanity? Even if the fact that I pursue my own ends shows that I value my own power of rational choice, what commits me to valuing that of others? This objection is based on the idea that when Kant talks about humanity being an end in itself, he is just talking about "humanity" or "the power to determine ends" as a property

on which we set a high value, in the sense that we care about having that property, or think it worth preserving, or wish to develop it in appropriate ways, and so forth. But I now think Kant means something a little different. He means that we regard humanity or the power to determine ends as a property that confers a certain kind of normative standing, and with it certain normative powers, on the being who has it.

I am going to call these two things the “valuable property view” and the “normative standing view.” To see the difference, let us consider some examples. First of all, suppose your intelligence is a property on which you set a high value. Then you might do things to protect it, like not taking drugs that cause brain damage, or you might do things to develop it, like solving mathematical problems. If you regard your intelligence as a valuable property, it at least seems conceivable that you could value your own intelligence in this way, without caring about anyone else’s.²¹

But now suppose you ask me, “In virtue of what do you have the right to vote here?” and I reply, “I am a citizen of this nation.” Citizenship, as I understand it, is a form of normative standing: it gives its possessor certain normative or moral powers. You might reply, “Well, I am a citizen too, so I have the right to vote here as well.” Notice that it would not make sense for me to respond, “No, *my own* citizenship has that normative implication—but so far as I am concerned, yours does not.” Kant’s argument for the Formula of Humanity treats humanity, or the power of rational choice, as if conferred a kind of normative standing on us. When we look at the argument this way, Kant asks, “In virtue of what do we have the right to treat our ends as good, that is, to confer normative value on them, and so in effect to legislate values?” and he answers, “Our humanity.” So the argument assigns us a normative standing in virtue of our humanity, like the normative standing we have in virtue of, say, being born in a certain country. In fact that analogy is exact: Kant thinks our humanity makes us legislators in the Kingdom of Ends. Although Kant’s way of putting this is to say that we should value our own humanity as an end, I think we should not read him as saying that we should value the property of humanity or rationality in the way the person in my example values her intelligence. We should read him as saying that we should respect the normative standing people have in virtue of their humanity.

There are two reasons why I think we should understand Kant in this way. The more obvious one is that merely saying that the ability to determine our ends through reason is a valuable property would do nothing whatever to explain why we take our ends themselves to be valuable. And that is the question from which I believe the argument for the Formula of Humanity starts—why do we take the objects of our inclinations to be good? And this brings me to the second reason, which is textual. Kant’s answer begins:

rational nature exists as an end in itself. The human being necessarily represents his own existence this way; so far it is thus a *subjective* principle of human action.

(Kant 1998: 4:429)

As I read the argument, what Kant means when he says that we “represent ourselves” as ends in ourselves is that we take our ends to be good in spite of the fact that they are not intrinsically good. In so doing, we show that we regard ourselves as ends. Kant then continues:

But every other rational being also represents his existence in this way consequent on just the same rational ground that also holds for me;* thus it is at the same time an *objective* principle. (Kant 1998: 4:429)

The asterisk marks a footnote to the phrase “on the same rational ground that also holds for me” in which Kant says:

*Here I put forward this proposition as a postulate. The grounds for it will be found in the last Section. (Kant 1998: 4:429n)

I assume that what is relevant about the last section, *Groundwork* III, is its introduction of the conception of ourselves as members of an intelligible world that, as Kant says, gives the law to the world of sense (Kant 1998: 4:453–454). In that case, the footnote claims that the “rational ground” of our representation of ourselves as ends in ourselves is our conception of our rational wills as “legislative” (that is, normative) for what we do, and also, insofar as it is up to us, for what happens, in the world of sense. Each of us claims the standing of a legislator in the Kingdom of Ends, with a right to vote on what is going to happen, which we exercise whenever we make a choice.

Obviously, there are many concerns one might raise about the workability of this argument. But if Kant intended the argument in the way I have suggested, the claim that we are ends in ourselves is not the claim that the power of rational choice is a valuable property; it is the claim that in virtue of the power of rational choice, we assign ourselves a normative standing—the standing to legislate the value of our own actions and ends. That commits us to assigning the same standing to every other rational being, and so to respecting his choices, and helping him to pursue his ends.

But there is a problem with reading the argument this way. The problem is that in some of his casuistical arguments, Kant argues as if we must *also* treat the power of rational choice as a valuable property. The two different conceptions of an end in itself both appear in the casuistical arguments. The two cases that Kant uses to exemplify our duties to others—the duty to help others, or promote their ends, and the duty not to make a lying promise—can best be explained on the normative standing view. We must promote the ends of others in recognition of the fact that they, like ourselves, have the standing to confer value on their chosen ends. We must avoid all use of force, coercion, and deception as forms of interference

with the efforts of others to exercise their legislative rights (Korsgaard 1996a: 137–140). Force is like depriving someone of his vote; coercion and deception are like tampering with his ballot. But when Kant turns to duties to oneself, the considerations he urges are most naturally understood as springing from the thought that the power of rational choice is a valuable property. We are to develop our talents and powers as aids to rational choice; we are to avoid alcohol and drugs, according to Kant's argument in *The Metaphysics of Morals*, because they incapacitate us for rational action. These duties seem to have nothing to do with our standing; they are the attitudes and actions of someone who regards rational choice as a valuable property.²² Kant finds it obvious that committing suicide is treating yourself as a mere means, but if we understand the claim that humanity is valuable as the claim that it confers a normative standing, it is really not clear why this should be so. Why shouldn't a human being have the standing to confer value on her own demise, as well as on anything else she desires, provided that no other duty is breached? Kant is thinking of suicide simply as throwing something valuable away. That is a thought about the value of your humanity as a property, not a thought about your standing.

If we adopt the view that valuing humanity actually means regarding it as the source of a normative standing, not regarding it merely as a valuable property, must we give up the claim that these duties to the self exist? I do not think that we must. I do not wish to defend Kant's prohibition of suicide, but I think the other duties to the self can be saved. The two ways of thinking about the value of humanity that I have distinguished may be combined if we suppose that we are to regard our normative standing *itself* as the valuable property in question. If my own argument that we must regard our moral nature as a form of practical identity works, then that is exactly what we should do. What it means to have a practical identity is not just to value oneself as the possessor of a property, but rather to value oneself in the performance of a role. So we should value our human identity, not merely as rational beings, but as legislators in the Kingdom of Ends. In that case, developing your talents and powers is like taking care that you are a well-informed voter; avoiding excess alcohol and drugs is like not going drunk to the polls. These duties are expressions of respect, not for the property of rationality, but for the legislative standing that it confers upon us. They express the value that we set upon the role that our rationality gives us.

4. Valuing Yourself as an End in Yourself

I think that Kant must have had something like this—that we value our own normative standing as a form of practical identity—in mind. But even so, there is

something that it leaves out. Earlier I pointed out that Kant's answer to the question why we take our ends to be good begins this way:

rational nature exists as an end in itself. The human being necessarily represents his own existence this way; so far it is thus a *subjective* principle of human action.

(Kant 1998: 4:429)

I claimed that what Kant means when he says that we “represent ourselves” as ends in ourselves is that we take our ends to be good in spite of the fact that they are not intrinsically good, and that in so doing, we show that we regard ourselves as ends in ourselves.

I want to unpack this a little now. I believe this “representation” manifests itself in two different ways, but that Kant only takes notice of one of them. The one he does take notice of is that it involves a claim we make on rational agents. When we choose an end we expect others to respect that pursuit—not to interfere with our actions, and even to help us to pursue our ends when we are in need. So we claim a normative standing with respect to others. We also in effect claim a normative standing with respect to ourselves, since our choices are commitments which may extend into the future. This is easiest to see in the case of a long-term project. If I decide to write a book, say, I commit myself to working on the book in the future, on some schedule that will make it possible to finish. I commit myself to staying on that schedule, even if it sometimes involves working on the book when I would prefer to be doing something else. In that sense, I make a law for my future self which holds categorically—that is, it binds her in spite of her desires. Of course I can always change my mind about whether the effort is worth it, but even so I have made a law for myself, for in order to drop the project I do have to change my mind about whether it is worth doing—it is not enough that I just don't feel like it. So when we make choices we make laws for all rational agents; in so doing, we are claiming our standing as legislators in the Kingdom of Ends.

But the representation of ourselves as ends-in-ourselves also involves another claim we make both for, and on, ourselves: the claim that what matters to us, what is good for us, *is* to be treated as good absolutely. This is a claim, that, in the first instance, we make on ourselves, not by virtue of the implications of our choices—the way they bind ourselves and others—but simply by virtue of their content. After all, your legislative standing gives you a right to “vote for”—that is confer value on—anything whatever; it does not have to be on the satisfaction of your own natural desires and needs. But Kant took it for granted that what we do choose, at least when morality permits it, is to satisfy our natural desires and interests, and the natural desires and interests and needs of those whom we love. We choose the things that are good from our own point of view. This involves a different sense of being an end in yourself than having a normative standing in

the realm of rational beings. It is the claim that we are ends in ourselves in the simple sense that the things that are good for us are therefore good absolutely.

That this is a different sense of being an end in yourself shows up in the fact that it operates at a different “moment” in the act of choice. Your claim to be an end in itself in the sense of a being with normative standing operates once you have made a choice, in the implications you take that choice to have for yourself and others, the way it binds you and others. The idea that you are an end in itself in the sense of a being whose good matters absolutely is what guides your own choice in the first place. So the sense in which the conception of ourselves as ends in ourselves is a subjective principle of rational action is twofold. Rational action embodies the thought that we are ends in ourselves in the sense that our choices have the status of laws for ourselves and others. But it also embodies the thought that our own natural interests are worth conferring value *on*.

I do not believe that this sense of being an end in itself is one we assign to ourselves merely as rational beings. Only rational beings must claim this status for ourselves, for of course only rational beings both can and must think about whether the ends they pursue are good absolutely. But it does not follow that the status we claim *applies* only to rational beings. Nor is that the obvious way to take it—as a sort of claim that the natural interests of rational beings are good. After all, in pursuing our own good and that of those whom we love, we are simply doing rationally what every animal does naturally. And many of the interests on which we confer value when we claim this status are natural interests that we share with our fellow creatures—our interest in freedom from suffering, in the satisfaction of our natural needs, in the enjoyment of our physical lives, and in the welfare of our offspring. I believe in pursuing our natural good in this way we confer value on our status as beings who have a good, beings who have interests. That is a status we share with the other animals, who then also must be regarded as ends in themselves.²³

Valuing our humanity, I conclude, involves a number of different things. It involves prizing our moral nature, not in the sense of congratulating ourselves upon it, but in the sense of taking the standards it sets for us seriously, and doing whatever we can to live up to them. It involves respecting the rational choices of other people, and making ourselves fit for the normative standing it confers on us, by developing and preserving our rational powers. And it also involves, quite simply, caring about ourselves and each other, not only as rational but as natural beings, whose interests we declare, through our moral legislation, to be worthy of realization, promotion, and pursuit. But it does not involve considering ourselves superior to other living beings, or require us to limit our moral concern to human beings alone. In fact, there is no better way of expressing the value we set on our humanity, and especially on our own moral nature, than by extending the reach of our moral concern beyond the boundaries of humanity itself.

Notes

1. An earlier version of this essay appeared in Spanish translation as “Valorar nuestra humanidad” in: *Signos Filosóficos* 26 (2011) and Portuguese translation as “Valorizar a nossa humanidade” in: *Forma de Vida* (2013), and in a 2016 volume on *The Principle of Humanity and the Safeguard of the Human Person* edited by César Barros Leal and Cancado Trindade from the Brazilian Institute of Human Rights.
2. “Kant’s Formula of Humanity,” originally published in *Kant-Studien* 77 (1986): 183–202. Now available in Korsgaard 1996a: 106–132.
3. “Attribute value to ourselves” is deliberately ambiguous here. At the time I wrote “Kant’s Formula of Humanity,” I was inclined to think of the argument as establishing that humanity has something like intrinsic value. Later I decided that on Kant’s view, all value must be conferred by valuing agents, or, to put it a different way, that valuing is prior to value. So as I now read the argument, its point is that valuing ourselves is a presupposition of valuing anything else. As I would now put it, in taking the things that are good for us to be good *absolutely*—good in the way that makes them worthy of rational pursuit—we express the value we necessarily place upon ourselves.
4. References to Kant’s works will be inserted into the text, using the Academy volume and page numbers almost universally used in translations of his work. Where I quote Kant, I have used the translations by Mary Gregor in the Cambridge Texts in the History of Philosophy series.
5. I give a sketch of it in section 4 below.
6. The property might just be intrinsic value itself, as understood by G. E. Moore, or it might be the property of giving rise to reasons for action, on what T. M. Scanlon calls a “buck-passing” view. For Moore’s view, see Moore (1912; 1922). For Scanlon’s view, see Scanlon (1998: ch. 2).
7. I won’t actually answer this question until section 4; here I ask only whether the capacity makes human beings superior in some way.
8. For characterizations of substantive realism and arguments against it see Korsgaard (1996b: 64–67; 2009: 23–30).
9. Also, for an earlier version of the argument, see “Skepticism about Practical Reason,” in Korsgaard (1996a: 321–325). There I talk about whether the agent “cares” about, say, being prudent or taking the means, rather than whether the agent believes there is a reason to be prudent or take the means, but the argument is the same either way—the question is whether the force of these considerations depends on the agent’s contingent commitments or not.
10. The alternative to substantive realism about reasons is the view that all substantive reasons are identified by the application of the categorical imperative, or some other principle of formal rationality, to which an agent is committed by virtue of his rationality, regardless of his own explicit beliefs and commitments. In that case, we need only relativize his subjective reasons to his knowledge of the non-normative facts.
11. Actually, of course, the matter is a little more complicated, since if the person holds other beliefs about reasons from which this one follows, and we could therefore in principle convince him that this reason exists, there is still a sense in which he does have the reason, even subjectively. But in conversation, Scanlon told me that he does

not believe that all reasons are necessarily within the reach of argument in this way. For more on this point, see Scanlon (1998: 64–72; 2014: 69–104) for how we know which reasons we have and his discussion of Bernard Williams’s defense of internalism about reasons in Scanlon (1998: 363–373). Because of these kinds of complications, those who hold this sort of view characteristically reject the idea of a subjective reason altogether.

12. It is unclear what the implications of this view are for animals who have more sophisticated forms of cognition than we suppose cockroaches do, but who do not think about reasons. It depends on what counts as “an ability to think about what one should do.” For instance, suppose that an animal has a capacity for envisioning future consequences that sometimes modifies his desires, not because he applies some principle or does some reasoning, but causally—he responds to what he envisions happening to him in the future. Suppose the animal also has the habit of envisioning future consequences so that he is often effectively prudent. Does that count as “thinking about what he should do”?
13. Nagel asserts that “it is beliefs and attitudes that are objective in the primary sense” (Nagel 1986: 4).
14. The passage Scanlon quotes is from Korsgaard (1996b: 44).
15. This resembles Nagel’s view: in this “strongest sense” whether you have reasons depends on whether you could know that you have them. Scanlon says that he does not object to mind-dependence in this form.
16. I do not mean to deny that the other animals have friendships, but those do not require mutual respect in quite the same way that human friendships do.
17. The remarks in the text summarize an interpretation of Hume that I spell out in Korsgaard (1996b: 51–66).
18. Actually, Mill claims, on p. 10, that it is better to be a human being dissatisfied than a pig satisfied, and better to be Socrates dissatisfied than a fool satisfied, so I am merging his claims.
19. Temple Grandin reports that: “Pigs are obsessed with straw. When I threw a few flakes of wheat straw into my pen of piglets, they rooted in it at a furious pace... So far, no one has found anything that can compete with straw for a pig’s interest and attention” (Grandin 2009: 185–186).
20. Kant says: “we correctly call these joys and delights more refined because they are more under our control than others, do not wear out but rather strengthen feeling for further enjoyment of them” (Kant 1997: 5:24).
21. Actually, I think there is some room for doubt even about that—and this is one of the places that the obscurity of this conception of valuing shows up. The doubt is about whether you could value your own intelligence, without valuing intelligence as such. At least if we assume that we are talking about someone who values his own intelligence not for the sake of something else that it gives him, but for its own sake, it might seem as if he must at least *appreciate* the operation of intelligence when he witnesses it in others even if he would do nothing to preserve or protect or develop it in others. People who preen themselves on their intelligence or their looks may be jealous of these properties in others, but they still seem to appreciate these properties in others. A character in Jane Austen’s novel *Persuasion*, Sir Walter Elliot, preens himself on

- being handsome, and it goes with this that he always notices the looks of others, is inclined to like people who are good-looking and look down on those who are not, and evens manages to find people better-looking when they are otherwise in his good graces. Valuing his own good looks inclines him to value good looks in others.
22. The difficulty about making the right sort of argument for the duties to the self under the Formula of Humanity parallels a difficulty Kant finds in arguing for these duties under the Formula of Universal Law. When arguing for these duties under the Formula of Universal Law, Kant takes refuge in teleological arguments: suicide is against the natural purpose of self-love; our talents and powers are “given to us” for all sorts of possible purposes (Kant 1998: 4:422–423).
 23. I give a more detailed version of the argument and consider some of its implications in Korsgaard (2018).

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On a Kantian Form of Respect

“Before a Humble Common Man . . . My Spirit Bows”

Stephen Darwall

In “On the incentives of pure practical reason” in the second *Critique*, Kant is concerned with the empirical determinants of moral action. An action can have “moral worth” only if “the moral law determine[s] the will immediately” (Kant 1997: 5:71). But how can this happen empirically? What is the empirical psychology of action that does not “merely . . . fulfill the *letter* of the law,” but also “contain[s] its *spirit*” (Kant 1997: 5:72)? How is free action “immediately” on a law of pure practical reason possible in the empirical (“phenomenal”) world?

For Kant, all phenomenal events must have phenomenal causes. This is guaranteed transcendently, since anything empirical, any possible object of experience, must be conceived through the category of causation in space and time. This is no less true of actions than it is of anything that can be experienced in time. It follows for Kant that however much a moral action must be a product of free practical reason, its empirical manifestation must nonetheless be empirically caused.

Kant’s candidate for this cause is the feeling of *respect*. When we freely choose to do something because morality, the moral law, requires it, we are moved by the feeling of respect. Kant calls this an a priori feeling, since its existence can be established on a priori grounds (Kant 1997: 5:79). That there must be some such feeling follows from the fact that if moral actions, determined “immediately” by a law of pure practical reason, are to manifest themselves empirically, they must have empirical causes, and this would have to be a feeling of some kind.

Kant calls an “incentive” “the subjective determining ground of the will of a being whose reason does not by its nature necessarily conform with the objective law” (Kant 1997: 5:72). Only finite, spatiotemporal beings are subject to incentives; a “divine will” is not (Kant 1997: 5:72). But although incentives operate through empirical (felt) causes by definition, the “determining ground” of the agent’s will, what we might call the *reason for which* the agent acts, is not the empirical feeling itself. “Respect for the law is not the incentive to morality; instead it [respect] is morality itself considered as incentive” (Kant 1997: 5:76). Moral action done “from duty,” or because the moral law requires it, expresses itself in the empirical world as action done from respect. It is through respect that

the moral law manifests itself empirically and so can give rise “immediately” to moral action.

I mention these matters of Kantian critical philosophy and action theory so that we can be aware of the philosophical context in which Kant’s account of respect arises in the *Critique of Practical Reason*. In what follows, however, my interest will be squarely on Kant’s account of respect itself. More specifically, I want to examine some details of what Kant says about the *phenomenology* of respect: how it occurs, how it feels, and the like. As I see it, Kant’s description of the psychology of respect as a moral feeling, and how it relates to other forms of respect as a social phenomenon, is both fascinating in itself and highly revelatory of important features of his account of respect.

In particular, I want to focus on the following remarkable passage, which occurs relatively early in the chapter:

[B]efore a humble common man in whom I perceive uprightness of character in a higher degree than I am aware of in myself *my spirit bows*, whether I want it or whether I do not and hold my head ever so high, that he may not overlook my superior position. Why is this? His example holds before me a law that strikes down my self-conceit when I compare it with my conduct, and I see observance of that law and hence its *practicability* proved before me in fact. (Kant 1997: 5:77)

“Humble,” “common,” and “superior position” all signal that Kant is here contrasting moral respect with the form that respect takes in recognizing *social status*. The passage comes directly after Kant’s quotation of a saying of Fontenelle’s: “*I bow before an eminent man, but my spirit does not bow*” (Kant 1997: 5:76).¹ Bowing is an essentially social form of respect. It is a form of deference that supports or honors, and thereby helps constitute, a (high) social status. It is a species of *recognition respect*, *honor respect*, as I have elsewhere called it, that is the very medium through which hierarchies of honor and status are socially constructed (Darwall 2013). To be “eminent” or to have “superior position” just is to be recognized as such through others’ (publicly) treating one as having that status, for example, by bowing. Presently, we shall explore the significance of this contrast between (forms of) moral respect and honor respect, but first we should lay out some general distinctions that we shall need.

1. Two Kinds of Respect: Recognition and Appraisal

I take the term *recognition respect* from my original article on respect, which distinguished between two kinds of respect in general, recognition respect and appraisal respect (Darwall 1977). We recognize, and in that sense respect, something or someone when we take appropriate account of it in our treatment of or our

conduct toward it. We respect laws or people's wishes, by conforming or deferring to them, a trusted expert's opinion or advice, by taking account of it in our own deliberations about what to believe, and so on. *Appraisal respect*, by contrast, is a form of esteem. It is a positive evaluative attitude toward a person in light of how he or she conducts herself, either in general or in some specific capacity, which need not entail any particular kind of treatment.

To get the contrast, suppose there is an entomologist you greatly admire (as an entomologist, not for her extra-entomological activity). In addition to admiring her knowledge and entomological expertise, you might respect her as an entomologist in two quite different ways. You might have appraisal respect for her as an entomologist; that is, you might esteem the way she conducts herself in this capacity. Respect of this kind (appraisal respect) would show itself in your attitude toward her, perhaps in desires to emulate her virtues, and so on. But there is a different kind of respect, recognition respect, that you might also have for her as an entomologist and for her entomological authority. This recognition respect would show itself not so much in any appraising attitude toward her, but in your treatment of her as an entomologist, most obviously by deferring to her entomological opinions, by taking account of them in forming your own, and the like.

The distinction between recognition and appraisal respect is a distinction between two kinds of respect that is perfectly general and neutral with regard to topic or subject matter. Recognition respect can be for objects as lofty as the moral law or the dignity of persons, or for such mundane matters as a tennis opponent's backhand. You respect either by how you treat and take account of it in your actions toward it, taking care not to tread on others' rights, on the one hand, or to keep your shots to your opponent's forehand side of the court, on the other. Similarly, you can have appraisal respect for someone as a (moral) person or for how they conduct themselves in some specific pursuit such as tennis. But even in the latter instance, (appraisal) respect for someone as a tennis player differs from esteem for just any feature of her tennis. It is for how she conducts *her-self* in playing tennis rather than, say, for the power of her serve or the deftness of her drop shots.

Distinguishing these two kinds of respect, recognition and appraisal, is essential to diffusing the apparent paradox that, on the hand, whether someone deserves (moral) respect depends upon his character and conduct, but, on the other, all persons are entitled to respect just by virtue of having certain basic capacities that fit them for moral agency even if their conduct and character is morally bad. The paradox dissolves once we realize that the kind of respect everyone can demand is recognition for the rights and privileges of (human) moral agents or persons, and the kind of respect that must be earned or deserved through conduct and character is appraisal respect or moral esteem (Darwall 1977).

So we have a general distinction between two different kinds of respect, one consisting in a form of *treatment*, the other in an *appraising attitude*. Because,

however, each of these kinds of respect, recognition and appraisal, can have a variety of different kinds of objects, there are also different species of both recognition and appraisal respect. *Moral recognition respect* consists in treating someone as a moral person, taking proper account of that moral status in our relations toward her. Recognizing someone's eminence or superior social position, for example, by bowing, is also a form of recognition respect, though one that differs from moral recognition respect. It consists entirely in public "performances" that defer to or recognize, and thereby help constitute, social status. It is an essentially public recognition respect that we can call *honor respect*. And we can, as well, speak of (recognition) respect for various kinds of authority: legal, moral, epistemic, and so on. Finally, as our tennis example shows, there is yet another kind of recognition respect that consists in appropriately recognizing something's *powers*, for example, by taking seriously your opponent's power to beat you with her backhand. This is the same kind of thing as when climbers talk about respecting the mountain or when people in a hurricane's path "respect Mother Nature" by boarding up their windows.

In a sufficiently broad sense of "power," recognition respect may always be for a power of some kind or other. Moral recognition respect involves recognition of a person's moral powers—essentially normative powers to claim, expect, or demand certain forms of treatment. Honor respect is recognition of social power. Authorities, whether *de jure* or *de facto*, can also be conceived as powers, *de jure* and *de facto*, respectively. Finally, what we might call *pure power respect* consists in taking due account of powers pure and simple.

As there are different species of recognition respect, so also are there different varieties of appraisal respect. Appraisal respect of any variety consists in a positively appraising attitude, esteem, for how someone conducts herself. This can either be in general, *moral appraisal respect*, or in some specific area, as a teacher, as a colleague, as a parent, and so on.

Thus, finally, there are two kinds of moral respect. *Moral recognition respect*: recognition for someone's dignity and powers as a moral person: to take responsibility for themselves and to be treated in certain ways by others. And there is *moral appraisal respect*: moral esteem for someone's conduct and character.

2. Honor as a Form of Recognition Respect

Fontenelle says that he bows before an eminent man. Bowing is a form of honor respect, and eminence just consists in being "paid respect" in such ways, especially by those who also occupy positions of honor. Both moral recognition respect and honor respect are respect for *persons*, but in two very different senses of "person."² Whereas moral recognition respect is for the moral person (a fellow member of moral community who is likewise subject to the moral law), honor

respect is for someone's *persona*, that is, their particular self-presentation or social "face" (Goffman 1959, 1982). When God or the law is said to be "no respecter of persons," the relevant sense of "person" is *persona*. The thought is that God and the law take no account of rank and status. Taking no account of persons in *this* (*persona*) sense is part of what it is to have moral recognition respect for (moral) persons as such.

The guiding idea of honor respect is that of a social role, an essentially public "character" or "figure," which actual individuals seek to "play" by presenting themselves socially in that role or character. Others are then called upon to situate themselves and their (would-be) characters or roles in relation to them. In so doing, they constitute, in effect, a social play or drama ("all the world's a stage") consisting in a kind of collective pretense or "make believe" in Kendall Walton's sense (Walton 1990).³ When others "support" our self-presentation by taking it seriously and honoring it, they become "supporting actors" to us. If they refuse to take our self-presentation seriously—if they ridicule or otherwise belittle it—then this dishonoring puts in jeopardy our actually occupying the social role or status we wish to occupy.

Fontenelle says that though he bows before an eminent man, his "spirit does not bow." This makes an important point. A status of eminence need not be jeopardized by insincere expressions of honor. So long as his bow is *performatively received* by the *characters* in the make-believe world of the social drama *as sincere*, whether or not it is sincere or is even believed to be, that is enough to make it a genuine case of honor respect and to confirm or further enhance the eminent social status of the actual individual to whom the bow is made. Of course, if its insincerity is itself made public, that can undermine a bow's social significance. If, for example, Fontenelle were to bow but at the same time *publicly assert* that his spirit is not, that would be something like damning with faint praise. It would amount to an insulting dishonoring. But here again, it would not matter what was actually going on in Fontenelle's head or heart or in those of his audience. All of the socially significant "action" goes on in public.

In his insightful history of honor cultures, James Bowman gives an especially vivid example from Mallory's *Morte d'Arthur* (Bowman 2006). Virtually everyone in Camelot knows that Launcelot is violating his oath of fealty to Arthur by having an affair with Guenevere. But no one dares to speak of the liaison publicly to Launcelot's face, since that would "invite Launcelot, whose fighting prowess makes him the most honorable of all knights, to call him a liar," and "the charge of lying against any knight would in turn have obliged that knight to challenge Launcelot to a single combat to the death, or else to be forever dishonored himself as one who has allowed himself to be 'given the lie'... without a fight" (Bowman 2006: 42). As Bowman observes, "Malory portrays a system of honor in which what is known privately by everyone nevertheless does not matter or even exist, in some important sense, so long as it is not spoken of publicly" (Bowman 2006: 42).⁴ One

might think that traditional honor codes must actually value truth and truth-telling, since they generally make lying the most serious offense. But the fact is actually the opposite, as in Mallory's Camelot. There intimidation is not only an obstacle to inquiry; it actually determines socially relevant honor "truths" in a way that is impervious to the actual facts. Were a knight to respond to a challenge from Launcelot as though it were a charge he could answer with evidence, he would dishonor himself.

More finely analyzed, there is actually a distinction between honor respect paid within the make-believe, status-, and role-defined social world, on the one hand, and honor respect of actual individuals who are attempting to play roles in that world, on the other. The Vicar of Wakefield in Oliver Goldsmith's eighteenth-century novel describes "a young gentleman" who approaches the vicar's daughters with "a careless, superior air."⁵ "Seem[ing] to want no introduction... [he] was going to salute my daughters as one certain of a kind reception" (Goldsmith 1806: 22). The vicar adds, however, that this approach was successfully rebuffed, since his daughters "had early learnt the lesson of looking presumption out of countenance" (Goldsmith 1806: 23).

Someone is "looked out of countenance" when the look his presented self or social "face" receives is so unwelcome as to make his occupying the social role to which he aspires unsupportable. The look emanates both from the vicar's daughters, in actual fact, and from their "characters." But its object is not so much the character the "young gentleman" presents himself as, as the actual individual who is attempting to have that character. It forces him to change character, from someone who needs no introduction to a more modest approach, seeking introduction. In being looked "out of countenance," he is forced to change his social face. Though his status as a gentleman may still be intact, he can no longer present himself as one who can presume familiarity and needs no introduction.

The contrary of honor respect is (performative) contempt. Like honor respect, contempt can be shown both within a mutually acknowledged role-defined social world or to actual individuals attempting to occupy specific roles in that world. The vicar's daughters' looks are examples of the latter sort; they disable the young gentlemen's presumptuous performance. The daughters may lack the higher social standing that contempt generally presupposes (after all, they are only a vicar's daughters), but they occupy higher ground in this instance precisely because they are a vicar's daughters. Contempt expressed wholly within a social drama is of superior characters acting toward inferior ones in ways that confirm their respective social positions.

The passage from Kant to which we can now return provides an excellent example. Kant tells us, first, that unlike Fontenelle who bows before an eminent man but whose "spirit does not bow," his (that is, Kant's) spirit *does* bow before a "common, humble man." And Kant adds that his spirit bows, "whether I want it or whether I do not and *hold my head ever so high, that he may not overlook my*

superior position” (Kant 1997: 5:77; emphasis added). The part I have italicized exemplifies performative contempt *within* a social drama. Holding one’s head high so that a social inferior “may not overlook” one’s superior position “puts” an “inferior” individual “in his place.” It places the condemned in the difficult position of having either to acquiesce in this inferiorizing characterization or to attempt to challenge it, perhaps by trying to look Kant out of countenance. To do the latter, however, might invite a contest of relative power not unlike the joust to which challenges to Launcelot would have given rise in Camelot: “Who are *you* looking at,” as they say.

3. “Before a Common Humble Man . . . My Spirit Bows”

Now that we have a richer conceptual framework to help us appreciate the complexity and insight of Kant’s passage, let us have it before us again so that we can analyze it more fully:

[B]efore a humble common man in whom I perceive uprightness of character in a higher degree than I am aware of in myself *my spirit bows*, whether I want it or whether I do not and hold my head ever so high, that he may not overlook my superior position. Why is this? His example holds before me a law that strikes down my self-conceit when I compare it with my conduct, and I see observance of that law and hence its *practicability* proved before me in fact. (Kant 1997: 5:77)

What we have so far is a contrast between recognition respect for social status, honor respect, which consists in public deference regardless of anything internal (like Fontenelle’s not-bowing spirit), and a form of moral respect that does consist in the spirit bowing. But what form of moral respect is this? Is it recognition or appraisal respect?

For various reasons, it seems most natural to take the kind of moral respect Kant here describes to be appraisal respect. To begin with, Kant’s saying that his spirit bows, “whether I want it or whether I do not,” suggests nothing like deliberate treatment but some form of involuntary response. Second, to play the role Kant gives it in his moral psychology, respect must be some form of feeling. Most telling, though, is that Kant describes a reaction to someone’s “uprightness of character.” This is a response we have, not from a deliberative perspective in deciding how to conduct ourselves toward someone, but from an observer’s standpoint in appraising a person’s (motivated) conduct or character. Kant seems to be describing a response to someone whose action does not “merely . . . fulfill the *letter* of the law,” but also “contain[s] its *spirit*” (Kant 1997: 5:72).

Start with that tentative hypothesis. The feeling of respect that manifests itself, unbidden, when one contemplates good will or “uprightness of character” is

moral appraisal respect. But this cannot be the end of the story, though, since to play the role respect is slated for in Kant's moral psychology, it must be something we feel, and that can motivate action, *from the deliberative standpoint*. And it must be the kind of respect that one can have for the moral law. The respect that is primarily in question in this section of the second *Critique* is "morality itself [the moral law] considered as incentive" (Kant 1997: 5:76), and this is not the form of respect that is felt from an observer's perspective in considering and evaluating someone with uprightness of character. Rather it is the kind of respect that is realized in the moral psychology of such an upright person herself as she deliberates about what to do.

We will return to this issue presently. I want first, however, to draw attention to some features of Kant's description of the setting in which respect arises. As we noted before, Kant's example is of respect felt by someone of superior social status for a "common humble man." Even if one relates to such a person socially (from above) in a way that reinforces the latter's social inferiority, Kant's thought is that one may find respect for him and his uprightness inescapable. One's spirit may bow whether one wants it to or not. Despite seeing the person as common in the status sense of ordinary or undistinguished, and even while continuing to treat the person as (socially) inferior, one can find oneself feeling appraisal respect for him and his uprightness.

It is also relevant that the person inspiring respect is *humble*. On one meaning of "humble" ("of humble origins"), being humble just means having low rank, yielding essentially the same point we just noticed. But "humble" has another sense that contrasts with "proud." In this sense, being humble (like being proud), consists not in status, but in how one *carries oneself*. A humble person carries himself as someone of ordinary or common status, not vying for higher ranks. A proud person, by contrast, carries herself as someone to whom attention should be paid, of whom notice is to be taken.

The important point is that being humble in this latter sense involves posing no status threat to those of superior position. If one has a humble position but presents oneself as proud in the sense of vying for higher status ("puts on airs" or "acts up"), that poses a status challenge to those above. They must either refuse to recognize or defer to the proud individual's higher self-presentation (look him out of countenance) or risk closing the social distance between them, thus reducing their relative superiority. When social superiors are in the presence of inferiors who are humble in this second sense, they have no need to defend their higher status. And in such an undefended moment, they are less likely defensively to protect themselves against feelings of moral appraisal respect.

Finally, "common's" more frequent meaning, even indeed when it carries its hierarchical sense of "ordinary" or "low," refers to something that is *shared in common*. In this regard, a common man or person is *someone like oneself* in a relevant respect. This feature of respect's object is absolutely crucial for Kant's

account. Kant's idea is that even social betters, regardless of their social postures, cannot escape an evaluative feeling of others *from a shared, common perspective* as one person among others in terms of *standards that apply to anyone simply as one person among others*. Any such standard must apply also to the person with the feeling herself, however high above others her social status might be, or indeed, however high an opinion she might have of herself above others (in terms of whatever other standards she might care about).

As "uprightness" signals, Kant thinks that the relevant standards concern standards of duty, obligation, or right, the moral law itself. In undefended moments, we cannot help feeling moral esteem or appraisal respect for a person of good will whose actions embody the spirit of the moral law, that is, someone who complies with deontic standards that apply to him as one person among others just because he is so obligated.

4. Interlude on Self-Conceit

Kant describes the experience of respect as a kind of humiliation. We do not simply find ourselves with unbidden moral esteem (appraisal respect) for a common humble upright person, we also feel the force of a normative standard, that moral law that "strikes down" or "humiliates" what Kant calls "self-conceit" in us. Now as I mentioned above, any respect for the moral law, as opposed to for the goodness of will, character, and conduct of someone (an upright person) who acts "from duty" and thus embodies the "spirit" of the law, must be a form of recognition rather than appraisal respect. Another way of putting the point is to say the form of respect that an upright person herself feels in acting must be recognition respect rather than appraisal respect.

This is analogous to a point that Aristotle makes in an ancient virtue-theoretical framework, whereas Kant's is in a modern deontic key. Even though Aristotle holds that the chief good for human beings is virtuous (estimable) activity, the virtuous person is herself moved to act by the sense that certain (courageous, moderate, just, etc.) *actions* are noble and good in themselves. She is moved, that is, not directly through a form of esteem for motive and character, but through her sense, from a deliberative standpoint, that a kind of action is intrinsically good.

In Kant's terms, an upright person is moved by respect for the moral law. And this must be a form of moral recognition respect that differs from the moral appraisal respect that we, contemplating her, feel for her being so moved. Nevertheless, in feeling unbidden moral appraisal respect for her we are brought face to face with a standard of conduct (the moral law) to which we are committed in esteeming her. Her "example holds before me a law that strikes down my self-conceit" (Kant 1997: 5:77). And this, Kant must be thinking, leads unavoidably from moral appraisal respect for the upright person to moral *recognition*

respect of the law, one that emulates the moral recognition respect that the upright person herself feels in being moved to comply with moral law “immediately” or “by morality itself considered as incentive.”

But what, exactly, is self-conceit? And what is the “humiliation” it receives that Kant takes to be part of the feeling of respect? Kant distinguishes two forms of “self-regard”: “self-love” and “self-conceit” (Kant 1997: 5:73). Self-love is a “predominant *benevolence* toward oneself,” roughly caring more for oneself and more about one’s well-being than about others. Self-conceit, on the other hand, consists in “*satisfaction with oneself*” or “esteem for oneself” that is independent of and unconstrained by the moral law.

Self-love need only be “restricted” “to the condition of agreement with” the moral law (Kant 1997: 5:73). When thus restricted, “it is called rational self-love” (Kant 1997: 5:73). “Rational self-love” for Kant is not, however, simply instrumentally rational desire or pursuit of well-being. It is also “restricted” or constrained by the moral law. Unlike self-conceit, self-love does not pretend or purport to provide any standard for esteem or satisfaction with ourselves at all, much less one that is unconstrained by the moral law. Concern for oneself or desire for one’s well-being, however strong, does not even pronounce on what would make one estimable.

By self-conceit, however, Kant means forms of self-satisfaction or self-esteem on any grounds that purport to be independent of and unconstrained by the moral law. At its most extreme, this can include forms of ego-obsession and involvement that involve seeing oneself as inherently better than or superior to others. But it also encompasses any standard of esteem that is independent of and unconstrained by the *common* moral standard of compliance with the moral law.

Internalized conceptions of social, race, and gender privilege are paradigm examples. In our passage, Kant’s gentleman is able to maintain his high social standing while feeling unbidden moral esteem for a common humble man. So long as his continuing to enact his social superiority (“holding his head so high”) is *just* an act, there may not yet be any self-conceit to be struck down. But suppose his “character” does not simply so act in the social drama, but that he, the individual seeking to play this role, indulges in feeling *justified* in so acting. Now we have self-conceit. He, the actual human individual, is feeling self-satisfied esteem for himself as an honorable person to whom people should defer independently of the moral law.

It is this latter, self-esteem’s form in self-conceit, that cannot coexist simultaneously with his moral esteem for the common humble upright person. Esteem for uprightness *just is* esteem for being governed “immediately” by the moral law, a normative standard that is common to all persons, irrespective of their rank, status, or personae, *any such considerations to the contrary notwithstanding*. From the perspective of moral appraisal respect for uprightness, we see that “all claims to esteem for oneself that precede accord with the moral law are null and quite

unwarranted" (Kant 1997: 5:73). From this standpoint, any standard for esteem deriving from social status hierarchies are unmasked as mere pretense. And even standards of genuine human excellences are seen to be limited and regulated by the moral law.

Thus, is self-conceit struck down or humiliated? Like humiliations of more familiar kinds, a "superior" person feeling moral esteem for a "lower" upright person cannot escape a felt lowering that implicitly recognizes that any standard that might rationalize his superiority is bogus (self-conceit's "illusion" [Kant 1997: 5:76]) because he cannot possibly be more estimable than an upright person who is governed by a law that binds both of them just as "common" persons. And this humiliation, according to Kant, provides a painful aspect that is essential to respect (Kant 1997: 5:73).

At the same time, in feeling respect for a common upright person's good will, Kant here says, one is esteeming her for her exercise of a capacity that is shared in common between respecter and respected. The upright person provides an "example" of action "immediately" on the moral law ("from duty") "and hence its *practicability* [is] proved before me in fact" (Kant 1997: 5:77). What Kant means by the "practicability" of the moral law cannot just be that everyone can act in accordance with it, that it never demands anything it is impossible to do. We hardly need the example of an upright person to prove that it is possible to keep our promises, tell the truth, and act in *conformity* with the moral law (as Kant says, "legally," in our external conduct). What the common upright person shows by example is that, just like the respected, the respecter, *whoever he may be*, can also act "immediately" on the law, embodying its "spirit" and not just its "letter." It demonstrates the possibility of acting not just in accord with duty, but from duty in a way that gives action "genuine moral worth" (Kant 1996: 4:398).

Notes

1. Although Fontenelle's, and perhaps Kant's, "man" is gendered, I will mostly be abstracting from this feature.
2. In what follows, I draw from Darwall (2013).
3. Albeit one that can be deadly serious.
4. Cf. Montaigne: "There are two sets of laws, the law of honor and the law of justice which are strongly opposed in many matters (the first condemns an unavenged accusation of lying; the other condemns the revenge; a gentleman who puts up with an insult is, by the laws of arms, stripped of his rank and nobility: one who avenges it incurs capital punishment; if he goes to law to redress an offence against his honor, he is dishonored; if he acts independently he is chastised and punished by the Law" (quoted in Bowman 2006: 67).
5. Oliver Goldsmith published *The Vicar of Wakefield* in 1766. Kant's *Critique of Practical Reason* was published in 1788.

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PART III

APPLICATIONS OF RESPECT

Self-Respect, Arrogance, and Power

A Feminist Analysis

Robin S. Dillon

Introduction

In *My Bondage and My Freedom*, Frederick Douglass describes an incident that was the “turning point” in his life as a slave: a battle with Edward Covey, “the Negro Breaker” (Douglass 1969: 205, 246). Having been sent to Covey by his master to be “broken,” transformed from a defiant slave into a submissive one, Douglass endured severe floggings and arduous labor. After one especially brutal episode, Douglass reports that “a few months of this discipline tamed me... I was broken in body soul and spirit... behold a man transformed into a brute” (Douglass 1969: 291). But Douglass eventually resolved to stand up in his own defense. When Covey attempted another beating, a two-hour battle ensued, and a bloodied Covey gave up without having subdued Douglass. As a result, Douglass says,

I was a changed being after that fight. I was *nothing* before; I WAS A MAN NOW. It recalled to life my crushed self-respect and my self-confidence... I was no longer a servile coward. (Douglass 1969: 246–247)

But while Douglass invites his readers to see his fight as manifesting self-respect, the slavery-supporting whites of the time would have seen his refusal to submit to the legitimate, even God-given, authority of his masters as the worst form of “impudence, worthy of punishment” (Douglass 1969: 230). Douglass’s actions would have been seen as the height of arrogance, not the height of self-respect.

An interesting contemporary parallel can be found in divergent characterizations of the Black Lives Matter (BLM) movement. According to its website, BLM “is an ideological and political intervention in a world where Black lives are systematically and intentionally targeted for demise” (blacklivesmatter.com). The movement insists that far from holding that white lives don’t matter, “the statement ‘black lives matter’ contains an unspoken but implied ‘too,’ as in ‘black lives matter, too.’” The intention of the movement is thus to advocate for “dignity, justice, and respect” for all Black people “and, by extension all people.” It is clear

from these statements that the BLM members mean to express respect for themselves and to advance social changes that might promote respect among all persons.

However, some opponents of BLM condemn it as arrogant. For example, according to one critic,

The arrogance of the Black Lives Matter movement—a movement based on a false narrative—is being displayed across the country on neighborhood streets and interstate highways. Groups of self-righteous narcissists have taken to forming human chains to block streets, thoroughfares, and highways... disrupt[ing] people's daily lives... The arrogance of the faux movement, aside from the assassinations of five Dallas police officers, is endangering the lives of people routinely now. (angrypatriotmovement.com)

While it might seem easy to dismiss one or the other side of these two sets of divergent assessments, together they raise a number of interesting questions, including why there is divergence in the first place. There are, of course, conflicting assessments where one is correct and justified and the other is not. But something more seems to be going on in these cases. A still more interesting question arises if we take both assessments seriously, if only initially: is it possible for self-respect and arrogance genuinely to coincide? That is, is it possible for arrogance to be genuinely self-respecting, for self-respect to be genuinely arrogant?

Now, it might seem odd, if not theoretically absurd, even to contemplate this possibility. For surely they are antithetical—surely arrogance is a morally bad trait and self-respect a morally good one. Indeed, I have elsewhere developed a Kantian analysis of arrogance as a vice whose core is a violation of the fundamental moral duty of self-respect (Dillon 2003; 2007; 2015). However, if Douglass and Black Lives Matter activists can plausibly be called both arrogant and self-respecting, then perhaps arrogance is not always a vice. Perhaps it can even be a virtue of self-respecting resistance to injustice.

I propose taking seriously the possibility that arrogance could be self-respecting for subordinated people in contexts of oppression.¹ To do this, I need to revise the Kantian analysis by centering something that Kant neglects but that is pivotal to the cases above, namely power. Such a focus is essential to feminist ethics. For example, as Margaret Walker says, “feminist ethics is inevitably and fundamentally about morality and power and the moral meaning of relations of unequal power” (Walker 2001: 4). Indeed, as Susan Sherwin notes, feminist ethics asks about power, about domination and subordination, even before it asks about good and evil (Sherwin 1992). My aim in this essay is to contribute to our understanding of self-respect by using the perspective of feminist ethics to focus on connections among arrogance, self-respect, and power.

In what follows, I'll briefly sketch the Kantian analysis of arrogance and self-respect, then identify some connections between arrogance and power and explore the relevance of self-respect to them. I'll end by arguing that whereas an unmodified Kantian account regards arrogance as always morally pernicious, a power-conscious analysis suggests that it could be morally appropriate for women and other subordinated people to cultivate a form of arrogance in their struggles against domination precisely because it is self-respecting to do so.

1. Arrogance and Self-Respect: A Kantian Analysis

Let me begin with arrogance, which is widely regarded as a serious character flaw and a cause of social, economic, political, and environmental ills. Indeed, condemnation of the arrogance of governments, corporations, political and business leaders, sports figures, pop music stars, putative criminals, and others is a familiar topic. Nor is such condemnation a recent phenomenon. Arrogance is what the ancient Greeks called hubris, which they regarded as both a civic crime that threatens social order and a vice that undermines good judgment, destroys virtue, and brings ruin for self and others (Fisher 1992). Hubris was the bane of wax-winged Icarus, the real Achilles' heel of both that warrior and his rival Agamemnon, and the doom of the Persian empire. The medievals called it *superbia*, the sin of pride, and ranked it as the deadliest of the Seven Deadly Sins: deadly not only because it is the source of all other sins and wrongdoings, but also because it corrupts and destroys the very constitution that makes us what, most fundamentally, we are.² Arrogant pride was the downfall of Milton's Lucifer and the first sin of Adam and Eve (Augustine 1996: 335); less dramatically, it is the central flaw of the principals in Austen's *Pride and Prejudice*.

Kant agrees with this assessment of arrogance, as my previous analysis explains. That analysis begins by distinguishing two kinds of arrogance, which I call "status arrogance" and "unwarranted claims arrogance." Although they comprise different complexes of cognition, attitude, desire, and disposition, as vices their common core is distorted self-valuing. Consider first status arrogance. This is exhibited by someone who thinks he is better than other people, looks down on them, and treats them contemptuously, peremptorily, or without consideration, signaling his assessment of them as less important, less worthy than his very significant self.³ The status arrogant person also not only values himself highly but also highly values having importance and status that is greater than others'.

Kant develops a view of status arrogance as involving an unjustified belief in one's superior worth (Kant 1996b: 484 [6:346]) that "demands from others a respect it denies them" (Kant 1996b: 581 [6:465]). As Kant explains, "Arrogance [*Hochmut*] (*superbia* and, as the word expresses it, the inclination to be always *on*

top) is a kind of *ambition* [*Ehrbegierde*] (*ambitio*) in which we demand that others think little of themselves in comparison with us...Arrogance is, as it were, a solicitation on the part of one seeking honor for followers, whom he thinks he is entitled to treat with contempt" (Kant 1996b: 581 [6:465]). This presumptuous "lack of modesty in one's claims to be *respected* by others" (Kant 1996b: 579 [6:462]) is "a vice opposed to the respect that every human being can lawfully claim" (Kant 1996b: 581 [6:465]).

The respect that status arrogance denies others is what I call "moral interpersonal recognition respect," which is the respect that each person, simply as a person, is owed by every person.⁴ As rationally autonomous moral agents, persons are ends in themselves with the intrinsic, absolute, and incomparable worth Kant calls "dignity," and the moral status of equality. Moral interpersonal recognition respect is the practical acknowledgment of the dignity and moral status of equal persons. The Categorical Imperative makes it our fundamental duty to treat all persons with this kind of respect. Status arrogance violates the categorical duty of moral interpersonal recognition respect, for it involves treating others, and demanding that they view themselves, as beings of a lesser kind with little worth and no claim to respect as persons. The source of this denial of respect to others is, I've argued, the failure to respect oneself.

The kind of self-respect involved here is moral interpersonal recognition self-respect, which requires understanding and valuing oneself as a being with dignity and an equal person among persons who thus has an absolute right to, and the moral authority to demand, interpersonal recognition respect from all other persons. Self-respecting persons regard certain forms of attitude and treatment from others as their due as persons and other forms as degrading and beneath the dignity of persons; and, other things equal, they are not willing to be regarded or treated by others in ways that mark them as less than a person. It is this kind of self-respect that Douglass claims to have been reawakened in him and that the BLM movement founders express and mean to foster through resistance to the oppression of Blacks.

I have explained elsewhere how status arrogance involves the failure of moral interpersonal recognition self-respect (Dillon 2003; 2007; 2015). What is important for my purposes now is that the arrogant ambition to lord it over others is motivated by what contemporary psychologists call the "self-esteem motive," the powerful desire to value oneself ever more highly, especially through being highly valued by others. Self-esteem is a positive, self-approving attitude of self-valuing that is essentially comparative and interpersonally competitive, that can be grounded in morally irrelevant, even morally bad, features of oneself, and that typically derives from external sources such as how one is regarded by others.⁵ Self-esteem is thus quite different from moral interpersonal recognition self-respect. Status arrogance, I've argued, sacrifices such self-respect in order to enhance self-esteem.

Consider now unwarranted claims arrogance. This is characterized chiefly by a sense of entitlement and a disposition to overreach or arrogate, i.e., to lay claim to authority, rights, knowledge, etc., without warrant (Frye 1983; Roberts and Wood 2003). Those afflicted with this kind of arrogance assume that they have the right to do whatever they want, or are cockily confident of their abilities, or take their views to be the only possible ones. However, they are not simply mistaken in their claims; their arrogance, too, is powered by the self-esteem motive.

Kant's explanation in the *Critique of Practical Reason* of how the moral law becomes an incentive, that is, how it can directly determine our choice of action independently of our inclinations, concerns unwarranted claims arrogance. There Kant contrasts self-love [*Selbstliebe*, *Eigenliebe*] with what he calls arrogance [*Hochmuth*] or self-conceit [*Eigendünkel*]: the "propensity to make oneself as having subjective determining grounds of choice into the objective determining ground of the will in general can be called *self-love*; and if self-love makes itself lawgiving and the unconditional practical principle, it can be called *self-conceit* . . . which prescribes as laws the subjective conditions of self-love" (Kant 1996a: 200 [5:74]). As Lewis White Beck puts it, arrogance is "the inclination to take one's own subjective maxims and interests as having the authority of law" (Beck 1960: 291). Self-conceit prioritizes one's self-esteem over morality, in order to make it possible to see oneself as still morally worthy despite doing whatever one wants.⁶ The arrogant individual thus subordinates his rationality to inclination, debasing his dignity as a rational being.

On my Kantian analysis, unwarranted claims arrogance is opposed to another kind of self-respect, which I call "moral agentic recognition self-respect." Whereas moral interpersonal recognition self-respect is the practical appreciation of oneself as a person among persons and concerns how one ought to engage with others, moral agentic recognition self-respect is proper acknowledgment and valuing of oneself as an agent and concerns how one engages with oneself. It involves, among other things, taking seriously the responsibilities of agency, especially responsibilities to honor one's dignity as a person, to govern oneself fittingly, and to make of oneself and one's life something good and worthy of oneself. An individual with moral agentic recognition self-respect values herself appropriately by committing herself to living in accord with norms that configure a life that is appropriate to her as a person; she regards certain forms of acting, thinking, desiring, and feeling as befitting her as a person and other forms as self-debasing or shameful, and expects herself to adhere to the former and avoid the latter.

For Kant, our most vital responsibility is to realize our capacity for autonomous agency by choosing to act on rational motives, including by acknowledging the absolute authority of the moral law, which is to say, the dictates of one's own rationality unimpeded by the importuning of inclination. When one acts on maxims that derive their motivating power from reason rather than inclination, one acts like the being one is, honoring the dignity one has as a rational agent. When

one acts otherwise, one betrays one's dignity and fails to respect oneself as a moral agent. The unwarrantable claims arrogance with which Kant is concerned involves just this kind of failure of moral agentic recognition self-respect: no self-respecting moral agent would subordinate their rational autonomy to their desire for self-esteem.

For Kant, both kinds of arrogance are "ordinary vices," not ones we find only in evil people: they are natural human tendencies that spring from our natural, ineliminable, and powerful desire for self-esteem and the willingness to sacrifice self-respect in unbounded pursuit of it. It is thus part of our nature as self-valuers to be always liable to arrogance.

Before turning to the power-based critique of this Kantian analysis, I need to address a complication that Kant gestures towards when he refers to "[t]he different forms of respect to be shown to others in accordance with differences in their qualities or contingent relations—differences of age, sex, birth, strength or weakness, or even rank and dignity, which depend in part on arbitrary relations" (Kant 1996b: 583 [6:468]). While the analysis above focuses on self-respect and arrogance as moral phenomenon, Kant's remark reminds us that there are also social forms of each. Moral status arrogance involves the denial of the respect owed others in virtue of their moral status as persons. But people also have social status, indeed multiple social statuses, in virtue of their social roles and places in various social hierarchies; and those with higher status can legitimately be due recognition respect that acknowledges the social status differential. Thus, children ought to respect their parents, courtroom spectators ought to respect the judge, soldiers ought to respect their commanding officers. Individuals might be deemed arrogant should they fail to accord social superiors their due social interpersonal recognition respect. Similarly, fulfilling social roles might involve embracing and meeting certain role-relative standards, and so there are social forms of agentic recognition self-respect. For example, no self-respecting scholar would plagiarize, no self-respecting mechanic would use cheap tools. Examples of social unwarranted claims arrogance include demanding a higher grade than one has earned, parking right under the "No Parking" sign, and insisting that you know what's best for someone else. Not only are the social forms of respect different from the moral forms in their grounds and implications, but the two sorts can be in tension or even conflict with one another, as when respecting a superior by obeying their commands requires acting morally wrongly and so failing in moral agentic self-respect.

Recognizing both social and moral forms of arrogance and self-respect complicates an analysis of their connections in several ways. First, the analysis ought to be responsive to the lived experiences of people like Douglass, the BLM activists, and their critics, but the fine conceptual distinctions that philosophers are quite skilled in employing often artificially differentiate things that in practice are not sharply distinguishable and are very likely not experienced as different.⁷ The

difficulty in distinguishing social and moral forms of respect and arrogance urges caution in too quickly identifying one's observations and theories as simply moral, uninfluenced by learned social norms.⁸ In fact, I will argue that in our lived experience, the contested nature of claims about arrogance and self-respect is best resolved by acknowledging that, in practical terms, we ought to recognize cases of (possible) arrogance as also being cases of morally admirable (apparent) examples of self-respect.

2. The Role of Power

Turning now to power—feminist theorizing commonly distinguishes two kinds: power-to and power-over.⁹ Power-to refers to the ability of an individual or group to do something; it is thus the capacity of effective agency. Power-over is the ability of an individual or group to control another person or group and get the latter to do what they would not otherwise do. Some forms of power-over are in themselves morally innocuous or even valuable and necessary, such as the power parents have over their young children and bosses over their subordinates. But power-over is also the ability to dominate others unjustly, whether through coercion and brute force or discrimination, marginalization, and disparagement. The relation of master to slave is one of unjust power-over, as is the relation between men and women in societies structured by gender oppression. Douglass's context is thus clearly one structured by unjust power-over. Whether this is the context for BLM activism is one of the points of disagreement between the activists and the critics.

The Kantian analysis pays scant attention to power, even though the analysis indicates that power is central to both kinds of arrogance: unwarranted claims arrogance involves power-to in the psychologically powerful importunings of self-esteem and the flexing of existential muscle in its taking-for-granted claiming of rights, authority, and so on,¹⁰ while power-over is implicated in the presumption of high status at the heart of status arrogance. But more importantly, in addition to psychological power, both kinds of arrogance also have sociopolitical power dimensions to which a full account must attend. Kant's own analysis of arrogance in his ethics neglects these dimensions because his framework for moral theorizing is both individualist and essentialist. By individualist I mean that Kant understands arrogance to be an aspect of individuals' moral characters for which the individual is solely and fully responsible; by essentialist, I mean that Kant regards the liability to arrogance to be part of our nature as self-valuers.¹¹ Although Kant is aware of the power of the social context to influence character,¹² it is central to his view that arrogant character, like character generally, is what humans make of themselves through their own free volition (as regards both character-building actions and the choice of fundamental maxim). Whether an

individual respects herself or not is also for Kant a matter of the individual's exercise of her rational will and so fully the responsibility of the individual.

However, the individualist, essentialist psychology obscures the group-based nature of the social reality within which character develops; the politics of inter-group relations in contexts of unjust power hierarchies such as gender, race, and class; the powerful and ubiquitous social norms that endorse superiority and entitlement for some groups of humans; and the effects on individual psychology and character of group identity, social context, and social norms. Arrogance is a systemic problem, not just a problem "inside" individuals; and whether and how individuals respect themselves is more than a psychological matter of willpower. A full account of both arrogance and self-respect thus has to take account of the differential psychological and characterological consequences of the differential power held by dominant and subordinated groups and the ways power relations define and delimit worth and warrant.

Let me move towards such an account by identifying some ways in which the kinds of arrogance are connected with social arrangements of domination and subordination, and ways the two kinds of self-respect might be understood in these contexts.

One connection between arrogance and power is this:
Status arrogance and unwarranted claims arrogance
are at the valuation core of ideologies of dominance

The many forms of domination are instantiated psychologically, behaviorally, institutionally, aesthetically, epistemologically, ontologically, mythopoetically, etc. (Yancy 2004). But underlying and obscuring the forms and instantiations of domination are the ideologies that create legitimating values, norms, and epistemic frames of reference. The ideologies of domination are codes that are taken as universal, sovereign, and true; they delimit and structure, on the one hand, what is to be deemed intelligible, valuable, normal, and superior, deserving of respect and entitled to the Good Things in life, including rights, liberty, security, opportunity, and well-being, and, on the other hand, what is unintelligible, worthless, abnormal, and inferior, deserving of disregard and not entitled to Good Things.

For example, whiteness, the system of practices, ideas, and norms that secures the power-over and privilege of white people vis-à-vis people of color in white racist societies such as the United States, presumes, is rationalized by, and draws confidence and energy from an ideology of whiteness, which is unacknowledged and even invisible to whitely people in a racist society, but which they assume and unconsciously enact.¹³ The ideology of whiteness has as its First Principle, "White is Worthy," the First Corollary of which is "Non-White is Unworthy," the Second Corollary of which is "Whites are entitled to more and better than non-whites."

The Second Principle of whiteness is "It is of the utmost importance that white distinctiveness, superiority, and entitlement be maintained." Similarly, masculinity, the structural system that secures the power and privilege of men vis-à-vis women in a sexist society, presumes an ideology of manhood that is visible, openly acknowledged, and widely celebrated, at the core of which are the assumptions that, as John Stoltenberg so powerfully expresses them, "all members of the gender class of men are entitled to obtain their sense of self by postulating the selflessness of the gender class of women, their sense of worth by asserting female worthlessness, their power by maintaining the powerlessness of women" (Stoltenberg 2004: 47). Both ideologies hold that one group of humans is superior to other groups of humans and take that superiority to be of the utmost importance, thus underwriting both inordinance in the comparative valuing of certain selves and unwarranted claims regarding the entitlements of those selves. These two ideologies, that is, encode and legitimate status arrogance and unwarranted claims arrogance for whites and men.

By contrast, the ideology encoded in moral interpersonal recognition self-respect stresses the fundamental equality of all persons, regardless of race, gender, and any other such feature. Moral interpersonal recognition self-respect thus acknowledges that just as I am unconditionally entitled to respect from all other persons as their equal in dignity and moral status, so am I obligated to respect all other persons as my moral equal. Moral agentic self-respect also emphasizes the equality of all persons. Moral agentic self-respect is based on a recognition of one's own basic powers of rational and moral agency, implying equal respect for other persons with those powers.¹⁴ Moral agentic self-respect then requires that one recognize one's categorical moral duty to accord all humans equal respect and hold oneself responsible to do so.

However, when we center power, we can recognize three things. First, as many theorists have pointed out, most ethical theories represent the characteristics and life situations of only some kinds of people (particularly, members of privileged racial, gender, or class groups) as both normal for humans and as normative: as how people must be, to count as fully human (Walker 2002). The result is that some moral-theoretic constructions of respect for persons and self-respect reflect the denial of the full humanity of some humans.¹⁵ Second, some social forms of self-respect explicitly deny basic equality in support of power-structured hierarchies. Third, power relations structure not only society, but also moral thinking (Lammers and Stapel 2009), so that the distinction between social and moral forms of self-respect can blur or be elided. Thus, publicly expressed standards for being a "self-respecting woman" or a "self-respecting man" often express gendered norms that reinforce gender oppression, while those for being a "self-respecting white person" can express viciously racist standards.¹⁶ The social forms, moreover, are typically expressed in exactly the same kinds of moralized terms as Kantian self-respect, and their expressers clearly expect public affirmation by

right-thinking others. Within certain communities, sociomorality explicitly rejects as immoral the idea that all persons are moral equals, and some sociomoral standards for self-respect reflect this.

A second connection between arrogance and power is this:
*Status arrogance and unwarranted claims arrogance are at
 the valuation core of ideologies of dominance*

Kant holds that arrogance is a natural human liability, thus echoing Pascal's view that "the self is unjust in itself, since it makes itself the center of everything; it is inconvenient to others since it would enslave them; for each self is the enemy and would like to be the tyrant of all others" (Pascal 1966: 229–230). But focusing on unjust hierarchies of power prompts the question: Who is this really talking about? In reality, arrogance is much more likely to be a liability of the socially dominant than of humans as such. Indeed, ideologies, institutions, and practices of domination construct the self-identities and self-valuing of members of dominant groups as arrogant. The arrogant, that is, are not born that way nor are they predisposed merely as valuers to become arrogant.

It is a commonplace among psychologists and social psychologists that selves and self-identity are socially constructed, products of social interaction and sociopolitical structures and forces. According to social identity theory and social categorization theory, a significant part of self-identity and self-valuing derives from membership identification with social groups, which are organized into hierarchies. In sociocultural contexts that prize comparative self-valuing, individual psychology is primed by the socially encouraged desire to continually enhance and protect self-esteem in certain ways rather than others to identify the self, where possible, with high-status, high social-worth groups (Wojciszke and Struzynska-Kujalowicz 2007). Since social psychology research indicates that membership in socially dominant groups increases the likelihood that individuals will favor social systems that perpetuate hierarchies, endorse inegalitarian beliefs, regard themselves as superior, and derogate members of lower-status groups (Kipnis 1996; Rubin and Hewstone 2004; Wilson 2005), it comes as no surprise to find that men score more highly than women on measures of entitlement and are more likely to evaluate themselves highly, engage in derogation and discrimination, ignore social constraints, and display arrogance (Hill and Fisher 2001; Maltby 2005; Wilson 2005; Hall and Livingston 2012). As Allen Johnson explains, membership in a dominant group "grants a presumption of superiority and social permission to act on the presumption without being challenged"; and "the sense of entitlement and superiority that underlies most forms of power is so deep and so entrenched that people don't have to think about it to act from it" (Johnson 2006: 33, 117). Thus, the inordinate self-valuing and sense of entitlement of status

arrogance and unwarranted claims arrogance—and the obliviousness to them that is a hallmark of privilege—can become deeply rooted in the character structure of members of dominant groups (Allport 1954; Tajfel and Turner 1979; Rubin and Hewstone 1998; Cast and Burke 2002; Schmitt et al. 2003; Rubin and Hewstone 2004).

By contrast, arrogance is less likely to characterize social subordinates. Unwarranted claims arrogance includes the disposition to disregard constraint and assumes freedom to ignore limits. But for someone whose life experience is one of ubiquitous constraints and limitations, freedom to ignore them is not something that can be assumed. Similarly, only those who can take it for granted that they have a right and the status to make claims at all could blithely claim more than they warrant. But subordinates know that they don't have those rights and status, and they know that their interests are not only less valued but may be defined as valueless altogether. Thus unwarranted claims arrogance is less likely to be one of their ordinary vices. The same is true for status arrogance. Only from some social positions is it even possible to imagine, let alone presumptively enact, a view of oneself as superior to others. For some classes of people, a view of oneself as *equal* may be the one that gets called “unwarranted,” that can't be assumed but has to be struggled for.

What is more, as Michelle Moody-Adams and others argue, self-respect is socially constructed. As she explains, “the ability to have and affirm a robust sense of self-respect is greatly influenced by social circumstances,” including both the vocabulary in which people learn “to give expression to one's self-conception, and even the concepts that initially shape that self-conception,” and also the dominant and enforced values that underlie social conventions for appropriate self-valuing and appropriate expression of self-valuing in attitude and activity (Moody-Adams 1995: 276–277). Further, as Diana Meyers argues, self-valuing can be compromised because people typically give more weight to social assessments of self-worth than to moral assessments, since “all too often people lack the intellectual and emotional dependence to embrace unconventional views” (Meyers 1995: 229), a claim supported by robust empirical evidence demonstrating the difficulty of sustaining any judgment without social support (Asch 1951). At the same time, the empirical evidence also indicates that even modest social support can enable individuals to sustain their judgments despite significant disagreement from others.¹⁷ Thus, in resistance subcultures, the construction of uncompromised self-respect may be possible.

A third connection: Arrogance supports and reinforces group-based dominance

The arrogance of individuals is one of the psychological and characterological complexes that articulate and sustain social hierarchies. According to social

dominance theory, the ideological orientation of social dominance, which involves a preference for hierarchy and the acceptance of stereotypes that express and legitimate inequality (and which men exhibit far more commonly than women) is “a psychological mechanism through which structural inequality is maintained” (Schmitt et al. 2003). Members of dominant groups have a vested interest in and strong self-esteem-based motivation to preserve both hierarchies of power, worth, and entitlement, and their own hierarchical positions. Thus, findings in social psychology indicate that men who strongly identify with masculine ideology consistently and cross-culturally show higher tendencies to hold and act on beliefs and attitudes that endorse hierarchy, dominance and entitlement for men, derogation of women, rape, other forms of sexism, and racism (Pratto et al. 2000; Hill and Fisher 2001; Wade and Brittan-Powell 2001; Wilson and Liu 2003). Of course, arrogant individuals do not behave arrogantly in every situation toward everybody else, even everybody in subordinate groups. Studies indicate that arrogance is more likely to be expressed in social contexts where identity as dominant is salient or group dominance is threatened, and aims at protection or enhancement of group-based self-esteem (Hogg and Abrams 1990; Howard 2000; Huddy 2004; Reicher 2004). Arrogant beliefs and attitudes reinforce domination; acting on them helps keep dominants and subordinates in their “proper” places and so preserves hierarchy.

Because secure moral interpersonal recognition self-respect articulates equal moral status for all, and a person with moral agentic self-respect has reason to criticize (respectfully, of course) attitudes and actions that endorse unjust hierarchy, sexism, racism, and so on, self-respect ought to foster opposition by dominants to domination. However, when distinctions between social and moral standards are blurred or unacknowledged, we could expect sociomoral standards for self-respect instead to reinforce dominance.

A fourth connection: Uses and non-uses of the epithet “arrogant” reflect power relations

Whether someone is called arrogant or not, and what it means when they are, depends on the relative power location of the individuals or groups involved. For example, much of the arrogance of dominants is normalized by the ideologies of domination and hence not called arrogant or even noticed to be of a piece with the arrogance that is noticed. Indeed, the epithet “arrogant” when applied to members of dominant group seems to work the way Catherine MacKinnon argues that the term “rape,” understood as “more force than usual,” functions legally to legitimize injustice (MacKinnon 1989): the arrogance that social dominants do acknowledge in each other normalizes their claiming of an illegitimate share of power, rights, and authority by condemning only a subset of it. A man

who is criticized as arrogant is, we might say, “more masculine than usual,” nakedly expressing superiority or unwarranted entitlement claims in contexts where equality or limitation is socially salient. Uses of the epithet by dominants against other dominants functions to undercut competitors in the quest to gain comparative worth and status, and to obscure and so preserve dominance and protect the self-images of “normal” dominants from the so-called “black sheep” who threaten the exposure of the lie (Marques 1990).

However, what it means for dominants to call subordinates arrogant is different from what it means for dominants to call other dominants arrogant. I would argue that women are called arrogant relatively rarely because using the term acknowledges in its targets qualities that stereotypically characterize dominants but not subordinates, such as the exercise of power in claiming authority; the exercise of agency in acting by one’s own lights; entrenched confidence in one’s judgments and right to make judgments; and claims to independence and freedom from limitation and constraint. When applied to social subordinates, e.g., to women who encroach on masculine privileges or Blacks who encroach on white privilege by claiming authority, exercising agency powerfully, making judgments (especially negative judgments of dominants), and defying gender limitations and race-based constraints, the epithet “arrogant” functions to undercut legitimate claims to power or status by calling attention to their failure to be what they are supposed to be and casting the problem as defective character rather than defective social organization.

John Ridley’s essay “When Rove Calls Obama Arrogant, He Means Uppity” contains an incisive critique of the epithet “arrogant” aimed at people of color and women:

We [those who are “other” in America] hear the word all the time from a select section of privileged white guys, the codifying they use when they fear the silver spoons are about to be snatched from their lily palaces: “Those people...how dare they think that they can work at jobs like our own or live in neighborhoods like ours or send their kids to school with ours. Those people are just so damned arrogant.” Arrogant of course is a euphemism. In the monochromatic bunkers from which the old school cling to power, the word they use is “uppity” when hurled at blacks; it’s the “B-word” for women. (Ridley 2008)

The function of the epithets is to put uppity folks in their place, back down where they belong.

Nor is it only words that are hurled. Priya Ramani discusses the “grave implications” for Indian women of being called arrogant, which include men throwing acid in the faces of women judged to be too arrogant, to “teach her a lesson” (Ramani 2012).

These connections between power and arrogance give us a way to assess claims that Douglass and the BLM activists are arrogant and not self-respecting. While it

is difficult to know the critics' motives, it seems reasonable to suppose that the aim of their accusations is to undercut the others' claims to be self-respecting in resisting injustice, thus not only preserving the dominance of dominants but also bolstering their self-esteem and view of themselves as self-respecting folks just trying to preserve or regain what they regard as the right social order.

Of course, this assumes that we have the objective moral perspective on arrogance and self-respect, rather than the sociomoral one. But that is exactly what is being contested in some contexts. In genuinely contested cases, it seems possible to grant (at least hypothetically) the claim that perhaps the "uppity" are being arrogant, but even so, that they are showing morally justified self-respect.

3. Self-Respecting Arrogance

In lived experience, which includes contested claims about arrogance, the question of whether people who are genuinely arrogant can also genuinely respect themselves can be raised. Here are four reasons to think that the answer, at least in contexts structured by power, is that they can. More specifically, examples of purported unwarranted claims arrogance can be viewed with equal legitimacy as examples of proper self-respect, within sociomoral contexts that include a (perhaps also contested) unequal power structure.

First, *sometimes arrogance can be a way to affirm self-respect in resisting power.*

In the film *Chariots of Fire* (Hudson 1981), devout Christian Eric Liddell, one of Britain's best hopes for a running medal in the 1924 Olympics, refuses to compete because his qualifying heat was scheduled for Sunday. When a member of the British Olympic committee conveys a summons from the Prince of Wales, who intends to convince him to run, Liddell initially declines to meet with him. "He is your future king," Lord Birkenhead reminds him; "are you refusing to shake his hand? Does your arrogance extend that far?" Liddell replies, "My arrogance, sir, extends just as far as my conscience demands." When the Prince argues that loyalty to his country requires making sacrifices, Liddell replies that God makes kings, countries, and rules that include keeping the Sabbath holy, and that's what he intends to do. When Lord Cadogan accuses him of impertinence, Liddell responds that the impertinence "lies with those who seek to influence a man to deny his beliefs."

There is unwarranted claims arrogance both in Liddell's setting his own judgment even above that of his future king, thereby implicitly making himself the Prince's judge and equal although sociomoral norms give the right to make judgments to his social superiors, as well as in lecturing the others on their duties. But Liddell's moral agentic self-respect is clear in his insistence on holding to his deepest principles and what his conscience demands.

Second, *arrogance on the part of social subordinates can be a way, perhaps the only way, of protesting against unjust norms and constraints, refusing their subordination, and claiming space for self-respect.*

When Sophocles's Antigone violates Creon's edict forbidding the burial of her brother Polyneices and then defiantly defends herself, Creon accuses her of hubris:

This girl had then learned well how to commit hubris
when she transgressed the laws that had been established;
And, now that she has done it, here is a second hubris,
that she exults in it, and laughs that she has done it.
So, now I am not a man, she is the man,
if this power will lie with her and she be unpunished.¹⁸

Now, for the Greeks, hubris works in two "directions." One is downward: hubris is an assault inflicted by people in superior positions on their social inferiors that expresses wanton and contemptuous disregard for their rights, feelings, or pride, and degrades, insults, or dishonors them (Fisher 1992).¹⁹ Downward hubris, we might say, is a way of making hierarchy hurt.²⁰ It is motivated by the desire to enjoy superiority over others—the self-esteem motive. Creon himself is accused of downward hubris toward Antigone and the people of Thebes by his son Haemon, the seer Teiresias, and the Chorus of Elders. The other form of hubris is directed upward. Someone who saw himself as occupying a superior position would regard as hubris the presumption of those who claim familiarity or equality with him or who disobey or challenge him. Upward hubris involves audacious overreaching, aspiring beyond one's station, presuming to do more than one ought, overstepping the limits set by those with the acknowledged right to set limits—unwarranted claims arrogance (Ferguson 1958; Dickie 1984).

Creon accuses Antigone of both forms. As Creon's subject, as his niece, and as a mere woman, Antigone owes Creon unquestioning obedience. In defying his edicts and presuming to follow her own judgment, she aspires beyond the limits for "girls" and commits upward hubris. Her exultation in defiance is a further outrageous attack on his honor and insultingly claims superiority to him. Her double arrogance claims a power that assaults Creon's very identity as a man.

Interestingly, it is not uncommon in Greek tragedy for women to be accused of upwards hubris: Antigone is joined by Clytemnestra, Electra, Helen, Deianeira the "man-destroyer" in Sophocles's *Women of Trachis*, and the women who go on a sex strike and seize the Acropolis in Aristophanes's *Lysistrata*. They are all accused of hubris for wrongly aspiring or claiming to be "the Man." They transgress the bounds of propriety and usurp that to which they have no recognizable right, namely, authority, equality with men, and the right to decide their own fates or to control the lives of others.

However, although their upward hubris earned these women condemnation in their time, we could now admire it as a form of protest against being relegated to a humiliating, debased status. The mocking laughter of slaves and the claims to equality on the part of those deemed socially inferior are reasonably regarded by dominants as insolence, impudence, or uppitiness, i.e., forms of unwarranted claims arrogance. For subordinates, upward arrogance can function both as pay-back for the status arrogant contempt that has been rained down from above and to carve out spaces for self-respect by exposing the illegitimate claims to respect-worthiness of dominants (Miller 1995).

Now, whereas Kant's account regards both forms of arrogance as always morally pernicious, Antigone's arrogance is arguably not a vice because the motivation is quite different. Rather than arising from the self-esteem motive, Antigone's actions seem motivated by two other things: the desire to do what she has every reason to believe it is her familial, religious, and moral duty to do, and her recognition that both Creon's disrespectful dishonoring of her brother's corpse and his refusal to let anyone do what they have a duty to do were deeply wrong and not to be tolerated by anyone with proper regard for their responsibilities. I think it is clear that she was motivated by moral agentic recognition respect.²¹ Nevertheless, the sociomorality shared by Creon, Antigone's sister Ismene, and the Chorus at the beginning of the play sees in her violation of her duties of obedience an arrogant presumption and overreaching that claims what a subject and mere woman had no right to claim.²²

The same can be said of Douglass. His refusal to submit to the beating that Covey had every legal and socially acknowledged right to inflict on him, and his "impudent" assault on Covey's person, are audacious overstepping of the limits set on slaves and unwarranted claims to what he had no right recognizable within the dominant sociomorality to claim. But his arrogance, too, arises not from the self-esteem motive, but from the determination to no longer endure what no human should have to endure, and from a nascent belief in his own full humanity, i.e., from the self-respect that was brought back to life through standing up for himself.

Engaging in liberatory struggle can mean adopting a stance of claiming independence from and superiority to the norms that command the submission of these people to those, of taking one's desires for freedom and for greater self-valuation to set the standard for judging conduct and character and to be authoritative with respect to norms that pass for moral laws, of asserting different grounds for the worth of person and demanding that some people value themselves differently and less than they have been, of claiming equality with social superiors. Such a stance, which has as its ambition to destroy a whole way of life, is a form of unwarranted claims arrogance. Nevertheless, in subordinates this stance can be morally appropriate and self-respecting.

Third, *arrogance can affirm agency and be empowering in contexts of oppression and can in that way anticipate and make possible self-respect.*

In Toni Morrison's *Beloved*, pregnant Sethe escapes from slavery, having already sent her three children to freedom and perilously giving birth on her way to join them. As she explains years later to Paul D, "I did it. I got us all out... Up till then it was the only thing I ever did on my own... I got em out and it wasn't no accident. I did that... me saying *Go On and Now*" (Morrison 1987: 162). But when, after twenty-eight days of freedom, the master comes to reclaim his five pieces of property, Sethe takes a handsaw to her baby's neck and kills her. The "colored community" that had until then embraced her now rejects her, not only because of her "staggering" crime, but also for her pride, which "outstripped even that" (Morrison 1987: 256). At first, there was her reaction as the sheriff led her off ("Was her head a bit too high? Her back a little too straight? Probably" [Morrison 1987: 152]); later there was her self-sufficiency—she "had tried to do it all alone with her nose in the air" (Morrison 1987: 254). When Paul D learns about what she did, he realizes that "more important than what Sethe had done was what she had claimed" (Morrison 1987: 164).

Sethe develops a sense of her own value as a human only through the exercise of agency she didn't know she possessed until she exercised it in violation of every law she could know. She is absolutely certain that what she did was justified, a certainty that developed only in that moment when no other way was open to her to protect her children from enslavement as a loving and self-respecting mother had to do: she knew what would happen to them and that her job was "to keep them away from what I know is terrible" (Morrison 1987: 165)—she could not let her children be "dirtied" as she had been, dirtied "so bad you couldn't like yourself... so bad you forgot who you were and couldn't think it up" (Morrison 1987: 251). And she is able to survive and live a recognizably human life afterwards only through her stiff-necked pride. Her arrogance, that is, made her moral agentic self-respect possible. But Paul D believes her love was "too thick," that she "didn't know where the world stopped and she began" (Morrison 1987: 164). He and the "colored community" are confident that what she did was wrong and that no human should claim the power over life and death, nor yet be able to go on as Sethe did. Such an "outrageous" claim was staggering arrogance, which her stance of independence from the community reinforced.

In a given situation, it is possible for conflicting perspectives on self-respect and arrogance reasonably to apply and for there to be no non-question-begging way to adjudicate the disagreement. There may be no common values; or if there is agreement about, e.g., what arrogance is, how to apply that understanding can depend on other substantive but irreconcilable claims. And the judged or the judges may have no way of knowing whether any of the conceptual schemes in play are justified, so the disagreement can be about which conceptual scheme

should nevertheless prevail. Nor do we “observer”-theorists have a privileged position here.

To put it another way, moral concepts get their thick meanings within particular moral and socio-cultural outlooks, and the judgments that employ these concepts are always socio-culturally located. Thus, while unwarranted claims of arrogance *is* unwarranted claiming of status, worth, entitlements, etc., and self-respect *is* proper acknowledgment and valuing of one’s fundamental moral worth and status and one’s agency, the thick content of these general concepts—what counts as warranted and unwarranted, who counts as having what status and worth, what counts as proper acknowledgment and valuing, what the legitimate scope of whose agency is—is determinable only from within a particular outlook. And different outlooks can be incommensurable. From within the kind of ethical outlook that prevails in societies deeply structured by domination and subordination and that defines some groups of people as inherently inferior and denies the moral legitimacy of their claims, their repudiation of subordination through their assumption of dignity and full moral status, their claim of equality with dominants, their insistence that their desire for freedom sets the standard for moral evaluation of persons, acts, and social arrangements, and their presumption of a right to determine for themselves how they will live, properly count as making unwarranted entitlement claims, as arrogant rejection of constraints and limits that are not only socially predominant but are regarded from within that outlook as morally binding. Of course, from an ethical outlook that regards all humans as equal in dignity and moral status, these claims are fully warranted. But such an outlook might not be available to subordinates, as it was not to Sethe or Antigone. From the socially embedded perspective of those making such claims, the warrant for them is no more secure than the warrant for the claims against which they struggle. Indeed, the objectivity of warrant for the competing claims can be precisely what the struggle is about. An outlook from which their claims are warranted might become possible for subordinates only through their struggles against domination. Unless such an outlook prevails, subordinates and those who judge them may have no option but to see what they do and are as arrogant. But what they do and are can, nevertheless, be self-respecting.

Fourth and finally, *people in subordinated positions in unjust power hierarchies could adopt arrogant stances strategically, in order to humble arrogant dominants or shock them into reflective reconsideration that makes them aware of their arrogance and privilege.*

Strategic arrogance might pave the way for more egalitarian social relations. Indeed, rebellions against various forms of tyranny might be said to be arrogant in just this way. When arrogance is employed strategically in the service of realizing the dignity of all persons and the right of each to freedom and self-determination, it is a self-respecting strategy.

There is, of course, danger. While the arrogance of moral subordinates may be morally defensible as a means to survival or as expressing or making possible

self-respect, there can be moral costs to fighting fire with fire. Not only might arrogance worsen the sociopolitical environment, it might also worsen one's character: self-respecting arrogance could become just plain arrogance.

To conclude: Despite the risk with strategic arrogance, there are good reasons to think that unwarranted claims arrogance can, in contexts of oppression, be a virtue of un subordinating self-respect for oppressed people. More generally, there is good reason to believe that we cannot perceive accurately the arrogance in people's characters or in the world, nor come to an all-things-considered evaluation, moral and political, of arrogance, nor determine what virtues are the proper ones to inculcate and cultivate in order to prevent or eradicate bad arrogance, nor even know what genuinely self-respect requires and allows, until we attend to power.

Notes

1. I will not argue here that it is a virtue, for that requires defending criteria for virtue and vice that differ from standard criteria. I have indicated how such a defense might go in Dillon (2012).
2. The two clearest expressions of this view are in Gregory the Great (2014), and Thomas Aquinas (1948), *Summa Theologica* I-II: 84. I follow Gabriele Taylor (1994) in treating the deadliness of the Deadly Sins as constitutional corruption.
3. My analysis draws from Tiberius and Walker's (1998) analysis of arrogance as essentially interpersonal, though it differs from theirs in a number of ways. See also Taylor (1985).
4. I borrow the term "recognition respect" from Darwall (1977).
5. Dillon (2013). I use the term "self-esteem" here as contemporary American psychologists and social psychologists use it (see, e.g., Coopersmith 1967; Baumeister 1994; Owens et al. 2001; Mruk 2006). Although self-esteem can be positive, negative, or neutral, the unmodified term usually refers to positive self-esteem. Most researchers accept it as an axiom that the desire to maintain and enhance self-esteem is an enormously powerful, ubiquitous, even universal motivation (albeit one whose operation is shaped by social and cultural context); some consider self-esteem to be the master motive in personal and interpersonal relations.
6. Kant sees unwarrantable claims arrogance about one's moral worth as a serious problem, to judge from the frequency of his condemnations of it (see, e.g., Kant 1996b: 562 [6:441]; Kant 1997: 130 [27:351], 135 [27:357], 211 [27:458], 216 [27:464], 364 [27:621–623]; Kant 1996c: 91 [6:46]).
7. See Calhoun's (2016) discussion of problems involved in trying to distinguish social norms from "genuine" moral norms.
8. For very many, if not most, people, social norms often have the status and power that philosophers think only objective moral norms have. For many of us, what I call "sociomorality" just is morality. It is worth noting that some feminist theorists criticize as artificial even the distinction between "objective morality" and "sociomorality" (see, e.g., Walker 2007).
9. For a useful discussion, see Oksala (2017). Oksala notes that power is a contested concept and identifies further distinctions; but these two forms are sufficient for my purposes.

10. Indeed, it is the power in unwarranted claims arrogance that explains why, despite the long tradition of using the epithet “arrogant” to strongly condemn someone else’s behavior and character, it is not uncommon for people to admire arrogance, maintaining that it makes someone a better leader or more successful competitor.
11. See Kant’s discussion of the manias for honor and domination in the *Anthropology* and of the predisposition to humanity in the *Religion*. About the latter, Kant says that out of the innate predisposition to self-love “originates the inclination to *gain worth in the opinion of others*, originally, of course, [!] merely *equal worth*: not allowing anyone superiority over oneself, bound up with the constant anxiety that others might be striving for ascendancy; but from this arises gradually an unjust desire to acquire superiority for oneself over others” (Kant, 1996c: 75 [6:27]). Of course, did the individual not already desire himself to gain ascendancy over others, it would never occur to him that others might want to subordinate him—the idea that the inclination for equal worth is both natural and primary makes no sense on Kant’s own account.
12. This is an important theme in the *Anthropology* (Kant 2007).
13. I use “whitely” here as Marilyn Frye does, to refer to a socially constructed, trained, “deeply engrained way of being in the world” that “could be manifested by persons who are *not* ‘white’” but could be “absent in people who *are*” (Frye 1992).
14. I have argued elsewhere (Dillon 1992) that the logic of respect entails the willingness to universalize the judgments of respect-worthiness and the expectation that (“right-thinking”) others will affirm one’s judgment.
15. Kant’s theory has, of course, been criticized as privileging a view of persons as rational and autonomous that does not reflect the lived reality of many human beings (see, e.g., Mills 2005).
16. One example (of far too many) is a passage said to be from a letter H. P. Lovecraft sent to Frank Belknap Long, in which he is quoted on a blog by “Graham Warnken” (2016) as writing, “how in Heaven’s name sensitive and self-respecting white men can continue to live in the stew of Asiatic filth which the region has become... is absolutely beyond me.” [<https://grahamwarnkenblog.wordpress.com/2016/08/05/the-crude-human-animal-h-p-lovecraft-and-the-descent/>].
17. See, e.g., Asch (1956). James C. Scott discusses the importance of “dissident subcultures” for enabling subordinated people to resist domination and maintain their self-worth in Scott (1990).
18. Sophocles, *Antigone*: lines 378–385 (Fisher 1992: 308).
19. Interestingly, in addition to laws in Athens that prohibited battery, murder, rape and so on, the Athenians also had a law, the *graphe hybreos*, which explicitly forbid hubristic acts and provided severe penalties for its violation. By making “adding insult to injury” a distinct crime, the Athenians clearly indicated, as Fisher says, “the community’s disapproval of behavior that combined a disdain for persons, honor and civic identity of others with a general contempt for social, moral, and religious values that were deeply held in the community” (Fisher 1992: 81).
20. The anger and desire for revenge that downward hubristic assaults engender is one of the reasons why hubris was regarded as so dangerous to the stability and cohesion of the community (Ober 1989: 208–212).

21. I realize it may be anachronistic to make this claim. Part of my point is that it is difficult to see any objective moral standpoint, from within a sociomoral context.
22. Ismene accuses Antigone of “acting in excess,” of “lusting for what is beyond your means,” and reminds her that as women they must not oppose men.

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Self-Respect under Conditions of Oppression

Serene J. Khader

Oppressive social arrangements, by definition, subordinate people. Such arrangements do not merely diminish the regard people in dominant groups have for the oppressed. They also threaten to damage oppressed people's self-regard. Here, I offer an account of how oppression threatens the self-respect of its victims that suggests that their self-regarding duties are not duties of noncompliance, as they are often thought to be. I argue that the demands of anti-oppressive theorizing and close attention to how oppression threatens self-respect militate against the idea that the oppressed have self-regarding duties not to comply with oppressive norms, and in favor of the idea that they have self-regarding duties to develop counterhegemonic normative perspectives. We need an account of the self-regarding duties of the oppressed that avoids victim-blaming and placing undue burdens on the oppressed and that understands the contours of the social world in which oppression operates—one in which structural double binds make compliance with oppressive norms a requirement for oppressed agents' pursuit of their own projects, in which degrading self-concepts are the ones most available in the dominant culture, and one in which oppressed people nonetheless form their own systems of meaning. A duty to develop a counterhegemonic normative perspective is consistent with these desiderata, and a duty of noncompliance is not.

Typical of the choice situations of oppressed people are double binds that make all available courses of action self-undermining. Though this fact is often overlooked, oppressed individuals face incentives to comply with norms that treat their groups unfairly. Two examples, to which I will refer in the body of the chapter, will preliminarily illustrate the idea:

Shreya: Shreya¹ is a woman of color attorney who is routinely assigned office “housework” tasks, such as taking notes, buying the office presents, and bringing coffee to other attorneys. Shreya performs some of these tasks because “it seem[s] like saying no would not be perceived well” (Williams and Dempsey 2014: 70). Shreya's assessment of the situation is consistent with data suggesting that women are professionally punished for violating norms of feminine behavior. (Bowles et al. 2007)

Chloe: Chloe repeatedly consents to unwanted sex with her partner to avoid the “major arguments” that result when she refuses sex. She describes the situation as: “not actually being forced to have sex, but sometimes saying yes when I didn’t really want to . . . the argument standing out as the most unpleasant thing. Things like actually being called a fucking bitch and having the door slammed. And trying to always explain that it didn’t mean that I didn’t care because I didn’t want to have sex, but never succeeding.” (Gavey 2005)

Because such double binds are persistent and relatively ubiquitous in the lives of oppressed individuals, and because they typically attach real costs to refusal to comply with oppressive norms, oppressive norm compliance can, for oppressed individuals, be self-interested, and a way of treating their own projects as valuable. It may seem that such self-interested oppressive norm compliance requires treating the norms as true or acceptable, but I will suggest below that what I call the “variegation of the public” allows compliance to be compatible with a shared counterhegemonic normative perspective, both in individual acts and over a lifetime. In the first section of the essay, I describe how oppression structures individual option sets such that noncompliance often entails costs to both well-being and self-respect. Next, I ask how, under these conditions, oppressed agents can cultivate self-respect. I argue that oppressed people must cultivate a counterhegemonic normative perspective but that the actions through which such a counterhegemonic perspective is cultivated are best understood as a subset of noncompliant acts. I also show that communities of oppressed people mitigate the threats to self-respect posed by oppression and allow oppressed people to cultivate public self-respecting attitudes. Third, I contrast my discussion of the self-regarding duties of the oppressed with contemporary arguments that take self-respect to require noncompliance with oppressive norms. I suggest that these alternative arguments are complicit in victim-blaming and prescribing action that gets in the way of ending oppression, as well as overspecifying the self-regarding duties of the oppressed. Two remarks about the essay’s scope will also be useful before I proceed. First, the essay emphasizes duties of recognition self-respect—that is, the type of self-respect associated with seeing oneself as equal to others. Second, the essay does not take a stance about whether oppressed people have other-regarding duties not to comply with oppressive norms.²

1. Double Binds and the Costs of Noncompliance

Oppression often reduces agents’ options such that no available behavior straightforwardly expresses self-respect. The widespread idea that *compliance* with oppressive norms does not express self-respect is relatively easy to motivate. Oppressive norms demand behavior that perpetuates the low status of the

oppressed. The oppression-compliant agent may thus seem not to appreciate her own entitlement to equal standing. If she did, the argument goes, she would demand that others recognize it. Consider Chloe. She stops trying to persuade her husband that she has the same right to refuse sex that he does. It may seem that Chloe has given up on the view that she has rights, that she has internalized oppression and denies that women deserve sexual autonomy.³ Thomas Hill famously describes oppressed people who accept inferior treatment because they believe they deserve it as paragons of servility (Hill 1995).

But the claim that Chloe fails to appreciate her own rights does not require a claim about internalization. Kant's own remarks about servility are far less generous than Hill's. According to Kant, our seeking of ends must always occur with "consciousness of [our] sublime moral disposition" (Kant 1996: 187 [6:435]). Doing what others ask when they subordinate us *just is* refusing to acknowledge our own sublimity—regardless of how we feel about the demand. Kant is fully aware that we can sometimes benefit from accepting subordination. Yet he seems to take acquiescence in it to, by definition, involve holding ourselves to a "low standard" set by our "animal nature" (Kant 1996: 187 [6:435]). Taking a position less extreme than Kant's, Bernard Boxill argues that an agent who complies with oppressive norms over a lifetime compromises her self-respect by denying herself evidence that she affirms her own equality (Boxill 1976). Self-respecting people cannot know that they do not accept oppressive norms unless they express this commitment in action.

Though claims abound that oppressive norm compliance is self-disrespecting, little has been said about the downsides of the alternative. This failure to theorize the downside of noncompliance is surprising since oppressed agents face impoverished options, and do so characteristically. Oppressive conditions systematically disadvantage members of certain groups and benefit others (Frye 1983). The oppressed individual has options available to her, but her option set is both worse than that of the individual dominant group member and engineered to perpetuate this disparity. In Frye's words, oppression is "immobilizing" because all available options expose the agent to "penalty, censure, or deprivation" (Frye 1983: 2). Her example concerns the sexual choices available to young women. They can be sexually active and be perceived as unrapeable because of their ostensibly insatiable desire. Or they can refrain from sexual activity and be seen as unrapeable because of their ostensible need to have their frigidity or lesbianism corrected. There are options, but each of them subjects the agent to some type of harm and renders her worse off than members of the dominant group. Frye terms such situations "double binds."

I agree with Frye that oppressed agents face double binds. I add to Frye's claim that all courses of action are unacceptable that all also prevent the agent from unequivocally expressing self-respect. To see why, we need greater clarity about how oppression affects agents' abilities to pursue well-being. Social expectations

mediate all agents' access to goods constitutive of well-being; for instance, in capitalist societies, all people must do work which their societies value to access income. However, as I have argued elsewhere (Khader 2014; 2017), the conditions of social recognition for oppressed people have a particular character; they demand self-subordination. Like men who are lawyers, Shreya has to meet certain social expectations to be perceived as a good colleague. However, the standards of *feminine* and *racialized* behavior she must meet detract from her ability to have a successful legal career, whereas analogous masculine and white expectations promote career success. She must clean up after others, socially lubricate meetings, appear non-threatening, and so on, where, for example, a white man might be expected to be assertive—an expectation that promotes the view that he is “tough enough” to be a good lawyer.

To put the point more generally: because well-being for oppressed agents is often contingent on self-subordinating behavior, it is often objectively self-interested to comply with oppressive norms. Indeed, compliance is often the *most* welfare-maximizing action available. Shreya faces a choice between being seen as a good colleague and complying with sexist and racist norms and being seen as a bad colleague and violating them. Of course, Shreya would be better off if she, and women of color in general, were not expected to do the firm's housework. But note that Shreya is usually unable to change the expectation through acts of noncompliance. Violating the expectation is unlikely to prevent her from being judged according to it.⁴

This only shows that not complying with oppressive norms imposes well-being costs on agents, and my thesis is about costs to self-respect. However, it follows from the idea that oppression compliance is often the best means of access to well-being that compliance is often the best thing an agent can do to achieve the aims she desires in life. This is true in cases where her life plan is obviously aligned with recognition self-respect; when what she wants is what the dominant group has. Shreya may think she is just as deserving of success in law as white men, and as a result may decide to do everything in her power to make partner—even if it means buying the office presents and making coffee. Michele Moody-Adams (1993) argues that self-respect combines a conviction and a desire: the conviction that developing one's talents is the best way to promote one's own survival and a willingness to do what one can to develop one's own talents. Moody-Adams's point is that oppressed people are rewarded for not developing their talents. Shreya fighting small battles against everyday sexism or racism can, under ongoing sexist and racist circumstances, become a way of not investing in her own talents. Instead of getting herself into a position where she can do challenging legal work, her “disagreeableness” may condemn her to being stuck in a professional position lesser than the one she believes she deserves. Though Chloe's example is less clearly about talents, she, too, may stop fighting because she perceives her goals as just as worthy as those of her partner. She may, to take an example from Hill, find that

her goal of writing a book criticizing the institution of marriage (Hill 1973: 96) is impeded by having to fight him day in and day out.

Neither of these cases (as described in the last paragraph) is a case of paradigmatic adaptive preference (Khader 2013), because neither Chloe nor Shreya buys into the goals of the order that subordinates them. Both believe something is wrong with the constraints oppression has placed on their opportunities. Choosing the second-best option and recognizing it as the best thing one can do to execute a life plan one sees as just as inherently valuable as anyone else's is different from believing that one deserves less than members of the dominant group. Note also that Chloe and Shreya are self-respecting in two senses; they believe their individual plans are worth pursuing and believe something is wrong with the oppression of other members of their groups. Chloe and Shreya cannot express the view that they have equal value to members of dominant groups without acting in ways that undermine their ability to pursue life plans that are both their own and oppression-rejecting. So, self-respect as treating one's projects as possessed of equal value is at odds with self-respect as demanding equal recognition from others in any given moment.

2. Resistance without Noncompliance?

In a social world structured in the way I have described, the oppressed agent's belief that she possesses equal worth does not on its own tell her whether to comply with norms that subjugate her. Oppressive structures cause her concerns about taking a stand to cut in the opposite direction of concerns about treating her life plan as worth pursuing. This may trigger the worry that I am saying that self-respect should not figure at all in oppressed agents' decisions about what to do. A first line of response to this worry is just that a calculation about how to best express self-respect is manifest in the oppressed agent's choice about which of two unacceptable options to choose. If Chloe decides that it is more consistent with self-respect for her to focus her energies on writing a book about the ills of marriage than to fight her husband at every turn, value for self-respect has indeed figured in her action. If this reply is unsatisfactory because it seems that an agent must always be able to fully communicate and express self-respect in her action, I can only reply that the worry is based on a desire for the world to be other than it is; that oppressed agents will have difficulty fully expressing self-respect in action is a problem with the world, not my theoretical position.

A more robust response to the worry that I leave no room for self-respect in the lives of the oppressed requires us to shift from the question of whether compliance can be self-respecting to more general questions about what agents need to maintain self-respect under conditions of oppression over a lifetime. Self-respecting oppressed agents, like all self-respecting agents, must see themselves

as equal to others and live in a way consistent with these beliefs. I have discussed how oppression threatens agents' abilities to express self-respect, but another feature of oppressive social contexts is also relevant here: being oppressed involves being surrounded by representations of one's group as lesser and receiving material and social rewards for confirming widely held beliefs that members of one's group are lesser, and it involves the obscuring of social structures to this end. The views about oppressed people's worth "lying around" in dominant social reality do not help them make the case that they are equal, even to themselves. In other words, oppression does not merely threaten to impact self-respect at the level of expression; it persistently threatens the development and maintenance of self-respecting attitudes.

Views that deny the equality of oppressed people do not all take the form of claims about the fundamental moral entitlements of members of oppressed groups. It is not only views that explicitly deem women, people of color, or others inferior that get in the way of their understanding themselves as equal. Ideology also operates by encouraging oppressed people to conclude that they fail to succeed at the same rate as others because they are defective. Dominant ideology obscures the external barriers that limit oppressed people's life opportunities, often leaving them to conclude, when their achievements are frustrated, that the fault is theirs. As Sandra Bartky (1990) argues, the oppressed individual may explain her difficulties in one of two ways. She may either conclude that she individually lacks competence or merit, or that all members of her group do. So Shreya may think, when she is asked to make the coffee, either that she is being asked because she personally is a worse lawyer, or that the legal labor of women or people of color is generally less valuable than that of men or whites. Either type of belief undermines recognition self-respect.

Oppressed individuals thus need more than a general belief in the moral equality of human beings to maintain recognition self-respect. They need access to a social analysis that makes the oppressive structure visible. In her work on moral failure, Lisa Tessman argues that oppressed individuals have a special need to be able to raise normative questions about background contexts, and not merely about their own behavior (Tessman 2015: 177–190). Accepting an analysis similar to the analysis of double binds above, Tessman argues that oppressed individuals will often confront situations in which none of the available options is morally adequate (Tessman 2015: 177). If they cannot see that there is something tragic about the situation that they find themselves in, they may transform what Tessman thinks is appropriately held guilt into blame. The upshot of Tessman's analysis is clearer for evaluative self-respect than it is for recognition self-respect. In order not to judge themselves morally reprehensible for, say, acts of instrumental oppressive norm compliance, oppressed people need to be able to morally evaluate the social conditions that demand it. However, we can make an analogous point about recognition self-respect. Neither compliance nor noncompliance offers

an *adequate* way of expressing self-respect because agents deserve the ability to both treat their life plans as worth pursuing and to be seen by all members of their society as equal. In order to avoid seeing their own lack of worth as the cause of their inability to treat themselves as equal and communicate their equality to the dominant, oppressed people need to keep in view knowledge of the structural impediments facing them and a sense that these impediments are unjust and contingent.

I call this view of oneself as possessed of equal worth, and one's society as tragically failing to recognize it, a "counterhegemonic normative perspective." I think the work of self-respect that oppressed people are obligated to engage in lies in the cultivation of such a perspective—not in acts of compliance or noncompliance with oppressive norms. It is true that this perspective does not readily tell them what to do in cases where they are asked to comply with oppressive norms; it only tells them that they should not face such a choice. This may trigger a refined version of the worry that I have left little room for self-respect in the lives of the oppressed: namely, that my conception of the self-regarding duties of the oppressed places self-respect "in the head." I disagree. As Robin Dillon argues, "paying attention to oneself" in self-valuing ways is itself work, and work that members of oppressed groups are discouraged from doing (Dillon 1995: 302). Cultivating a counterhegemonic normative perspective in a world that discourages it requires acts and is itself a form of acting, for attempting to maintain an attitude while never having it confirmed or being motivated by it will be ineffective for most people. To bring into view the acts that constitute and help members of oppressed groups cultivate counterhegemonic perspectives, it will be helpful to have in mind a social fact I call "the variegation of the public." To say that the public is variegated means, at a basic level, that different social groups interpret social reality differently and develop means for communicating these differing interpretations. As Iris Marion Young argues, sharing experiences of subordination allows oppressed groups to develop internal interpretive perspectives (Young 1990). The idea of multiple publics is discussed frequently in anti-oppression theorizing, especially in women of color feminisms,⁵ but my discussion here will borrow most heavily from Maria Lugones's work on what she calls "ontological pluralism."⁶

The variegation of the public means that oppressed people inhabit what Lugones calls other "worlds" alongside the world of the dominant. Some of the most ready-to-hand examples of alternative publics are organized political movements, some of which openly challenge the status quo, and I will return below to the role of counterhegemonic understandings in movement-building. But Lugones emphasizes how more mundane interactions cultivate alternative publics. These acts of creating shared understanding through association are of two broad types. One involves members of an oppressed group interacting in the absence of members of the dominant group. According to Lugones, such actions

are simply missed by those who theorize the lives of oppressed individuals only insofar as they are victims of oppression. She illustrates the philosophical lacuna in a criticism of Aristotle. "We know the slave only through the master... After working hours, he or she is folded and placed into a drawer until the next morning" (Lugones 1987: 18). But oppressed people interact with one another at the metaphorical and literal end of the day. Chloe may pick up the phone to mock her partner's neediness, and Shreya may complain about being asked to make coffee at a happy hour with other friends who are not white. In cases like these, oppressed agents can affirm their equality—and do it intersubjectively. Though cases where people are expected to comply with oppressive norms are not completely coextensive with cases where members of dominant groups are present (because of intersecting oppressions and because oppressive norms do not always know spatial boundaries), it remains true that oppressed agents will face opportunities to act in their lives that are not primarily demands to comply with oppressive norms.

A second type of act that builds counterhegemonic self-understandings is, at least *prima facie*, an act of oppressive norm compliance. Members of oppressed groups also often interact with one another while they are complying with oppressive norms, and the multiplicity of audiences allows such acts to have more than one simultaneous meaning. As Lugones puts it, members of oppressed groups cultivate a type of "double vision" and act in ways that communicate different meanings to members of different groups (Lugones 1987; 2003: 53–64, 151–167). They can communicate acceptance of oppression to some and nonacceptance to others in a single act. Consider the act of exchanging a knowing glance with someone when a third person who is an object of mutual criticism is in the room. The act, if successful, communicates criticism that is undetectable, or only marginally detectable, to its object. Such hidden meanings are not merely shareable by friends; they are shareable by those with whom one shares social group membership. Shreya may subtly roll her eyes when she is asked to make the coffee and another person of color may notice. Or, Shreya may apologize for "forgetting" to go to the store before birthday parties, and the special perceptual attunements of other members of oppressed groups may allow them to see that Shreya has not really forgotten anything at all. Such acts allow oppressed individuals to signal, in the very moment, that their oppressive norm compliance is not acceptance of the status the dominant accord them. Note that the double binds I discussed in section 1 above mean that the success of such strategies in not undermining their authors' welfare depends on their being undetectable to some.

These acts may still seem to fall short, perhaps because it seems self-respecting acts must *communicate*. Since these acts do communicate with the oppressed, these acts can only fall short if there is something special about communication with the dominant. Boxill's argument that oppressed agents need external confirmation that they actually believe in their own equality is met by the two types of acts I just mentioned (Boxill 1976). Hill offers a more demanding version of the

same view, one that explicitly demands the communication of one's equality to members of dominant groups. According to Hill, the person who does not stand up for herself⁷ suggests that she does not want "the provisions of morality to be publicly honored and acknowledged" (Hill 1995: 100).

It may seem that noncompliance is the way to communicate to the dominant that those norms are unjust and ought to be dismantled. A first problem with this idea is that oppressed people cannot generally expect acts of noncompliance to successfully communicate self-respect to the dominant. Chloe's story is a case in point; try as she may to assert that she has a right to refuse sex, Chloe's partner continues to believe that she is frigid or does not love him. More importantly, however, participation in worlds of the dominated can demonstrate a desire to have one's equality recognized. Though we should be cautious about romanticizing them,⁸ groups of oppressed people offer opportunities for oppressed individuals to have their equal status recognized. Additionally, such communities often sow the seeds for organized political action that aims at undermining the oppressive social order. So, investing in communities that protect one is a way of contributing to a world where one is treated as though one matters, and such communities often need to be thriving in order to engage in organized action that changes the oppressive structure.

There is another reason that cultivating counterhegemonic perspectives does not amount to nonaction on the part of the oppressed. This is that, when one is oppressed, viewing oneself as equal and the system as unjust performatively constitutes a resistant act.⁹ As Fanon famously argued, oppression aims, not merely at reducing the material options of the oppressed, but at psychically dominating (or in his words, "alienating"). It aims at getting the oppressed to internalize the gaze of the oppressor, to measure themselves as inadequate relative to the members of the dominant group who are truly "human" (Fanon 2008). If oppressive orders aim at psychic alienation, refusing to see oneself as the order dictates just is resisting that order.¹⁰

3. Self-Regarding Duties to Resist and Desiderata for Anti-Oppression Theory

My analysis above suggests that, under the social conditions characteristic of oppression, self-respect concerns are not decisive about whether agents should or should not comply with oppressive norms. Arguments that dictate a self-regarding duty not to comply, then, are based on a misunderstanding of the empirical realities oppressed agents face and may in fact offer dangerous prescriptions. Theories that misdescribe the obligations of the oppressed risk presenting self-harming behavior as morally praiseworthy when it is not, perpetuating ideologies that hold the oppressed individuals more responsible for their condition than they are, and

prescribing behavior that impedes anti-oppressive social change. An advantage of my account of the self-regarding duties of the oppressed is that it avoids these risks, where competing accounts that prescribe duties not to comply run directly into them. I will argue in this section that arguments for a self-regarding duty not to comply from Carol Hay (2011) and Daniel Silvermint (2013) fall foul of key desiderata for anti-oppression theorizing, and do so largely because of misunderstandings of the empirical facts about oppressive social conditions.

To clarify what is at stake in theorizing about the obligations of oppressed people, we can note a phenomenon Margaret Urban Walker calls “epistemic rigging.” Walker argues that “the discourse of moral philosophy . . . is not outside the social discourse of morality” (Walker 2007: 4). Because moral philosophy is continuous with social practices of assigning responsibility, philosophers may, intentionally or unintentionally, contribute to social practices that keep oppressed people in their place (Walker 2007: 133). One way to minimize this risk is to assess theories, not only in terms of their logical consistency, but also in terms of how they contribute to anti-oppressive social aims. This is a point Charles Mills and Elizabeth Anderson have developed in their defense of “nonideal” theory and that Sally Haslanger has developed in her discussion of the “ameliorative” role of concepts. If philosophical prescriptions about oppression are likely to get in the way of social change that would end oppression, we should take this as a strike against those prescriptions. There are at least two ways self-respect-related prescriptions to the oppressed risk falling foul of anti-oppressive desiderata: they risk blaming victims and encouraging victims to engage in behavior that is unlikely to contribute to ending—and may even worsen—their own oppression. Avoiding such outcomes is an important desideratum for anti-oppressive theorizing.

To see how arguments that self-respecting oppressed people should refuse to comply with oppressive norms can succumb to these risks, we must look at these arguments in more detail. Hay (2011) and Silvermint (2013) advance distinct arguments for a self-regarding duty not to comply with oppressive norms. Hay’s stated argument is that complying with oppressive norms damages an agent’s rational nature and is thus self-disrespecting in a Kantian sense. What Hay actually argues is that oppressive norm compliance reduces a person’s ability to act rationally and ought to be avoided because of this. Though Hay does adopt the Kantian idea that one has a duty to protect one’s rational nature, Hay does not adopt the Kantian claim that servile acts *express* self-disregard and that there is thus a perfect duty to avoid them. Her view instead seems to be that (some) oppression-compliant acts diachronically reduce a person’s ability to act rationally, and this reading of her will inform my criticism below.¹¹

Silvermint argues that compliance with oppressive norms is not self-respecting because it involves adopting the ends of an unjust social order that does not appreciate one’s worth as a person. This is a problem, in Silvermint’s eyes, not because self-respect has some worth independent of well-being, but rather

because adopting the ends of an unjust order means adopting ends that are not genuinely one's own, and this in turn gets in the way of her life going well. Silvermint's tight connection between self-value and autonomy is made possible by a normatively laden conception of autonomy according to which we only count as directing our own lives if we live lives that adopt morally worthy ends. Ends that devalue certain persons in oppressive ways are one subset of morally unworthy ends whose pursuit is likely to reduce the well-being of those who adopt them.¹² Silvermint's view thus seems to be that a person who adopts the aims of a social order that treats her unjustly is self-disrespecting because she adopts morally unworthy ends that will reduce her well-being.

Moving from claims about the nature and role of self-respect to the general idea that oppressive norm compliance is self-disrespecting, as Hay and Silvermint do, requires empirical assumptions—and ones I take to be false. Both claim that what makes action self-disrespecting is the diachronic effects of the action on the agent. Like most claims about cause and effect in social philosophy, the claim that oppression-compliant acts are disrespectful in this way inevitably rests on empirical claims. Hay argues that oppressed agents harm themselves by internalizing oppressive norms and becoming akratic or irrational, and Silvermint argues that advancing the aims of the oppressive order means adopting ends inconsistent with one's own value, and that this gets in the way of one's ability to pursue one's well-being. Once we see the importance of empirical assumptions to Hay's and Silvermint's analyses, we can raise the question of whether they are based on accurate understandings of what is at stake in decisions whether to comply with oppressive norms. My account of how oppression structures oppressed agents' options in the first two sections of this essay suggests that they are not. Hay's analysis relies heavily on the idea that oppression causes oppressive norm internalization, which in turn causes akrasia, lack of means-end rationality, and so on. The presence of the variegated publics and the double binds I described earlier give us reason to doubt the strength and frequency of internalization; what looks like internalization may just be instrumental oppressive norm compliance, and the double vision offered by alternative publics can exert a protective force against internalization. Moreover, Hay's exclusive focus on harms to one's rationality that can come about through internalization and harms to means-end rationality suggests a sense that oppression is mostly exposure to bad beliefs about oneself, or a lack of opportunity to develop one's reasoning capacities, rather than a set of pervasive material rewards and penalties that limit what oppressed agents can and cannot pursue. The idea that Hay represents oppression as reducible to exposure to beliefs that devalue the self or lack of opportunities to develop capacities to reason is also supported by her presentation of akrasia and assaults on means-end rationality as central cases of oppression. After all, she concludes from some examples of low self-worth, lack of means-end rationality, and akrasia that there is a general duty to resist oppression.

Silvermint's assertion that an oppressed agent's life goes worse if she complies with oppressive norms seems straightforwardly to deny the pervasiveness of penalties for noncompliance. Silvermint allows that instrumental oppressive norm compliance is possible, but he argues that complying over a lifetime is blameworthy because it is harmful (Silvermint 2013: 419). But it is unclear why it would be harmful unless cases where one's ability to execute one's life plan required oppressive norm compliance were rare—or to put the point conversely, opportunities to advance one's aims without oppressive norm compliance were abundant. To return to Shreya and Chloe, the idea that their lifelong compliance undermines their projects in a blameworthy way is only plausible if Shreya faces career consequences for not meeting sexist and racist expectations only rarely, and if Chloe can successfully convince her partner or someone else to treat sex as something she has a right to withhold. And even then, real-world agents like Chloe have lives beyond their professional and romantic ones; for it to be generally true that compliance worsened their abilities to pursue well-being, other structural double binds would have to be rare or episodic as well.

I point out these (in my view) specious empirical assumptions, because I think they result in theories that are complicit in victim-blaming and prescriptions that are unlikely to help oppressed people overcome their plight. Hay's and Silvermint's arguments for a duty not to comply fall short of desiderata for avoiding victim-blaming in two ways. First, they are complicit in upholding widespread but false views about why the oppressed are in the situation they are in—views that occlude the structural causes of oppression and blithely attribute defects to the oppressed. I have already explained that both Hay and Silvermint downplay the presence of structural constraints and emphasize the influence of oppressed agents' own behavior on their suffering. Hay's discussion of *akrasia* is particularly illustrative of how claims about a self-regarding duty not to comply can reinforce dominant victim-blaming narratives. Hay states that oppressed people, by complying with oppressive norms, come to "hold themselves to low moral standards," wherein they cannot do what they see themselves as having reason to do.¹³ Hay's chosen example of *akrasia* is that women consent to unwanted sex "because they cannot see how to say no" (Hay 2011: 27). In a society characterized by rape culture, responsibility for unwanted sex is already presumptively placed on victims; Hay's emphasis on the moral failings of women does little to challenge the presumption.

Though the example is particularly egregious, a broader and more important point about victim-blaming is that Hay's reasoning about the example, typical of reasoning behind claims about a duty not to comply, magnifies an existing tendency to attribute the causes of oppressed agents' condition to themselves, and to their moral defects, rather than structures. According to Hay, some women "recognize that they have reason to refrain from having sex but acquiesce in their partners' sexual desires nevertheless... And engaging in such irrational behavior is evidence their rational nature has been harmed in some way" (Hay 2011: 27). It is far from

clear that acquiescing in sex one sees a reason not to have is evidence that an agent is irrational; to push this conclusion is to ignore the multiplicity of reasons that may weigh upon an agent in such situations, including double binds that make accepting unwanted sexual contact a condition for achieving other aims in life. Narratives like Chloe's, and the many other similar ones in Nicola Gavey's work, suggest that low moral standards and lack of rationality tell very little of the story about women's engagement in unwanted sex. Silvermint's arguments imply that agents who comply routinely with oppressive norms exhibit insufficient moral goodness. In fact, on Silvermint's account, oppressed agents who comply with oppressive norms routinely are doubly morally wrong; they fail to advance their own well-being, and they do so through the taking of the morally noxious ends of oppression as their own.

An advantage of my view that emphasizes structural double binds and variegated publics is that it resists promiscuously locating moral defects in oppressed agents. Acknowledging alternative publics and the frequent need for instrumental oppressive norm compliance makes clear that compliance often happens concurrently with, and is publicly intelligible as compatible with, high moral standards. Compliant agents may be acting in the most self-valuing way possible under non-ideal conditions and often have intact views of their own worth, despite their failure (or success, depending on how one looks at it) at communicating their worth to the dominant. Conservatism about construing a person's own agency as a part of the apparatus of self-harm is desirable for anti-oppressive philosophy in a world that already assumes that internal defects are the main reason for oppressed people's failure to flourish.

A second way the alternative views participate in victim-blaming is by creating the sense that the problems to which they respond are actually widespread. Cheshire Calhoun argues that theories can have nonlogical implications; they may suppose acceptance of certain beliefs about the world that are not required by any particular theory and may add credibility to those beliefs (Calhoun 1988: 452–453). Prescribing a duty to do something risks suggesting that not enough people are doing it, and we should avoid theories that paint the oppressed as failing to resist when they actually are. Hay's argument that the oppressed have a duty to protect their rational capacities is particularly problematic in this regard. We have little reason to believe that any of the three ways she describes oppressive norm compliance as reducing rationality are typical of oppression—and even she seems to claim only that reduced rationality is *possible* about the cases she describes. One, lack of means-end rationality caused by lack of education or malnutrition, is related to oppression quite contingently (and it is not clear how one would resist it anyway in the cases she mentions, as where one is raised in a country where there is little food or very limited access to education for girls), and the others are potentially exceptional responses to oppression. Lack of self-worth caused by internalization of oppressive norms seems to be the most likely of the phenomena

Hay describes to be common, but there is a substantial body of literature engaged with the realities of women's lives asking us to question the frequency of this phenomenon (Meyers 2002; Narayan 2002; Jaggar 2006; Khader 2011; Sperry 2013).¹⁴ Suggesting that oppressed people need to do more to preserve their rationality is worrisome when it is unclear that their rationality is commonly compromised—and in a world in which oppressed people's desires are already often disregarded for morally arbitrary reasons.

Rather than suggesting that oppressed people currently engage in insufficient resistance, my account of the impacts of oppression on self-respect draws attention to the epistemic difficulties involved in claims that oppressed people are lacking in rationality, or are otherwise inadequately resisting. If oppressed people often risk both well-being and self-respect in acts of noncompliance, we should be hesitant about claiming that their compliance with oppressive norms evidences deficits of character or rationality. The protective resources offered by alternative publics, coupled with incentives for oppressed people to make their resistant acts unintelligible, or only marginally intelligible, to the dominant compounds the existing reason for caution. Though my account does not hold that oppressed people never betray themselves by complying with oppressive norms, it highlights constraints on action by the oppressed that are useful in making more accurate judgments about why oppressed people are complicit in their own oppression.

Victim-blaming gets in the way of anti-oppressive aims, but so does prescribing forms of action that are likely to cause harm to victims while doing little to dismantle oppressive systems. Anti-oppressive theorizing should also attempt to make prescriptions that are consistent with the political aims of mitigating and ending oppression, and it is unclear that prescriptions not to comply meet this desideratum. My account makes clear that asking the oppressed not to comply with oppressive norms often asks them to incur costs to well-being and self-respect. It is thus sensitive to the fact that prescribing noncompliance often means prescribing self-sacrifice and worsening lives. It may of course be objected, as Kantians often do in discussions of self-respect, that morality is just hard. However, if my descriptive account is correct, a moral theory that takes noncompliance to be obligatory in a large number of cases asks oppressed people to sacrifice their welfare and self-respect *routinely* (see also Khader 2020). Moreover, it asks them to engage in forms of self-sacrifice not required of the dominant. It is potentially inconsistent with the aims of anti-oppressive theorizing to accept prescriptions that disproportionately burden the oppressed.¹⁵ Anti-oppressive theorists have a right to consider the burdens a moral theory assigns to the oppressed as a strike in favor of or against that theory. To assume that it is acceptable for a moral theory to be extremely demanding on the oppressed is question-begging and to stack the feminist philosophical deck in favor of Kantianism.

Moral theories can also impede anti-oppression politics by recommending a focus on individual behavioral change to the exclusion of movements. One worry

about Hay's and Silvermint's duties not to comply is that they focus on resistance by individual oppressed agents. The focus on standing up for oneself and demanding change for one's group are not mutually exclusive, but they are also not as mutually supporting as they may initially appear to be. Simple everyday actions are so fraught with well-being costs for the oppressed that objecting to individual oppressive acts can interfere with executing *any* life plan—including a life plan devoted to opposing oppressive systems. Shreya may do more to oppose oppression by gaining enough status in law to start her own anti-discrimination firm than by refusing to make the coffee, and Chloe may do more by becoming an activist against sexual assault than by constantly arguing with her partner. There is a danger that theories focused on standing up for oneself in individual cases will promote episodic individual grandstanding over the type of collective action that is likely to undermine oppression. Additionally, the focus on individual acts of noncompliance can encourage forms of action that focus on communication with members of the dominant group to the exclusion of the cultivation of collective consciousness among the oppressed. But since collective action is especially likely to be effective in stopping oppressive norms from obtaining, asking oppressed individuals to focus on the dominant is at least sometimes to discourage investment in the collective consciousness that would make change.

Variegated publics and the covert forms of resistance they enable preserve spaces for the oppressed to communicate with one another and can be important catalysts for movements that change social structures. As is often argued in feminist discussions of consciousness-raising, part of the value of recognizing unjust structural constraints with an affinity group is that it helps one come to want to dismantle them. It is not only official political groups and organized activities that create consciousness capable of making change; actions as simple as shared glances can contribute to political solidarity. Shreya may know from observing how her colleagues react to sexist and racist demands on her who she can count on when she decides to implement anti-discrimination policies after her promotion. Indeed, many of the actions we think of as individual acts of noncompliance that mattered to political structures, such as Rosa Parks's refusal to sit in the back of the bus or Simone de Beauvoir and Catherine Deneuve's signings of the Manifesto of the 343, were actually the result of coordinated action among oppressed people first. My point here is less to deny that individual noncompliance can have value than to say that hanging the self-regarding duties of the oppressed heavily on it may point them away from the forms of solidarity-building *among the oppressed* that would contribute to ending their oppression.

A potential objection to my worries about getting in the way of social movements is that the purpose of self-respect is not to offer a recipe for change in the world, but rather simply to encourage integrity in the agent. The force of this objection will of course depend on one's underlying moral theory. I think all we need to see for the purpose of criticizing a duty of noncompliance is that, where

structural double binds are present, noncompliance with oppressive norms also threatens the integrity of oppressed agents. Shreya does not just give up on what she cares about by not protesting the demand to make the coffee; she also gives up on what she cares about by protesting, since she knows she is not doing the best thing she can do to succeed at becoming a lawyer. Absent some special reason that the agent's rationality, autonomy, or integrity is increased by the noncompliance side of the double bind more than the compliance side, it seems legitimate to count compatibility with feminist politics in the host of reasons to accept or reject a view of the obligations of the oppressed.

I have criticized Hay's and Silvermint's arguments in hopes of showing that a self-regarding duty to cultivate a counterhegemonic normative perspective is more consistent with the aims of anti-oppressive theorizing than a duty not to comply with oppressive norms. It may be objected, however, that I am misattributing to Hay and Silvermint the view that the duty of self-respect under conditions of oppression is a duty not to comply. After all, Hay and Silvermint use the term "resistance" rather than noncompliance, and both take pains to claim they do not wish to limit resistance to a particular form. However, besides a couple of offhand examples,¹⁶ both focus on acts of noncompliance as instances of resistance. Silvermint discusses acts not aimed at the dominant group mostly pejoratively, as instances of failed or incomplete resistance. He draws a sharp contrast between "passively believing one has value" (Silvermint 2013: 421) and resistance. Though she does once suggest that non-internalization of oppressive norms can be resistance, Hay (2011) does not describe instances of resistance not aimed at members of the dominant group at all.

More importantly, though, Hay and Silvermint seem logically committed to an emphasis on noncompliance since compliance is, for both of them, a key mechanism through which oppressed agents cause harm to themselves, to their rational capacities and their well-being respectively. The relevant duties for them are duties to avoid the harmful results of compliance; since they see the results of compliance to affect agents largely through their own individual action, individual noncompliance is the logical solution.

Perhaps there is another way to defend Hay and Silvermint from my allegation that they fall foul of the desiderata of anti-oppression theorizing. I have argued that their prescriptions are too demanding and that they perpetuate views that victims of oppression cause their own oppression. But because Hay (differing from Kant) and Silvermint prescribe *imperfect* duties to resist, I may be wrong to suggest they recommend general noncompliance. But pairing even an imperfect duty with my descriptive analysis has perverse results for anti-oppressive theorizing. To say that noncompliance is not required in every case is still to make a virtue of it, and if my descriptive analysis is correct, making a virtue of noncompliance is more or less tantamount to making a virtue of self-sacrifice. Further, rather than solving the problem of demandingness, bringing contextual considerations into

view, as talk of imperfect duties does, seems (when paired with accurate empirical assumptions) to either vanish the duty not to comply or fetishize noncompliance.

When paired with the descriptive assumptions on which I relied in the first two sections, neither Hay's nor Silvermint's argument successfully establishes that noncompliance is *ever* required in the life of any individual agent. We can grant that oppressed agents should act in ways that value their own rationality (in the case of Hay) or justice or well-being (in the case of Silvermint). But if I am right about how oppressive social worlds are structured, respecting these elements of oneself may be accomplished within individual lives without a single act of non-compliance. It then becomes unclear what is gained by prescribing a duty not to comply. In fact, it seems that an imperfect duty not to comply *overspecifies* the self-regarding duties of the oppressed, and does so in ways that have the potential to be victim-blaming and social movement undermining in a world that already occludes oppressive structures. Hay and Silvermint, if they were to attempt to revise their prescriptions and examples in light of what I take to be the empirical facts, would have to allow that cases where noncompliance is required are in fact rare. My view that the oppressed have a duty to seek a counterhegemonic normative perspective offers an account that shifts blame off the oppressed and directs them toward forms of change that are likely to change structures; and it does so without denying that noncompliant behavior *can* be self-respecting.

Conclusion: Self-Regarding Duties under Conditions of Oppression

Much is at stake in attempts to prescribe moral obligations to the oppressed. At the same time as we want to valorize acts of defiance, we need to recognize the structural character of oppression and avoid uncritically centering the gaze of the dominant. Oppressed people typically do have to comply with oppressive norms to advance their goals, but it does not follow from this that they come to see themselves as value-less or take the ends of the oppressive order as their own. Instead, they engage in the work of self-respect by enacting and developing counterhegemonic normative standards with members of oppressed groups. Recognizing these facts can serve as the basis for better moral theory and an optimistic anti-oppressive politics. Theories that posit a choice between devaluing oneself and publicly taking a stand seem suited to lives where forced choices between getting by and asserting one's worth are rare or episodic, rather than nonideal lives where such double binds are ubiquitous. Recognizing that dominated people's everyday lives are sites of self-valuing and opposition to oppression allows us to avoid promiscuous negative moral judgments about them, and offers moral prescriptions consistent with the aim of bringing about a more just world.¹⁷

Notes

1. Shreya is an imagined example reconstructed on the basis of data about challenges to women's advancement in the workplace. Chloe is one of Nicola Gavey's subjects.
2. Rosa Terlazzo (2016) argues that oppressed people have an imperfect other-regarding duty to resist. The other-regarding duty she prescribes can be discharged either through acts of noncompliance or through the types of acts I describe in the second section of the essay.
3. For an argument that it is difficult to read endorsement of oppression from the behavior of oppressed agents see Khader (2011).
4. To point this out is to suggest neither that resistance is futile nor that oppression is harmless. The key is that *collective* action is typically necessary to combat oppression. It is also fully plausible to claim that Shreya stands to benefit from complying with oppressive norms without claiming that sexist oppression does not harm her. The relative poverty of her option set is itself an injustice.
5. Discussions of variegated publics are common in philosophy by people of color, especially feminists of color, including the work of Patricia Hill-Collins, W. E. B. Dubois, Gloria Anzaldua, and Audre Lorde.
6. Lugones argues that world-traveling implies multiplicity of selves, but my analysis is agnostic on this.
7. Hill allows that "special explanations" might relax the duty to publicly stand up for oneself, but, as we shall see, I believe oppressed people often, or typically, have moral and prudential reasons not to engage in public protest.
8. Lugones warns against idealizing these communities in ways that ignore the difficulties they pose for people facing multiple oppressions.
9. I am grateful to Matt Lindauer for this point.
10. The view that refusing psychic domination just is resistant should not be confused with the claim that refusing psychic domination improves the individual's well-being.
11. Hay argues that oppression *causes* other phenomena that are rationality undermining. For example, she states that oppressive norm compliance can cause akrasia, and that akrasia is self-disrespecting—not that oppressive norm compliance is itself self-disrespecting.
12. Silvermint's definition of autonomy is substantive, though he suggests otherwise (Silvermint 2013: 49). He holds that a person cannot live an autonomous life if they endorse the ends of an oppressive order. I think this view confuses self-direction with valuing justice, both because I believe it is possible to genuinely endorse one's oppression (Khader 2011; 2013) and because I believe it is often individually self-interested to comply with oppressive norms.
13. I understand Hay's akrasia claim in this way, because she treats the internalization of oppressive norms as distinct from akrasia. Her akrasia cases involve agents thinking something is worth doing and then doing another thing rather than the belief that oppressive norm compliance is inherently worthwhile.
14. I have argued at length against the view that oppressed people lack means-end rationality and claimed that oppressed people often exercise high-level deliberative powers

- in handling the tradeoffs associated with oppression and deprivation (Khader 2011: 41–74; 2013).
15. Silvermint expresses a version of this worry when he argues, against Ann Cudd, that oppressed people should be allowed to prioritize their well-being over the well-being of others, given how constrained their lives already are (Silvermint 2013: 414).
 16. Silvermint mentions cases where attempts at resistance are not witnessed by members of the dominant group but leaves open the question of whether they are resistant in some cases (2013: 407–408) or aligns them with passivity in others (2013: 418).
 17. This essay has benefitted from comments by Linda Martin Alcoff, Rosa Terlazzo, Julinna Oxley, Kurt Blankshaen, Robin Dillon, Matt Lindauer, and audiences at the CUNY Graduate Center Philosophy Colloquium, the MIT Social and Political Interest Group, the CUNY Graduate Center Graduate Conference in Political Theory, and the University of Victoria-Wellington Philosophy Colloquium.

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A Lack of Respect in Bioethics

Samuel J. Kerstein

In bioethics, appeals to respect for autonomy are ubiquitous. To cite just a few examples, they feature in debates regarding the moral permissibility of markets in human organs, the legitimacy of paternalism in the doctor/patient relationship, and the ethics of clinical research. As some have put it, bioethics, at least in the United States, has a “near obsession with autonomy” (Emanuel, Wendler, and Grad 2000: 2701).

In a sense widely employed in the field, to respect a person is to respect her autonomy; it is, roughly, to facilitate or at least not hinder informed and voluntary choices she makes and actions she takes. Another sense of respecting a person plays a less prominent role in bioethics. In this sense, to respect a person is roughly to respect the worth *in* her. Honoring the worth in a person can, in morally important ways, be distinct from honoring her autonomous choices regarding what is good *for* her. This chapter will try to show that under-emphasis or neglect of a principle of respect for the worth of persons impoverishes bioethical debate.

The chapter unfolds as follows. First, I examine briefly some prominent specifications of the notion of respect for persons as respect for their autonomy: the notion that has been prevalent in US bioethics discourse for the past several decades. I then (section 2) present a different account of respect for persons, namely, a Kantian account of respect for persons’ worth. I try to demonstrate that appeal to this account can enrich ethical debate in three areas: physician-assisted dying (section 3), the distribution of scarce, life-saving resources (section 4), and procreation (section 5). My main claim is not that bioethical debate has been devoid of consideration of respect for the worth of persons. It is, rather, that in several domains, debate would profit from a great deal more attention to this notion of respect.

1. Respect in Bioethics

The Belmont Report (United States National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research 1978) strives to identify the basic ethical principles that should govern research involving human subjects.

One expert characterizes the report as “one of the few documents that has influenced almost every sphere of activity in bioethics” (Beauchamp 2008: 154). The report highlights three principles: beneficence, justice, and respect for persons. It describes beneficence as an obligation to secure well-being. This principle grounds an obligation on the part of researchers to try to minimize the risk to study participants. The report conceives of justice as requiring fairness in distribution of benefits and burdens—an example of a burden being participation in risky research. Respect for persons, according to the report, incorporates two moral requirements: “the requirement to acknowledge autonomy and the requirement to protect those with diminished autonomy” (Part B: 1).

Regarding the first requirement, to have autonomy a person must be able to deliberate regarding her goals, and to use this deliberation to guide her action. To respect a person’s autonomy is to “give weight to” her considered opinions and choices and to refrain from obstructing her actions, unless these actions are “clearly detrimental to others” (Part B: 1). To exhibit lack of respect for a person’s autonomy is, without compelling reason, to deny her the freedom to act on her considered judgments or withhold information necessary for her to make them. It is, therefore, no surprise that, according to the report, the principle of respect for persons helps to generate the requirement that subjects participate in research only if they give their informed consent to do so.

The second requirement that the principle of respect for persons incorporates, according to the Belmont Report, is to protect from harm those with diminished autonomy, for example, very young children or adults with profound mental disabilities. In the context of research, respect for persons requires that third parties take on the role of protecting individuals in these groups. The third parties should be those “most likely to understand the incompetent subject’s situation and to act in that person’s best interest” (Part C: 1). The report also specifies that if those with diminished autonomy are nevertheless able to make choices, their objections to participating in research “should be honored, unless the research entails providing them a therapy unavailable elsewhere” (Part C: 1). The Belmont Report does not specify how to resolve tensions between the three principles it mentions. And it does not specify that any one of the principles has lexical priority over any of the others (Childress et al. 2005).

Another centerpiece of contemporary US bioethics is the *Principles of Biomedical Ethics* (Beauchamp and Childress 2013), originally published in 1979. Beauchamp and Childress helped compose the Belmont Report, and their work has a similarity in structure. They specify four moral principles that, they say, form a suitable starting point for biomedical ethics, including, but not limited to, research ethics. These principles, which they find in “the common morality,” are respect for autonomy, non-maleficence, beneficence, and justice (Beauchamp and Childress 2013: 13). Beauchamp and Childress envisage the principles as guidelines for formulating more specific rules, for example, regarding ethical requirements

for the recruitment of research participants. The principle of respect for autonomy is a norm of “respecting and supporting autonomous decisions.” The principle of non-maleficence prescribes “avoiding the causation of harm.” The principle of beneficence is a group of norms that have to do with “relieving, lessening, or preventing harm and providing benefits and balancing benefits against risks and costs,” while the principle of justice is a collection of norms for “fairly distributing benefits, risks, and costs” (Beauchamp and Childress 2013: 13). No one of the four principles has lexical priority over any other, Beauchamp and Childress emphasize. Each of them can be overridden when their prescriptions conflict with those of other moral principles.

Beauchamp and Childress’s work incorporates a principle of respect for autonomy, rather than respect for persons. Since, they suggest, the principle of respect for autonomy is a norm of respecting and supporting autonomous choices or actions, understanding the norm requires grasping their vision of such choices or actions. For ease of expression, I here focus on actions. A person acts autonomously if she acts intentionally, with understanding, and without controlling influences that determine her action.¹ For someone’s behavior to amount to an intentional action, it must correspond to her conception of it. If she has no mental representation of her behavior, or a significantly skewed one, then it is not intentional. Someone acts with understanding only if she has at least a basic notion of the nature and consequences of what she is doing. If a patient believes that after she donates a kidney another one will grow back and replace it, then she does not comprehend what she is doing. Examples of controlling influences inconsistent with acting autonomously are coercion by another (external control) and obsessive desires symptomatic of severe mental illness (internal control).

The principle of respect for autonomy incorporates both negative and positive obligations, according to Beauchamp and Childress. As a negative obligation, they say, it requires that “autonomous actions not be subjected to controlling constraints by others” (Beauchamp and Childress 2013: 107). So, for example, respect for autonomy would presumably require not interfering with a patient’s autonomous choice to cease a life-sustaining treatment. As a positive obligation, the principle requires “both respectful treatment in disclosing information and actions that foster autonomous decision making” (Beauchamp and Childress 2013: 107). Respect for autonomy thus requires, for example, that medical professionals help patients grasp, at least roughly, what their undergoing a surgical procedure would involve for them as well as a range of possible outcomes of their undergoing it.

In sum, while Beauchamp and Childress do not include among their fundamental principles one that prescribes respect for non-autonomous human beings, the Belmont Report does. According to the report, respect for persons requires that we protect such human beings from harm. In what follows, I focus mostly on persons who possess autonomy. The Belmont Report and the *Principles of*

Biomedical Ethics provide fundamentally the same account of what it means to respect these persons. According to both, respect for autonomous persons involves non-interference with and facilitation of their making choices and taking actions that are voluntary and informed. In other words, respect for autonomous persons amounts to respect for their autonomous choices or actions.

2. A Kantian Account of Respect for the Worth of Persons

Debate in bioethics is impoverished, I believe, if it fails to invoke another notion of respect for persons, including for fully autonomous persons. This notion is one of respect for the worth of persons. Three examples will, I hope, illustrate the loss incurred by a failure to give this notion its due. But to begin, let me sketch an account, albeit an incomplete one, of what it would mean to respect the worth of persons.

Elsewhere I have developed a Kant-inspired account of respect for the worth of persons (Kerstein 2013: 125–134).² Before presenting this account, which I refer to as “RWP,” some preliminary remarks are in order. First, RWP does not contain jointly necessary and sufficient conditions for honoring persons’ worth; it is intended merely to shed light on much, but not all, behavior that fails to do so. Second, RWP is not to be taken as a categorical imperative commanding us to refrain from all conduct that would fail to respect someone’s worth. Whereas Kant presumably holds that such conduct is always wrong, all things considered, RWP specifies merely a *pro tanto* wrong. It is consistent with RWP to hold, as I do, that we always have strong reasons to respect the worth of a person, but that these reasons might be outweighed by other reasons. An action might not respect the worth of a person, according to RWP, yet in my view be morally permissible, all things considered. For example, as should soon be evident, it would fail to respect the worth of a person according to RWP to refrain from saving his life and personhood in a tragic situation in which one had to choose between doing that and preventing quadriplegia in thousands of people (assuming that quadriplegia would not truncate their existence as persons). But it is consistent with RWP to hold, as I suspect many of us do, that failing to respect the person’s worth is morally permissible, all things considered.

An abridged version of RWP, which is sufficient for our purposes, is as follows:³ The worth of persons is a special status that they possess by virtue of having the capacities constitutive of personhood. This status is such that:

1. A person ought not to use another merely as a means. This first aspect of persons’ special status is lexically prior to the second aspect.
2. If a person treats another in some way, then she ought to treat him as having unconditional, preeminent value.

An agent's treatment of a person respects the worth of that person only if it accords with the special status just described.

RWP requires clarification on several points. This is not the place to investigate in detail how to specify the notion of persons in RWP. But here is a Kantian account, put forth as a proposal open to modification. A being is a person only if it has the capacities to: set and pursue ends; strive for coherence among its ends; be self-aware; conform its actions to practical rules that specify means to ends; and act in accordance with a moral imperative. By a moral imperative, I mean a rule that someone sees as requiring her to do certain things even if, she judges, refraining from doing them would better promote her immediate satisfaction or overall happiness. Moreover, to count as a person a being must not only possess but have exercised the capacity Kant seems to associate most directly with humanity: the capacity to set and pursue ends. If a being fulfills all of the conditions mentioned above, then it is a person. The account incorporates a broad interpretation of what it means to possess a capacity. According to the account, for example, a typical toddler has the capacity to act in accordance with moral imperatives given that, if her development proceeds as expected, she will be able to do so. But a being who, practically speaking, cannot and will not be able to exercise one or more of the capacities is not a person. In principle, a living being from another planet or a non-living artifact such as a sophisticated computer might possess all of the capacities constitutive of personhood. A human being who has died or is alive but whose cerebrum can no longer function is not a person in the sense of the term employed here since he can, practically speaking, no longer exercise the capacities. I will not try here to answer the question of precisely when, in the course of its development, a typical human being becomes a person. If human embryos and first- or second-trimester fetuses do not engage in goal-directed activity, then they are not persons. If infants do engage such activity, as appears to be the case (Woodward and Gerson 2014), then they presumably are persons. Finally, personhood is here meant to be a threshold concept. If one has the features constitutive of it, one has personhood, no matter how well- or ill-developed those features may be.

Second, I defer until our discussion of physician-assisted suicide (section 3) a sketch of the notion of treating others merely as means embedded in RWP. But let me now make a couple of points. The mere means constraint in RWP applies only to using *persons*. If, as we are assuming, embryos are not persons according to RWP, then this constraint does not apply to their use. Second, to treat someone *merely as a means*, an agent must treat the person *as a means*: she must *use* that person. On my understanding, an agent uses another if and only if she intentionally does something to or with the other in order to realize her end, and she intends the presence or participation of the other to contribute to the end's realization. Below (section 4) we discuss choices regarding which candidates for a scarce, life-saving resource receive it. In refraining from choosing a particular candidate, say,

because, if treated, she stands to have lower quality of life than another would if he were treated, we might be acting wrongly. But we would not be treating the candidate we do not choose merely as a means; for we would not be using her at all.

RWP specifies that every person has a status such that if an agent treats him in some way, then she ought to treat him as having unconditional, preeminent value (2). According to the concept invoked in RWP, something has unconditional value only if there are no conditions, actual or possible, under which it exists but lacks value. Moreover, if a particular being possesses unconditional value, this value does not vary on the basis of its intelligence or talents, its instrumental value to others, or the magnitude of its health-related quality of life, personal satisfaction (i.e., happiness, in one sense of the term), or well-being. Its value also does not vary on the basis of its impersonal value, that is, the value that an impartial rational spectator would assign to it.

To say that an unconditionally valuable being of a particular kind has preeminent value is to say that no amount of anything that is not a being of that kind can have a value equal to or greater than a being of that kind. Let us assume that persons have unconditional value. To say that they also have preeminent value is to imply that no amount of anything that is not a person can equal the value of a person. It is to imply that persons have a value that transcends that of non-persons. Part of holding that an unconditionally valuable being has preeminent worth is, according to our concept of such worth, to hold that if one treats the being in some way, this treatment ought to reflect that the being has such worth. If the treatment also reflects that the being has or lacks (or promotes or hinders) any conditional value, it must be consistent with what the treatment would be if it did not reflect the latter.

An agent treats another person as having unconditional, preeminent value, according to RWP, if and only if, in the given context, the action she performs is among those that she might perform if she reasonably believed her action to be successfully and absolutely constrained by her holding the other to have this value (as the value is defined above). The notion of reasonableness at work here is non-moral. What it is reasonable for an agent to believe is what the evidence available to the agent favors, given the information she has, her education, her upbringing, and so forth. An agent would not be treating another person as having unconditional, preeminent value if she kills him solely in order to prevent some third party from losing half of his inheritance (assuming, plausibly, that it is not reasonable for the agent to believe that money has unconditional worth). This action is not among those that she might perform if she reasonably believed what she did to be constrained by her holding persons to have unconditional, preeminent worth. The third party's balance sheet is obviously not the same thing as his personhood; a person who is poorer than he otherwise might be is still a person. But the one the agent kills is no longer a person.

Personhood or, equivalently, the capacity of rational choice, is something over and above a particular exercise of this capacity. In order to avoid failure to respect the worth of persons according to RWP, agents typically need not promote, or even refrain from thwarting, a person's particular exercise of his capacity of rational choice. Among the ways of treating another that, an agent might reasonably hold, sometimes accord with the notion that persons have Kantian worth would be, for example, her denying the other's request for career guidance or defeating the other in an election. However, it would typically not be reasonable to believe that diminishing someone's overall capacity to exercise her rational nature (for example, by luring her into heroin addiction) would harmonize with holding persons to have unconditional and preeminent worth.

3. Physician-Assisted Dying

A central claim of this chapter is that principles of respect for persons' worth, principles like RWP, have not gotten the attention they merit in bioethical debate. As an initial illustration, consider debate regarding physician-assisted dying—in particular, voluntary active euthanasia. In a paradigm case of voluntary active euthanasia, a competent patient makes a voluntary and persistent request to a physician for help in dying. The physician administers a lethal dose of medication because the patient cannot do so herself (Brock 1992). Our focus will be on the question of the moral permissibility of physicians doing this and what appeal to a notion of respect for the worth of persons adds to debate surrounding this question.

According to Dan Brock, the main ethical argument for the moral permissibility of voluntary active euthanasia unfolds as follows. First, we judge that patients have a moral right to determine whether to initiate or continue life-sustaining treatment. So, for example, an octogenarian patient has a right to refuse to be put on a respirator, even if he will soon die if left to breathe on his own.

Second, the basis of our judgment that patients have this moral right is an appeal to the values of autonomy and well-being. We think it important to respect autonomous decisions, especially choices regarding the manner and timing of one's death. On Brock's conception, valuing autonomy or, as he sometimes says, self-determination, seems to amount to essentially the same thing as respecting autonomy, according to Beauchamp and Childress's principle. In addition, Brock's argument continues, we think that a person's forgoing or ceasing medical treatment might result in her having a better life overall (i.e., a higher level of well-being) than she would have if she extended her existence. We believe, Brock suggests, that a competent patient is herself well positioned to determine whether it would be better for her if her life ended sooner rather than later. He says that "there is no objective standard, but only the competent patient's judgment of whether continued life is no longer a benefit" (Brock 1992: 11).

Third, according to Brock's argument, the same grounds that support the idea that patients have a moral right to forgo or cease life-sustaining treatment also ground the idea that they have a moral right to a lethal injection. Here Brock understands this moral right not as a right some patients have actually to receive such an injection, but rather as a right they have not to be interfered with if they choose to get one and find a physician willing to administer it. Brock is not claiming that doctors have a duty to administer death-inducing drugs. In any case, Brock asserts, if we value patients' autonomy and their well-being, then we should embrace the idea that some patients have a moral right not to be interfered with in their quest to get a lethal injection from a physician and, to focus on our main concern, the idea that physicians have a moral right to give such injections if they choose.

Brock's reasoning suffers from a shortcoming that stems from its invoking a notion of respect for the autonomy of persons, without also invoking a notion of respect for the worth of persons, or so I will try to show with the help of an example.⁴ Suppose that an aging but healthy poet reasonably believes the following: His poetry, which explores themes of violence and redemption, is deep and important, but underappreciated. The most efficient and perhaps the only way to draw significant attention to his work, which is by far the most important thing to him in his life, is for him to die a violent, "premature" death. Moreover, according to the poet, if he dies with the reasonable conviction that his poetry will be recognized for its true worth, his life will go better for him overall than if he lives it out in the routinely productive, but melancholy and interpersonally unrewarding, ease to which he has become accustomed. The poet is unable to shoot himself, so he asks an acquaintance to do it. He offers the acquaintance impeccable evidence that he is mentally competent and persistently renews his request. The acquaintance shoots and kills the poet.

The values Brock invokes in his defense of voluntary active euthanasia support the idea that the acquaintance's killing the poet is morally permissible. In shooting him, the acquaintance respects the poet's autonomy. Moreover, the acquaintance plausibly holds that his action promotes the poet's overall well-being. Just as, according to Brock, it is reasonable for physicians to do regarding competent, but critically ill patients, the acquaintance defers to the poet's judgment regarding what is best for him. It would not be hard to multiply examples in which people who are not terminally ill competently judge, as does the poet, that their lives would as a whole be better for them if they died sooner rather than later.

Many of us, I venture, reject the idea that the acquaintance's killing the poet is morally permissible. Our rejection of it is not (or not primarily) based on the killing's current illegality or on the likelihood that making actions like that of the acquaintance legal would result in unacceptable levels of abuse. Echoing David Velleman (Velleman 1999), we hold, rather, something like the following: The acquaintance acts wrongly because although he respects the poet's autonomous

pursuit of what is good *for him*, he fails to respect the worth *in him*. Referring back to RWP, the acquaintance fails to treat the poet's rational nature as having unconditional, preeminent worth. The poet's capacity of rational choice is something over and above his particular exercise of it in pursuing the end of promoting the goodness for him of his life as a whole, it is reasonable for the acquaintance to believe. In effect, the acquaintance runs afoul of RWP by treating the worth in the poet as having less weight than the value of what is good for him.

The example of the poet aims to illustrate implausible implications of Brock's reasoning that stem from its neglect of a notion of respect for the worth of persons. Granted, the context of Brock's argument is end of life decision-making. He has foremost in mind physicians' bringing about the deaths of terminally ill patients, and the poet is not terminally ill. But his argument, to the extent that it is effective, supports the view that a patient's terminal illness is *not* a necessary condition for the moral permissibility of a physician's giving her a lethal injection. If the values of self-determination and well-being support the moral permissibility of assisted dying in cases of terminal illness, then they also support its moral permissibility in cases in which someone is not terminally ill. As the aging poet case helps to illustrate, it would be implausible to assume that death promotes a person's overall well-being only if the person is terminally ill, especially if, as Brock suggests, we defer to competent individuals to make judgments regarding wherein their well-being lies.

Appeal to a Kantian notion of respect for the worth of persons helps explain why many of us reject the idea that it is morally permissible for the acquaintance to shoot the poet. Moreover, I believe that this appeal helps explain why some of us find morally problematic some current practices in the realm of assisted dying (Kerstein 2019a). For example, some of us have moral qualms regarding euthanasia as practiced in the Netherlands where, in order to legally euthanize competent patients who request it, doctors have to certify that their suffering is "unbearable," with no prospect of improvement, but not that they are terminally ill (Lerner and Caplan 2015). While this practice might respect patients' autonomous pursuit of what is good for them, it seems in some cases to ignore a special value in them. In my view, the notion of respect for this value should feature in debate on the moral permissibility of voluntary active euthanasia, even though it does not settle this debate.

Someone might reject the idea that we should invoke the notion of respect for the worth of persons, specified in RWP, when assessing the moral permissibility of physician-assisted dying. The objector might claim that doing so comes at an unacceptable cost, namely, that of having to embrace the implausible idea that it is disrespectful of the worth of persons and thus wrong, at least *pro tanto*, for health professionals to withhold or withdraw personhood-sustaining treatment at their patient's voluntary request.

This objection reflects an inadequate understanding of RWP. According to RWP, respect for the worth of persons requires that we refrain from treating them merely as means. This requirement is lexically prior to the requirement that we treat persons as having unconditional, preeminent worth. On my account, if a person uses another, she uses him merely as a means if it is reasonable for her to believe that the other can neither consent to her use of him nor share the proximate end(s) she is pursuing in using him (Kerstein 2013). A person cannot consent to be used in some way if he cannot avert the use simply by dissenting from it. And a person being treated as a means to some end cannot share this end roughly if it would be prudentially irrational for her to pursue it. In a typical mugging, for example, we would say that the mugger treats his victim merely as a means. The mugger uses the victim to get her money. But it is reasonable for the mugger to believe the following: The victim can't avert this usage simply by telling him (the mugger) not to engage in it. Moreover, the victim cannot, from the standpoint of prudential rationality, share the mugger's end; for if the victim pursued it, she would be willing to be thwarted in the pursuit of her own ends (e.g., to buy a movie ticket that evening).

Now if a physician ignores a patient's voluntary, competent request to forgo an intervention, she typically treats the patient merely as a means, thereby failing to respect his worth. Through undertaking or continuing a medical intervention, the physician uses the patient to accomplish her end, say, that of preserving a patient's life. But it is reasonable for her to believe neither that the patient can prevent this use simply by dissenting from it, nor that he can share her end. It isn't reasonable for the physician to believe that the patient can share her end because, in light of his request, it isn't reasonable for her to believe that he could, rationally speaking, will her end without thereby subverting an end of his own, such as that of not undergoing the intervention she has in mind. RWP does not entail that a physician has a *pro tanto* reason to do something (e.g., force a patient into a life-sustaining treatment) when doing so amounts to treating the patient merely as a means. We can appeal to a Kantian account of respect for the worth of persons in connection with the debate on physician-assisted dying without having to embrace the idea, which many find implausible, that a physician would be acting *pro tanto* wrongly in honoring a patient's autonomous request to forgo life-sustaining treatment.

One last point: Those committed to a Kantian notion of respect for the worth of persons arguably need not hold that physician-assisted dying fails to respect this worth in all cases. Velleman, for example, suggests conditions under which a doctor's taking a patient's life would be consistent with Kantian respect for the worth of persons (Velleman 1999). On my own view, which I will not defend here, it can be respectful of the worth of a person's capacity of rational choice to help him die if this capacity is, as it were, permanently exhausted by single

exercise of it—if, in other words, his condition is such that he is and will be capable of setting and pursuing only one end: to die.

4. Distribution of Scarce, Life-Saving Resources

A second area in bioethics that would profit from more attention to a principle of respect for the worth of persons is that of questions concerning the morally legitimate allocation of scarce, life-saving resources. For example, how can we, morally speaking, decide who does and who does not gain access to potentially life-extending but scarce resources such as flu vaccine, intensive care beds, or organs for transplantation?

In this area, unlike that of physician-assisted dying, theorists do not typically appeal to a principle of respect for the autonomy of persons. Perhaps they simply make the background assumption that all of the candidates for a life-saving resource have either themselves autonomously chosen to vie for it or, as in the case of very young children, had surrogates do so on their behalf. So, the theorists might think that appeal to a principle of respect for autonomy will not help assign priorities to various candidates. Theorists, I suspect, tend to suppose that “respect for persons” amounts to respect for autonomy. Therefore, a principle of respect for the worth of persons oftentimes fails to figure even in the background of their discussion of the distribution of scarce, life-saving resources.

Here I illustrate this lack of consideration of respect for the worth of persons with the help of one recent discussion. Carl Tollef Solberg and Espen Gamlund have suggested that in allocating scarce, life-saving resources we ought to consider how bad death would be for those who would die if left untreated (Solberg and Gamlund 2016: 8). We have moral reason, they suggest, to prioritize persons for whom death would be very bad over persons for whom it would be less bad (or not bad at all). Solberg and Gamlund argue that the badness of death for a person typically peaks at around ten years of age. At around that age persons typically have “complete ownership” of their future and a great deal of well-being ahead of them, if they continue to live. Solberg and Gamlund suggest that among the principles that play a role in the distribution of scarce, life-saving resources we should include one that prescribes minimizing the badness of death for (currently existing) candidates for scarce, life-saving resources.

Further details of Solberg and Gamlund’s views need not concern us here.⁵ For our purposes, we need note merely that they mention a whole array of possible allocation principles. Some subset of them, they suggest, needs to enter along with that of minimizing the badness of death into allocation decisions. Two of these are the principles youngest first and modified youngest first. Youngest first is straightforward—it gives priority to younger candidates for scarce, life-saving resources over older ones. Modified youngest first prioritizes persons roughly

between fifteen and forty years old over younger children and older adults, for example, seventeen-year-olds over five-year-olds. Solberg and Gamlund also mention a principle of societal value, which apparently favors people who are more productive and have dependents over those who are less productive and lack dependents (Solberg and Gamlund 2016: 3). In addition, they invoke a “greater benefit” principle, according to which “resources should be accorded to the intervention with the greater health benefit,” as well as a fair innings principle, which says that “resources should be directed to those who have not yet had their fair share of life” (Solberg and Gamlund 2016: 3). Solberg and Gamlund mention these other principles, but they do not make clear which of them they would endorse or how conflicts between principles should be adjudicated.

Even a cursory look at these six principles reveals that, intuitively speaking, none of them captures the content of a principle of respect for the worth of persons. The principles obviously yield inconsistent allocation recommendations in some cases (for example, youngest first can clash with modified youngest first), but in others they yield consistent ones. And sometimes, when they yield consistent recommendations, these are in tension with the recommendations that a principle of respect for the worth of persons would presumably make.

Consider the Paraplegia Case, inspired by Frances Kamm (Kamm 2009: 161–162): Our job is to distribute a scarce, life-saving resource in a morally permissible way. We have enough of this resource to give candidate A or candidate B, but not both, an additional ten years of life. B would spend those years in full health. However, as a side effect of the treatment, A would be paraplegic, significantly reducing her quality of life (health-related and otherwise). Other things are equal between them—for example, they are both twenty years old, and they have had equally good pasts regarding their health.

Since the candidates are the same age, the youngest first, modified youngest first, and fair innings principles fail to apply, making it trivially true that they yield consistent recommendations (i.e., none at all). And we can assume that the societal value principle would favor neither candidate. The greater benefit principle would clearly favor the person who would get ten years in full health over the one who would get ten years as a paraplegic. Solberg and Gamlund’s principle of minimizing the badness of death among candidates for scarce, life-saving resources, also implies that we ought to save B, the one who would be non-paraplegic, straightaway. We assume that A and B have complete ownership of their future. (It is not the case that either one would be cut off, psychologically speaking, from her pre-treatment self.) But since there is more well-being in prospect for B—if, treated, she would not become paraplegic—B’s death would be worse for her than A’s death would be for A. So, taken together, the set of principles Solberg and Gamlund mention would have us save B straightaway.

Many of us, I believe, would reject this recommendation and insist that A and B ought to get equal chances. Intuitively speaking, a principle of respect for the

worth of persons would imply that they should. And that's just what we find when we apply RWP to the case.⁶ It would be incompatible with RWP for us to save B straightaway, basing our choice on the expectation that B would have higher health-related quality of life or greater well-being. That is not among the actions someone might in this context perform if he reasonably believed his action to be successfully and absolutely constrained by his holding persons to have unconditional, preeminent worth. A's paraplegia does not affect his status as a person, according to RWP. Moreover, according to the concept embedded in RWP, an unconditionally valuable being's worth does not increase or decrease based solely on its level of health-related quality of life, personal satisfaction, or well-being. As far as RWP is concerned, A has just as much worth as B.

We might nevertheless be tempted to embrace the notion that it would be consistent with RWP to save B straightaway in order to maximize benefits. B's being non-paraplegic would not at all raise his worth as a person. However, there would be more value as a whole in B's surviving, namely, his worth as a person plus his high health-related quality of life for ten years, than there would be as a whole in A's surviving, namely, his worth as a person plus his lower health-related quality of life for ten years, we might assert. Why would it not be consistent with RWP to use B's greater health-related quality of life as a kind of tiebreaker between A and B?

Suppose we save B straightaway on the suggested grounds, giving A no chance whatsoever to receive life-saving aid. We could not reasonably believe that our action was constrained by our holding persons to be unconditionally and preeminently valuable. To hold that an unconditionally valuable being has preeminent worth is, in part, to hold the following: if one treats the being in some way, this treatment ought to reflect that the being has such worth, and if the treatment also reflects that the being has or lacks (or promotes or hinders) any conditional value, it must be consistent with what the treatment would be if it did not reflect the latter. But B's higher prospective health-related quality of life is a conditional value, according to the Kant-inspired notion of such value. There are conditions in which B's being non-paraplegic would not be good, for example, if it enabled him to grievously harm others. If the conditional value of B's higher prospective health-related quality of life did not figure into our decision of whom to save, we would, in treating persons as having unconditional, preeminent value, choose based on a random procedure in which each candidate gets a 50 percent chance. We surely would not abandon both A and B. But saving B straightaway on the grounds that he, unlike A, will survive in full health is, of course, inconsistent with giving A and B equal chances.

Let me end this section with two points. I have appealed to Solberg and Gamlund's work as an illustration of what is a widespread, but not universal (see, for example, Kamm 2009) neglect of a principle of respect for the worth of persons in bioethical debate regarding the allocation of scarce, life-saving resources.

But it is easy to find other examples of this neglect. In an article entitled “Principles for Allocation of Scarce Medical Interventions,” Govind Persad, Alan Wertheimer, and Ezekiel Emanuel discuss eight such principles before setting forth their “complete lives system,” which includes five principles (Persad, Wertheimer, and Emanuel 2009). A principle of respect for the worth of persons gets no mention. Second, I do not claim that a principle of respect for persons suffices on its own to determine morally legitimate prioritization of candidates for scarce, life-saving resources. As the authors just mentioned, I believe that in the end we will need to appeal to several principles. A principle of respect for the worth of persons needs to be among them.

5. Procreation

Philosophers working on the ethics of procreation pose the question of what, if anything, justifies bringing a child into existence, given that existence involves hardship (e.g., failure, pain, loneliness) and that a child does not consent to be born. In this realm, like that of physician-assisted dying and the distribution of scarce, life-saving resources, Kantian thinking regarding respect for the worth of persons has something to offer.

But before explaining what, let me emphasize that the Kantian account presented above sets forth jointly necessary conditions for respecting the worth of persons who do exist (and, perhaps, have existed), not for respecting persons in prospect. An individual cannot now respect or fail to respect the Kantian worth of a future person; for since the future person does not yet exist, she has no such worth.⁷ At the time procreation occurs, for example, the time a woman becomes pregnant, she is not respecting or failing to respect the worth of the person she produces; for the zygote that emerges within her is not a person, according to the account sketched above.

My focus here is on reasons for procreation. Reflection on the worth of persons, which, according to Kantians, demands respect, enables us to see a kind of reason for procreating that seems lost in some contemporary bioethical debate.

For a brief illustration of this point, consider David DeGrazia’s work on procreative ethics.⁸ According to DeGrazia, two and maybe three considerations justify procreation when it is justified: “(1) procreative freedom, a central interest of prospective parents; (2) the interests of the child brought into being; and possibly (3) the impersonal value of bringing more net good into the world” (DeGrazia 2012: 155).

DeGrazia seems to assert regarding (1) that since prospective parents have an important interest in having the option to procreate, there is *pro tanto* moral reason to allow them to do so if they so choose. (1) seems to be a consideration in favor of *not interfering* with parents’ procreation, that is, a notion of respect for

parental autonomy, rather than a consideration that justifies procreation itself. Perhaps it is the parents' important interest in procreation that counts as a consideration in its favor, according to DeGrazia's considered view. Regarding (2), DeGrazia suggests that the prospect of a child's having a life that, without delusion, the child will come to endorse as good overall, in terms of her well-being, can help justify procreation. DeGrazia considers but does not commit to the idea that the impersonal value of bringing more net good into the world, (3), is a consideration that justifies procreation when it is justified. In any case, the good he refers to is well-being or what is good for some individual (DeGrazia 2012: 158–159). The idea is that, from an impartial point of view, procreation might increase the net amount of happiness in the world and derive some justification from doing so.

In my view, DeGrazia's notion of considerations that can contribute to justifying procreation suffers from a salient omission. According to the Kantian account sketched above, we must treat persons as having a special worth in them, which is distinct from the value of their lives in terms of happiness (i.e., the value of their lives for them). Now, as I have said, prospective persons do not exist, and so do not have such worth. However, parents' idea that in procreating they will produce a *person*, a being that has a very special status, constitutes a consideration that can help justify procreation, or so it seems to me. If the notion that a future child will have a life that is good for him can count as a justifying reason for producing him, then so can the idea that a future child will have a special worth inherent in him.

Of course, in objecting to DeGrazia's position I do not intend to imply that it would, according to RWP, be disrespectful of the worth of persons for potential parents to refrain from producing children. RWP's scope does not extend to persons in prospect. I am asserting simply that the idea of producing beings with a special status can help justify parents' procreative actions.

Conclusion

I have tried to show that bioethical debate in three realms would be enriched by consideration (or greater consideration) of a Kantian principle of respect for the worth of persons. I am not claiming that appeal to the particular principle I propose, or indeed to any particular Kantian principle of respect for the worth of persons, suffices to resolve issues in these domains. But ignoring such Kantian principles amounts, I believe, to ignoring a rich vein of ordinary moral thinking. Beauchamp and Childress claim to find their principle of respect for autonomy in "the common morality," that is, roughly, in the set of norms shared by persons committed to morality (Beauchamp and Childress 2013: 3). If it is plausible to hold that respect for autonomy stems from this source, is it not also plausible to hold that something like a Kantian principle of respect for the worth of persons does so as

well? Debate concerning issues of respect in bioethics should focus not only on respect for persons' autonomous pursuit of what is good for them but also, and to greater degree than heretofore, on respect for what is good in them.⁹

Notes

1. Although this notion of autonomous action has been influential (see, for example, Schüklenk et al. 2011: 33), bioethicists differ, of course, on the accounts they embrace. On an alternative account (of roughly the sort suggested in DeGrazia 2005), a person's action is autonomous if and only if she is acting on some preference of hers and, based on reflection on her values, she either does or, if she thought about it, would choose to have this preference even in light of understanding how it arose in her.
2. In Kerstein 2013, I refer to this account as a Kant-inspired account of respect for the worth or, equivalently, for the dignity of persons. But I avoid use of the term "dignity" here. In bioethical contexts, this term has been used in so many ways, and sometimes with such vagueness, that invoking it can hinder fruitful debate. For a valuable account of uses of "dignity" in bioethics as well as a suggestion that respect for dignity is not exhausted by respect for autonomy, see Schulman (2008).
3. For a complete statement, see Kerstein (2013: 127–128).
4. This difficulty is not limited to Brock's defense of the morality of physician-assisted suicide. One also finds the difficulty in more recent defenses. Schüklenk et al. (2011: 38), for example, base theirs on appeal to autonomy alone.
5. For detailed criticism of their views, see Kerstein (2019b).
6. One might worry that RWP would also yield the following conclusion: Two candidates for a life-saving resource that can go to only one must get equal chances even when the only salient difference between the candidates is that, if treated, one would gain two years of life as a person, while, if treated, the other would get fifty years. I argue that this worry is misplaced (Kerstein 2015).
7. Granted, through an action he takes now, an individual might ten years from now fail to respect the worth of someone who does not yet exist. The individual might do that, for example, if he sets a bomb on a ten-year timer, intending that it explode and kill the occupants of a particular building, and some of the occupants were not yet born when he placed it. But we can set such cases aside.
8. Elsewhere I criticize some of David Wasserman's (Benatar and Wasserman 2015) views on procreation from a similar perspective (see Kerstein 2020).
9. Thanks to Richard Dean and students in my bioethics seminar for their help on this essay. Some material in this essay stems from my work listed in References.

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Treating Disabled Adults as Children

An Application of Kant's Conception of Respect

Adam Cureton

A common complaint among people with disabilities has been that we are sometimes regarded and treated as children even when we have the age, maturity, and mental competencies of an adult.¹ The concern, more specifically, is that there is a widespread tendency to assume that adults with intellectual, developmental, or physical disabilities are especially naïve, vulnerable, and lacking in competence, experience, and common sense, which has led to some of the most abhorrent forms of treatment that disabled people have suffered. Disability activists have made substantial progress in addressing this concern by, for example, working to secure the civil and political rights of people with disabilities, to protect our moral right to make important decisions about our own lives, and to provide us with equal opportunity in education, housing, and other facets of life. Despite these advances, many adults with disabilities continue to worry that we are still denied full and proper *respect* because others continue to think of us as children and often express this offensive attitude in ways that may have little or no bearing on our liberty, personal autonomy, or well-being (Shaw 1994; Shapiro 1994; Charlton 1998).

A non-disabled person, for example, might regard and treat a hearing-impaired person as if she were a young child who cannot understand simple concepts by mostly speaking to her care-giver rather than the disabled person herself, using a “baby voice” with a slow, high, reassuring tone, paying little attention to what she has to say while pretending to understand what she is trying to communicate, impatiently finishing her sentences for her, or brushing off requests to repeat himself. A non-disabled person might also respond to the accomplishments and successes of a disabled person in the patronizing ways that are often directed at children by, for instance, expressing high praise for a piece of art produced by an autistic person even though he thinks it is middling or even dreadful. Like children, adults with disabilities are sometimes dressed in ridiculous ways or left mostly naked, discouraged from engaging in sexual relationships, laughed at for their mistakes, appearance, or unorthodox ways of doing things, condescended to when they make demands or raise complaints, and expected to be deferential to the opinions and wishes of non-disabled adults. We are sometimes brazen in our

interactions with disabled adults, as when we treat someone's motorized wheelchair as a novel toy, pry into the details of her condition or accommodations, stare at her, or give her a pat on the head. We may act paternalistically toward a disabled person when we assume that we know better than she does what is good for her and how we can be of assistance, rush in to help without asking for her permission or guidance, try to keep her calm and content through concealment or distraction, and balk or scoff when she refuses certain medical treatments that would correct or ameliorate her impairments. Like children, we may not hold a disabled adult to the moral duties and obligations that adults are under and we may mostly excuse some of her moral violations as mainly the result of her supposed immaturity or lack of experience rather than her own free choices. And, society in general tends to have less esteem for disabled adults than for non-disabled adults because, like children, adults with disabilities are often seen as less productive, talented, accomplished, and knowledgeable than non-disabled adults.

My focus in this chapter is on whether, and if so why, it is morally disrespectful to regard and treat a disabled person as if she has the maturity, experience, and other competencies that are normally associated with being a child when she actually possesses the characteristics that are normally associated with being an adult and when the attitudes and actions at issue do not necessarily violate her moral rights and liberties, diminish her opportunities, or materially affect her well-being.²

This question is limited in a number of ways. First, the issue concerns only those disabled people who, in fact, have the characteristic competencies of an adult rather than, for example, people with significant cognitive disabilities who may lack these features. Second, the issue is about whether disabled adults are denied moral respect, rather than respect of other kinds, when they are treated as children. Third, the kinds of moral respect at issue are those that may not involve violations of rights or material harm to disabled people. And, fourth, the issue concerns what kinds of moral respect are *appropriate* or *fitting* for adults with disabilities rather than about what moral *duties* of respect we have toward them or what kinds of praise and blame are appropriate if we fail to respect disabled adults properly.

The question I am raising is especially puzzling because regarding and treating a disabled adult as a child in ways that have little or no impact on her rights, liberties, opportunities, and well-being is apparently compatible with having and showing the kind of basic moral respect that all persons deserve simply because they are persons. We can, it seems, regard and treat all persons, including disabled adults, non-disabled adults, and children, with basic moral respect while nonetheless taking the kind of patronizing and condescending stance toward disabled adults that we normally reserve for children.

Many contemporary conceptions of moral respect are inspired by Immanuel Kant and have tended to focus on how to properly respond to the inherent worth and dignity that all persons have simply because they are persons. Kant recognized,

however, that there is also a need to investigate the “different forms of respect to be shown to others in accordance with differences in their qualities or contingent relations” and to include these applications of respect as part of “the complete presentation” of a comprehensive moral system (MM 6:468–469). Unfortunately, Kant did not take on this important task in a sustained or systematic way.³

The general aim of this chapter is to look back to Kant for guidance about how to explain and justify what forms of respect are appropriate for different kinds of persons in different types of contexts.⁴ I approach this task by focusing on the specific issue of how Kant’s conception of respect can be applied to cases he does not consider, namely ones in which disabled adults are regarded and treated as children.

My plan is as follows. The first part of this chapter is devoted to explaining and defending an interpretation of Kant’s conception of respect.⁵ My view is, roughly, that respect, for Kant, is the attitude of judging that something has “inner worth” or “dignity” as well as having a special kind of feeling that is caused by this judgment. Respect, as I read Kant, is appropriate only for things that actually have this special value. In section 1.1, I explain how Kant characterizes “inner worth” or “dignity” and, in section 1.2, I describe what things he thinks have it. In section 1.3, I present and defend my interpretation of the attitude of respect, as Kant understands it, and I suggest that this interpretation can help to resolve a long-standing puzzle about how respect can be both free and inevitable for rational agents. And in section 1.4, I argue that respectful actions, in Kant’s view, are those that are related in certain ways to the attitude of respect and I describe five such connections that can, according to Kant, make an action respectful or disrespectful. In the second part of the chapter, I turn to consider how Kant’s conception of respect, as I interpret it, can be applied to the practical issue of regarding and treating disabled adults as children. After noting several straightforward implications of Kant’s conception of respect for how to regard and treat disabled people, I examine how respect for the moral law (section 2.1), respect for autonomy (section 2.2), and respect for moral character (section 2.3) can each be applied in ways that explain why we often fail to respect disabled adults by regarding and treating them as children.

1. Kant’s Conception of Respect

Respect, according to Kant, is a moral attitude that is appropriate only for things that have a special kind of value, which he calls “inner worth” (G 4:435).⁶ In order to explain and apply Kant’s conception of respect, we must, first, consider how he characterizes this moral value, second, examine what kinds of things, in his view, have inner worth and so merit respect, third, explain the nature of this attitude, and, fourth, explain its connection to respectful and disrespectful actions.

1.1 Inner Worth

The inner worth, or dignity, of something is a type of value that does not depend at all on how the thing relates to anything else but is instead good in itself. Inner worth is unconditional because something that has it is good in all contexts, whatever natural desires people happen to have and whatever effects it may produce. Inner worth is an objective value that is necessarily good for everyone, independent of his or her natural desires. Things of inner worth are infinitely more valuable than anything of mere relative worth. And, inner worth can come in degrees that allow for meaningful comparisons between the inner worth of different things, although Kant insists that things of inner worth cannot be sacrificed for or replaced by other things with equal or greater inner worth.⁷

1.2 Some Things that Have Inner Worth

Kant argues that at least three things have inner worth or dignity.⁸

First, Kant claims that the moral law, which is the complete rational system of moral duties, rights, ends, ideals, and virtues, has inner worth. Morality itself, he argues, is unconditionally and intrinsically good; it does not depend for its worth on the natural desires of persons; and it is infinitely more valuable than things of mere relative worth or price.⁹

Kant says that “nothing can have worth other than that determined for it by the law” (G 4:436), which apparently means that the moral law alone determines what things have or lack *inner worth*. In his view, the inner worth of persons, in particular, must therefore be explained and justified by the moral law itself.

So, second, Kant argues that autonomy of the will gives persons who have it inner worth.¹⁰ Autonomy of the will includes the capacity to rationally legislate moral laws for oneself and all other rational agents independent of natural desire and inclination. Autonomy of the will also includes the capacity to be subject only to moral laws that a person legislates for himself in this way.¹¹ And, autonomy of the will includes rational dispositions and tendencies to govern ourselves by reason in all areas of life. Kant argues, then, that if the moral law has inner worth then beings who have these moral capacities and dispositions to be both authors and subjects of that law also have inner worth.¹²

Kant describes autonomy of the will as a “germ” of goodness that gives those who possess it a dignity (R 6:43). Virtually all human beings, including infants, children, severely disabled people, and evildoers, have autonomy of the will, in his view, even when these capacities are undeveloped, unrealized, or entirely dormant.¹³ People can develop and exercise their moral abilities more or less well, but autonomy of the will itself does not come in degrees, so the inner worth of persons that it grounds is the same for everyone who has it.

Third, if the moral law and autonomy of the will both have inner worth then, Kant argues, a person's character can also have inner worth when her free choices, policies, and strength of will conform to the requirements of morality. The character of a person, in Kant's view, consists of her maxims, intentions, ends, policies, fortitude, and other acts or features of her that are under her voluntary control.¹⁴ Other characteristics of persons, such as her natural and social endowments, are not part of her character because she is not responsible for them.¹⁵ Nothing that is a matter of luck can contribute to or detract from the inner worth of a person's character (see Darwall 1977).

Unlike the first two things that have dignity, namely morality itself and autonomy of the will, the inner worth of a person's character comes in degrees depending on how well her choices and other aspects of herself that she is responsible for measure up to an ideal of a morally perfect person.¹⁶ All persons have an equal inner worth because they have autonomy of the will, but the character of some people has more inner worth than others because their choices more closely align with the requirements of morality.¹⁷ "All men are equal," Kant reportedly said, "and only he that is morally good has an inner worth superior to the rest" (H 27:462). When someone, for example, has a basic, life-governing commitment to morality along with the strength of will to carry it out, Kant says that his character has "the maximum of inner worth (of human dignity)" that is "superior to the greatest talent" and "beyond all price" (A 7:295, 292).¹⁸ A person can never be entirely lacking in inner worth, because his basic moral capacities to be author and subject of the moral law guarantee him the same inner worth that all autonomous persons share, but his character may nonetheless be "worthless and contemptible" (CPrR 5:161) when, for example, his basic principles are in direct opposition to the moral law.¹⁹

1.3 Respect for Things with Inner Worth

Respect, according to Kant, is a moral attitude that is appropriately directed only at things that have inner worth or dignity. Morality itself, autonomy of the will, and a morally upright character all, in his view, possess this special kind of value, so each of them merits respect. But what, more specifically, is involved in respecting something that has inner worth, according to Kant?

Respect, as I interpret Kant, is the attitude of making a certain kind of judgment and having, as a result of making this judgment, a special kind of feeling. When we respect something, we judge, at least implicitly, that it has inner worth.²⁰ We judge, in particular, that it has intrinsic features that make it good in itself independent of its relation to our natural desires, judgments, or those of anyone else.²¹ We also judge that it is good in all contexts and necessarily good for everyone. And we judge that it is more valuable than anything of mere price and that it

cannot be exchanged for anything of equivalent value. We can have more or less respect for something, in Kant's view, depending on the degree of inner worth we judge it to have or the relative priority we give to this judgment over others.

When we judge that something has inner worth, this judgment causes us to have a special kind of rational feeling that can motivate us to act.²² The feeling of respect, according to Kant, has a negative effect, which is to actively hinder and resist inclinations that lead us to have a mistakenly high opinion of our own inner worth in comparison with the thing we respect. Its positive effect is to produce esteem or reverence for that thing.²³

As rational agents, Kant thinks we necessarily have moral attitudes of respect for things that actually possess inner worth, at least when we are aware of them and when our rational capacities are sufficiently developed. We necessarily judge, in particular, that morality has inner worth, that persons have an equal inner worth because they have autonomy of the will, and that the character of a moral saint has more inner worth than that of a scoundrel.²⁴ Yet, surprisingly, Kant also claims that the respect we have or lack for things is not inevitable but is instead somehow free and under our voluntary control.²⁵ He says, for example, that we can "claim" (MM 6:463) and "demand" (MM 6:465) respect from others. We can also "deny" (MM 6:463) that others have any inner worth, "withdraw" (LP 9:484) or "put aside" (MM 6:470) the respect we have for them, "grant" (V 27:708) them the respect they are owed, and "confine" our self-respect to its "legitimate bounds" (V 27:635).²⁶

Here is one way to resolve this apparent tension between the inevitable respect we have for things that have inner worth and the control we have over our judgments of inner worth. As rational agents whose rational capacities are minimally developed, we necessarily judge that certain things have inner worth, which causes in us feelings of respect for them. We also have the freedom, however, to reaffirm, endorse, sincerely hold, attend to, and prioritize these judgments that we inevitably find ourselves with. But we can also renounce them, "disavow" them (MM 6:435), refuse to attend to them, distract ourselves from them, and form competing judgments that we prioritize over them.²⁷ We can never entirely extricate ourselves from the respect we have for certain things, so we are always at least dimly aware of their inner worth, but we are also subject to various deliberative tendencies that lead us to discount those judgments in favor of competing ones that we can freely form and endorse. We are naturally disposed, for example, to make inflated judgments about the moral quality of our own character because we tend to compare ourselves to other people, yet our rational capacities and dispositions necessarily lead us instead to judge our inner worth by the standards of morality itself, and competent rational agents have the power to decide for ourselves which of these conflicting judgments of respect to endorse and prioritize.²⁸

1.4 Respectful Actions

Kantian respect, I have argued, is most fundamentally an attitude, namely one of judging that something has inner worth and, as a result, having a feeling of respect for it. Actions, according to Kant, can also be respectful or disrespectful, in an extended sense, when they express, presuppose, or otherwise stand in certain relations to attitudes of respect and disrespect.

One way actions can be respectful or disrespectful is by presupposing that the person performing those actions judges that something has or lacks inner worth. The act of demanding that another person regard himself as worthless, for example, may presuppose that the person making the demand judges him to be worthless.²⁹ And certain forms of genuine fawning, flattery, groveling, or prostrating may presuppose that we regard ourselves as having an inferior inner worth to others.³⁰

Our judgments of inner worth can also presuppose practical judgments about what we regard as appropriate or inappropriate actions to take toward the thing. If we judge that something has inner worth, for example, then we are also committed to judging that it would be inappropriate to destroy or sacrifice the thing for something that lacks inner worth, which would explain why such an action is disrespectful. Or, according to Kant, doing our duty from duty is a respectful action because our judgment that the moral law has inner worth commits us to judging that we ought to follow the moral law and to do so because we judge that it has inner worth.³¹

We can also express our attitudes of respect or disrespect if we have these attitudes and if we intentionally make use of literal or figurative signs, either outwardly to others or inwardly in our own thinking, that have come to have the same meaning as, or to presuppose, our judgments of inner worth.³² We can, for example, use language to assert that we have respect for a person but we can also use language to rebuke, censure, criticize, disparage, condemn, and cast aspersions. Shouting and using dismissive tones as well as laughing, scoffing, and sneering at others can also express our attitude that something has or lacks inner worth. And we can express contempt for others by portraying them as something that symbolizes lack of inner worth, such as leading them around on a leash, tarring and feathering them, mocking them, and making them seem ridiculous.³³

Our actions can be respectful or disrespectful when they reveal, display, or indicate that we have an attitude of respect or disrespect for something, much as “smoke signifies fire” (A 7:193).³⁴ Human beings may have natural tendencies to act in various ways when we respect something or when we hold it in contempt. These actions, according to Kant, may not have an established meaning that something has or lacks inner worth, but they would nonetheless count as disrespectful if they provide strong evidence that the person who performs them has an underlying attitude of respect or disrespect. For example, we may tend to act

submissively toward or highly praise someone we regard as far superior to us in terms of inner worth. If we have contempt for something, we may be tempted to laugh, sneer, or stare at it.³⁵

Finally, we can act in ways that tend to reinforce or undermine the attitudes of respect that others should have even when we do not have those attitudes ourselves. Our aim may not be to lead others to form judgments of inner worth, to revise the ones they have, or to assign them different priorities, but our actions can nonetheless have the effect of enticing or leading them to do these things.³⁶ Kant claims, for example, that when human beings are aware of immorality in ourselves or others then our basic respect for the offender and the entire species as autonomous persons tends to diminish, sometimes to the point of utter contempt.³⁷ In light of this human tendency, along with the many moral imperfections that Kant thinks human beings have, spying on the morals of others, publicly divulging or gossiping about their immoral acts, allowing others to become too familiar with our thoughts and actions, and tempting them to immorality are disrespectful actions because they tend to make people aware of immorality and so undermine our attitudes of respect for others as autonomous persons. Human beings also have a tendency to lose respect for the moral law when, for example, someone publicly rebukes it or openly and contemptuously violates it without just punishment. These actions, Kant says, tend to have "the effect of bringing into contempt the law of morality" (V 27:663) and to "set off a more general resistance" to it (E 8:37).³⁸

2. Applying Kant's Conception of Respect

A central aspect of the moral life, according to Kant, concerns not just the actions we take or the maxims we adopt, but also the judgments we make about the value of things. The moral law must be scrupulously observed and followed but it also deserves our respect; autonomous persons must not be coerced, manipulated, or intentionally harmed but they too are worthy of respect for their moral capacities; and we should all strive for moral perfection, but the characters of those who come closer to achieving this ideal merit greater respect than the characters of less upright people. Our judgments of inner worth are themselves subject to moral evaluation while our actions can also be morally criticized as appropriately respectful or disrespectful in virtue of their connection to the moral attitudes of respect we should have.

Now that we have a better idea of how Kant, as I interpret him, conceives of respect in the abstract, we can turn to consider how it applies to questions of disability. Kant's conception of respect has several straightforward implications for how, in particular, to have and show respect to people with disabilities.³⁹ First, in order to respect the moral law, we must understand and appreciate the basic

rights that it affords to disabled people (see Hill 1991). Second, it is disrespectful to regard disabled people as mere objects or animals, to judge that their impairments, unrealized talents, or dormant moral capacities disqualify them as moral persons, and to mock, ridicule, or defame them in ways that express, presuppose, or reinforce the judgment that they lack the kind of inner worth that all autonomous persons possess. And, third, disabled people do not deserve less respect than others because of their impairments, appearance, economic status, or any other factors that are beyond their control.

Kant's idea of respect, however, does not yet explain the more specific kinds of respect that people with disabilities of various kinds may deserve. In particular, is it disrespectful to regard and treat a disabled but competent adult as a child as long as we otherwise uphold, understand, and appreciate her basic rights, judge that she has the same inner worth that all autonomous persons share, and afford her the respect she deserves for her moral character? Kant leaves questions of this sort for further philosophical reflection within the basic moral framework he has defined. In the remainder of this chapter, I begin the task of systematically interpreting and applying Kant's notions of respect and inner worth by sketching three arguments for the claim that regarding and treating disabled adults as children is, in many cases, disrespectful.

2.1 Respect for the Moral Law

The moral law, according to Kant, is a rational system of duties, ends, ideals, and virtues that has inner worth and so merits respect. To fully respect the moral law is, most generally, to judge that it has inner worth, to prioritize this judgment over any conflicting ones, and to have certain associated feelings that are caused by this judgment. One way to respect the moral law is to comply with its requirements out of our recognition of its inner worth.⁴⁰ Properly respecting the moral law, however, also requires us to understand its requirements and to take them seriously, to hold the moral law "in highest esteem" (MM 6:394), and to want others to do so as well, to defend it, and to abandon any judgments that entail or imply that it lacks inner worth. We fail to respect the moral law in these further ways if we, for example, judge that it is indulgent, lenient, malleable, absurd, or silly; if we judge that it is dependent on prudence, custom, or religion; or if we scorn, disavow, ridicule, or publicly rebuke it in ways that presuppose, express, or reinforce mistaken judgments about its worth.⁴¹

One way to apply the idea of respect for the moral law to more specific contexts is to examine the nature of the moral law itself. Without making too many assumptions about the precise content of morality, we can assume that this system defines various offices and positions that persons can occupy if they meet certain qualifications. The most basic moral position is the one that is shared by

all persons who have autonomy of the will. All autonomous persons, including infants, young children, and severely disabled people, have this basic moral status, which guarantees them certain basic moral rights.

The moral law, however, likely defines other kinds of positions that persons can occupy if they, for instance, have certain realized talents and abilities or occupy various social or political roles. Citizens, judges, and heads of state along with doctors, teachers, parents, children, and competent adults likely have special moral rights, duties, and responsibilities as well as characteristic moral virtues and ideals that they have reason to aspire to. Kant argues, for example, that all autonomous persons have innate rights to lawful freedom and civil equality under the laws of a state, but only some people are "active...citizens" (MM 6:314) who have sufficient understanding and independence to qualify for the right to vote and to otherwise manage affairs of state.⁴²

Children, according to Kant, have a special place in the moral law. Young children, for example, have rights to protection and education, but they lack the realized moral capacities and concepts that are necessary for them to have moral duties.⁴³ Once a child's capacities for moral understanding, judgment, reason, and reflection are somewhat developed; when she can understand moral notions such as duty, dignity, evil, and injustice to some extent; and when her actions can be imputed to her then she comes to acquire her "[duties] as a child" (LP 9:482), such as ones concerning cleanliness, obedience to rules, and not harming other children.⁴⁴ Only later, once her moral capacities and concepts are sufficiently developed, does a person become a competent adult and so acquire the full gamut of her "[duties] as a human being" (LP 9:482).

If we suppose that the moral law deserves respect and that it defines a basic status of personhood along with additional offices, roles, and positions that people can occupy then, whatever the exact nature of these positions, they too have inner worth and so deserve respect as part of the moral law. Judging that these positions have inner worth, however, not only requires us to live up to the requirements, virtues, and ideals that we may have in virtue of the various morally defined roles we occupy. Fully respecting the moral law also requires us, for example, to understand the other positions it defines as well, including any duties, rights, or eligibility requirements that they involve; to value and esteem these positions, whether we occupy them or not; to defend them from being violated or abused; and not to ridicule, disavow, or publicly rebuke them.

It is possible for us to disrespect a morally defined office or position in the abstract by, for example, scorning or ridiculing the very idea of a judge or legislator, but we can also disrespect the positions that the moral law defines by the ways we regard or treat the people who occupy them. We fail to respect the position of judge, for example, if we deny that the person before us is a judge because we are mistaken about the relevant qualifications or about whether she satisfies them. We also fail to respect the position she occupies if we ignore or scoff at her

legitimate rulings, contemptuously violate her legal orders, or mistakenly regard her legal decisions as simply the result of her emotions, biases, or prejudices.

If respecting the moral law has these kinds of implications for how we regard or treat people who occupy the various positions it defines then it can be disrespectful to regard and treat a disabled adult as a child. Suppose a disabled person is, according to the qualifications set out in the moral law, a competent adult with all of the rights and duties that this position affords. This morally defined role is, I assume, different from those of a young child or an adolescent. The precise nature of these various moral offices depends on the content of the moral law, but let's suppose that, as a competent adult, this person is morally responsible for her actions while a young child is not; that she has the right to form and pursue her own conception of the good while a child must be partially directed in such matters by someone else's reason; and that she has a right to privacy as well as rights not to be coerced, manipulated, or deceived whereas these rights are far less robust in children.

If we incorrectly judge that this disabled person is, morally speaking, a child rather than a competent adult then we fail to respect the moral law because we are mistaken about the qualifications, rights, duties, virtues, or ideals of a position that it defines. We may not actually treat her unjustly, infringe on her freedom, deceive her, or take advantage of her, but our judgment that she is a child is itself a way of disrespecting the moral law, as are any actions that express, presuppose, or reinforce this judgment in ourselves or others. Portraying her or acting as if she is a child, for example, could be disrespectful, as could brushing aside her legitimate complaints, refusing to hold her responsible for her actions, acting as if she is not subject to the moral duties of a competent adult, expecting her to be deferential to our opinions and wishes, rushing in to help her without asking for her permission or guidance, and regarding certain forms of assistance we give her as charity rather than as owed to her as a competent adult. Much will depend on the content of the moral law, but in regarding and treating a disabled but competent adult as if she were a child, we fail to have and show proper respect for her place in the moral law and so fail to fully respect the moral law itself.

2.2 Respect for Autonomous Persons

Autonomy of the will is basically a set of moral capacities and dispositions to be author and subject of the moral law. Those who have autonomy of the will, according to Kant, have an equal inner worth that deserves respect. Respecting persons in this way, and so judging that they have an inalienable inner worth, requires us, for example, to refrain from regarding or treating them as mere animals or objects.

We can begin to apply this idea of respect for the autonomy of persons to specific circumstances by investigating the nature of autonomy and, in particular,

examining the capacity to be an author of the moral law. Kant's conception of autonomy has been understood in different ways, but on some views, a person is a co-author of the moral law if the moral law is justifiable to her and all other persons if they were fully rational and if they were to take up a suitably impartial and equal point of view. One way to respect autonomous persons, on this view, is to act only in ways that are justifiable to her from this moral perspective.⁴⁵

Disagreement persists about the nature of this hypothetical standpoint, but one feature of it could be that ideally rational agents evaluate moral principles, virtues, and ideals on the basis of the rational interests that they and others have.⁴⁶ These rational interests might include interests in developing, protecting, exercising, and perfecting their powers of reasoned thought, judgment, and choice in all areas of life. The capacity to be a co-author of the moral law, on an account of this sort, includes the capacities to take up this perspective and to co-legislate shared moral principles on the basis of the rational interests that persons have in virtue of their powers and dispositions of moral, prudential, and theoretical reason.

If autonomy of the will gives those who have it inner worth, and if autonomy of the will presupposes that persons have rational interests of this sort, then my suggestion is that respecting persons as autonomous agents also requires us to respect their rational interests by judging that they too have inner worth. Much will depend on the nature of these rational interests and on how they are appropriately prioritized and ordered, but if this view is correct then respecting a person's rational interests requires us not only to promote those interests but also to regard them as important and worthy of our attention and to avoid undermining, denigrating, dismissing, or failing to recognize these interests in ourselves and others.⁴⁷

Supplementing Kant's conception of respect in this way allows us to draw out additional implications for how to respect autonomous persons of various kinds. To take just one example, consider the rational interest persons have in exercising their rational capacities. Respecting people in the use of their reason seems to require us to recognize and appreciate when and how well they have done so, to approach such people with reason and argument rather than with power and manipulation, and to take up their points of view. We must also, it seems, refrain from mistakenly assuming or acting as if such people lack rational powers altogether or that their reasoned judgments are absurd or nonsensical. We need not agree with the choices, values, or beliefs that others have or regard them as fully rational, but respecting their use of reason apparently requires us to search for and approve of any reasoning that may have led them to these judgments while also perhaps trying to identify any errors that led them astray (MM 6:463–464).

Some people, particularly young children, do not usually exercise their rational capacities very well, so we may be correct in supposing that their choices and values are not especially well-considered, that they are mostly directed by instinct and inclination, that they have limited knowledge of relevant facts, and that, in certain areas of life, they must be guided by the reason of others until they are competent to use their own rational powers. Because young children tend not to

exercise their rational capacities very well, respecting the use of their reason may not always require us to take up their point of view, to take their opinions and desires very seriously, or to refrain from regarding their judgments as absurd or especially foolish. We may not disrespect the interest they have in exercising their rational powers by expecting deference to our opinions and wishes, rushing in to assist them, or concealing facts from them that would make them less rational. We may have other kinds of reasons for doing or not doing these things, but often our emphasis is instead on respecting the interests of young children in developing their rational capacities so that they are eventually in a position to exercise them well.

Regarding and treating a disabled adult as a child in these ways, however, can be ways of failing to respect her use of reason and so failing to respect her as an autonomous person. We might express our mistaken judgments that a disabled adult lacks realized rational capacities or does not use the ones she has well by, for example, refusing to listen to her or engage with her judgments, finishing her sentences for her, ignoring her opinions, mostly speaking to her care-giver rather than the person herself, refusing to give her the benefit of the doubt or to look for any use of reason that went into her opinions and wishes, belittling her values as mainly the result of sour grapes, false consciousness, or lack of common sense, or counting her interests in comfort or leisure as more important than her interest in exercising her rational abilities. When we treat a disabled adult as a child in these ways, we fail to fully respect her autonomy because we do not recognize, value, and appreciate the interest she has in exercising her rational capacities.

2.3 Respect for the Moral Character of Persons

A person's choices, actions, ends, and values can, according to Kant, give her character more or less inner worth depending on how well they compare to the moral law. Any features of a person that she is not responsible for do not add to or detract from the inner worth of her character. Simply having a disability, therefore, does not make someone more or less deserving of respect, even if her disability affects her relative worth in terms of her usefulness, popularity, wealth, social standing, level of achievement, and so on. Ridiculing or laughing at a disabled person for her impairments, appearance, speech, or mistakes in reasoning can be disrespectful when they express, presuppose, or reinforce the false judgment that her disability or its effects diminish her inner worth.

In Kant's view, the character of a disabled person who studiously develops her natural abilities of body and mind despite obstacles and adverse circumstances may even deserve more respect than non-disabled people who are more talented or accomplished if rational agents have an imperfect duty to perfect their natural

talents and if her projects of self-perfection were done from moral motives. We may not admire her as much as those who are naturally gifted or easily accomplished, but she may deserve additional respect for her perseverance and fortitude.⁴⁸

The respect that a particular person deserves in virtue of the quality of her character depends, in part, on how well she fulfills the specific moral requirements that she is subject to. These requirements, I assume, differ depending, in part, on the abilities a person has. One way we might fail to have proper respect of this sort for a person's character is if we do not understand the moral duties that she is subject to. A disabled adult may be living up to her moral requirements quite well and so deserve additional respect, but we may mistakenly regard her as a child who is subject to a different set of duties or to no duties at all. The particular moral standards we would then be using to evaluate this person's character would be skewed, which may lead us to afford her more or less respect than she deserves because we fail to recognize her moral successes, we do not hold her accountable for certain actions that are imputable to her, or we judge that she fails to satisfy certain duties that she is not subject to.

Conclusion

A central feature of the moral life, according to Kant, concerns the judgments of inner worth that we make and the ways that these judgments can be presupposed, expressed, or reinforced in our actions. The moral law, autonomous persons, and those who have a morally upright character all deserve our respect, in Kant's view, but a comprehensive theory of respect must somehow move beyond these abstractions in order to characterize and justify the forms of respect that are appropriate for particular persons in specific contexts. I have attempted to illustrate how Kant's conception of respect can be interpreted and supplemented in ways that have specific implications for the kinds of respect that disabled adults deserve. The strategies I have described for applying Kant's conception of respect are also, I hope, useful starting points for the urgent practical task of systematically investigating and justifying the various types of respect that we owe to people in marginalized groups more generally.

Notes

1. I am grateful to Tom Hill, Mark Timmons, Richard Dean, Oliver Sensen, Markus Kohl, Cindy Stark, Robert N. Johnson, and audiences at UNC Chapel Hill and the University of Utah for their comments and suggestions on this essay.
2. Assessing this general complaint, however, raises a number of issues that I will not address here. There are conceptual questions about what it means to be a child, to be an

adult, and to regard and treat someone as a child. There are also empirical questions about how common it is to regard and treat adults with various kinds of disabilities as children, what attitudes people tend to have toward those they see as children, and whether some biologically mature disabled people qualify as children or child-like in certain contexts.

3. References to Kant's works are to the translated editions in the list of references, but page numbers given are for the standard Prussian Academy editions, using the following abbreviations: "G": *Groundwork for the Metaphysics of Morals*, "MM": *The Metaphysics of Morals*, "CPrR": *Critique of Practical Reason*, "CJ": *Critique of the Power of Judgment*, "R": *Religion within the Boundaries of Mere Reason*, "A": *"Anthropology from a Pragmatic Point of View"*, "E": *"An Answer to the Question: What Is Enlightenment?"*, "TP": *"On the Common Saying: That May Be Correct in Theory, But It Is of No Use in Practice"*, "CB": *"Conjectural Beginnings of Human History"*, "IUH": *"Idea for a Universal History with a Cosmopolitan Aim"*, "CF": *"The Conflict of the Faculties"*, "SB": *"Observations on the Feeling of the Beautiful and Sublime"*, "LP": *"Lectures on Pedagogy"*, "H": *"Kant's Practical Philosophy: Herder's Lecture Notes"*, "C": *"Moral Philosophy: Collins's Lecture Notes"*, "M": *"Morality According to Prof. Kant: Mrongovius' Lecture Notes"*, "V": *"Kant on the Metaphysics of Morals: Vigilantius's Lecture Notes"*.
4. Kant briefly discusses what kinds of respect are appropriate for old people (CF 7:99) and, in his classes, he reportedly discussed specific types of respect for scholars (C 27:461). For some contemporary attempts at applying Kant's conception of respect to specific groups, see Sensen (2014); Noggle (1999); Buss (1999).
5. For further discussion of various aspects of Kant's conception of respect, see Wood (1999, 2009); Kriegel and Timmons (chapter 4 in this volume); Herman (1984); Hill (2000c); Reath (1989); Cranor (1980); Dillon (2016).
6. C 27:357–358, 407; M 29:631–632; V 27:664–665.
7. G 4:428; MM 6:435–436, 462; M 29:631.
8. For further discussion of Kant's conception of dignity, see Sensen (2011).
9. MM 6:397; G 4:435, 442; CPrR 5:147, 161; C 27:322; M 29:624.
10. G 4:435–436; MM 6:436.
11. G 4:431–432. See also Hill (1992).
12. G 4:435–436.
13. MM 6:280–281; A 7:127, 327–328, 269–270; LP 9:489; C 27:462; V 27:509, 670.
14. G 4:435; R 6:30–31. This may be somewhat overstated in light of puzzling passages in which Kant apparently claims that the consequences of immoral actions can be imputed to a person (e.g. MM 6:228), although perhaps Kant is referring to legal rather than moral imputation. For a discussion of these issues, see Hill (2000b).
15. SB 2:213.
16. G 4:398–399, 435; MM 6:435, 441–442, 463; CPrR 5:76–77, 147–148, 153–154; R 6:30–31; C 27:436; V 27:664–665, 695.
17. V 27:695; M 29:604–605; H 27:39–40.
18. G 4:426; MM 6:405; R 6:38–39; A 7:291–293; C 27:281; M 29:631. For further discussion, see Dean (2006).
19. MM 6:390, 429, 441; R 6:30–31; M 29:632; V 27:604; C 27:341.

20. MM 6:435, 441–442, 454; G 4:403, 428; CPrR 5:88; CJ 5:264; E 8:36; M 29:624; C 27:407, 458; V 27:635–636, 667, 709, 727. My suggestion is that this is the idea Kant is conveying when he says that respect involves being conscious of, appreciating, acknowledging, and judging that something has inner worth.
21. SB 2:213.
22. CPrR 5:76–80.
23. CPrR 5:78–79; MM 6:402–403.
24. CPrR 5:76–77; MM 6:402–403, 449, 463; R 6:49; C 27:407; V 27:665.
25. MM 6:466; A 7:170; C 27:409.
26. See also MM 6:435, 441, 449, 464; CPrR 5:159; C 27:409, 457; V 27:610, 667, 708.
27. MM 6:400, 438.
28. MM 6:437. See also MM 6:441, 459–460; CPrR 5:78; R 6:33–34; TP 8:308–309; CF 7:82, 94; IUH 8:30; V 27:703–708.
29. MM 6:465.
30. V 27:705; H 27:39.
31. C 27:335–338.
32. A 7:192; MM 6:437, 464; C 27:457; H 27:41.
33. MM 6:332–333, 437, 467; CPrR 5:77; A 7:265, 281; E 8:37; SB 2:249; C 27:336–337, 458; H 27:72; V 27:667, 708.
34. A 7:194; H 27:40–41.
35. V 27:707; R 6:103; A 7:133; C 27:342; H 27:41.
36. MM 6:470, 73; CF 7:14; C 27:411.
37. MM 6:394, 455, 464–466, 474; CF 7:14; V 27:687, 707.
38. For other examples, see MM 6:466; CB 8:113; CF 7:14; C 27:456; V 27:664, 706–708.
39. I am setting aside difficult questions about how, on a Kantian view, we should regard and treat human beings who lack autonomy of the will.
40. MM 6:390; M 27:1426, 29:623–624.
41. MM 6:437, 461, 464; CPrR 5:77; M 29:624; C 27:435.
42. MM 6:314–315; TP 8:290–295; A 7:210.
43. MM 6:280–281; A 7:268–269; LP 9:441, 445–446, 453, 460, 465, 481–483, 489, 492–494; V 27:509, 670.
44. A 7:328–329; LP 9:482–483, 489, 499.
45. See, for example, Hill (2000a); Rawls (1999); Cureton (2013a).
46. I develop a view along these lines in Cureton (2013a, 2013b, 2014, 2016).
47. There is some evidence that Kant may have endorsed something like this argument, or at least its conclusion. See A 7:127, 143; C 27:460.
48. MM 6:228, 391–392; CPrR 5:77–78; CF 7:99; C 27:322.

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Species Egalitarianism and Respect for Nature

Of Mice and Carrots

Lucia Schwarz

Introduction

In environmental ethics, biocentrism holds that all living things matter morally or have inherent worth; it is traditionally juxtaposed with anthropocentrism, which holds that humans alone have moral standing (Nolt 2015: 163; Taylor 1981: 198).¹ *Species egalitarian* biocentrists believe that all living things possess *the same* inherent worth. Paul Taylor has famously argued that species egalitarianism is part of a belief system that underlies and justifies respect for nature. Others deny this alleged link between species egalitarianism and respect for nature. However, recent debates on the topic can give one the impression that, in practice, it does not make much of a difference whether one is a species egalitarian or inegalitarian. For species egalitarians and what we might call “enlightened inegalitarians” (who oppose the ruthless exploitation and instrumentalization of nature by humans), paying proper respect to nature will result in more or less the same treatment of animals, plants, and other living things. In particular, species egalitarians have argued that, initial appearances notwithstanding, their view does not have any particularly radical implications when compared to more mainstream views. In this essay, I question whether species egalitarians haven’t been overly concessive and prematurely abandoned a line of moral reasoning that deserves more attention.

In section 1, I outline a controversy that has haunted species egalitarianism since its inception. According to critics, species egalitarianism counterintuitively implies that it is no worse to kill a human than to kill an insect, no worse to kill a sentient animal than to kill a plant. In defending themselves against this charge, species egalitarians have portrayed their view as more moderate than its fundamental principles might suggest. However, in doing so, I suggest, they have given up much of what seemed to make their view distinctive. In section 2, I provide reasons for pursuing a more radical species egalitarianism. I focus on three questions: whether it is worse to kill sentient animals than to kill plants, whether it is

worse to kill more cognitively sophisticated animals than to kill less sophisticated ones, and whether it is permissible for humans to kill other living beings in order to eat them.

Let me clarify at the outset that this is not a political essay; it should not be read as making practical recommendations for how, as a society, we should interact with the non-human world. Rather, this essay is speculative in nature. I pry, raise questions, and *explore* certain answers to these questions, but, as I state in the conclusion, I am ultimately not sure what the correct answers are. My (perhaps mischievous) intention is to make the reader a little less sure, too.

1. Species Egalitarianism under Attack

Among the pioneers of biocentrism, Paul Taylor has most clearly formulated the doctrine of species egalitarianism. He holds that each organism is “a teleological center of life, pursuing its own good in its own way” (Taylor 1981: 207). Something is a teleological center of a life when “its internal functioning as well as its external activities are all goal-oriented, having the constant tendency to maintain the organism's existence through time and to enable it successfully to perform those biological operations whereby it reproduces its kind and continually adapts to changing environmental events and conditions” (Taylor 2011: 121–122).² Notably, plants and other non-sentient, non-conscious organisms count as teleological centers of life as well. Taylor holds that humans are neither superior to other species nor do they have more inherent worth in virtue of, say, their capacity for rational thought. Because rational thought or any other human-specific capacity has value only from the perspective of a distinctly human life. Other species do not need these capacities—but need *other* capacities—in order to achieve *their* species-specific goods (Taylor 1981: 212, 215). To reject human superiority, says Taylor, “entails its positive counterpart: the doctrine of species impartiality,” which holds that all living things possess the same inherent worth (Taylor 1981: 217). Things that have inherent worth, in turn, are the appropriate objects of respect. Thus, Taylor concludes, the key to adopting an attitude of respect for nature is the denial of human superiority (Taylor 1981: 217).

Note that the kind of respect Taylor means is “recognition respect,” rather than “appraisal respect” (Taylor 2011: 60 n.1). Appraisal respect is what we have in virtue of a thing's merits or excellences, whereas recognition respect is what we have when we view something as worthy of moral consideration (Darwall 1977).

A focal point for critics of species egalitarianism has been its apparently absurd implications for the comparative badness of harming members of different species and for the adjudication of inter-species conflicts. On Taylor's view, it seems that shooting one's neighbor is “no more morally reprehensible than swatting a fly or

stepping on a wild flower" (Spitler 1982: 260). According to some commentators, most prominently David Schmidtz, not only are the implications of species egalitarianism counterintuitive, but to act in line with them would actually amount to a *failure* to respect nature:

Most vegetarians think it is worse to kill a cow than to kill a carrot. Are they wrong? Yes, they are, according to species egalitarianism. Therein lies egalitarianism's failure to respect nature...if we treat a chimpanzee no better than we would treat a carrot, that is a failure of respect, not a token of it. Failing to respect what makes living things different is not a way of respecting them. It is, instead, a way of being indiscriminate. (Schmidtz 2011: 129)³

Note that one need not be an anthropocentrist in order to raise this criticism against species egalitarianism. Biocentrists generally agree that all living things have moral standing, but some assume that members of certain species nevertheless have greater moral standing than others (Lombardi 1983: 262–263; Varner 2002).

Species egalitarians, as well as scholars arguing on their behalf, have denied that their view has such unpalatable implications. James Sterba argues that ethical vegetarianism makes sense for species egalitarians "as a way to preventing suffering to animals, a problem that does not present itself when we dine on vegetables" (Sterba 2011: 169).⁴ While all living things have the same inherent worth, if hurting one of them causes suffering and hurting the other one doesn't, then we have an independent reason to hurt the former, rather than the latter. Killing plants in order to eat them, in turn, is justified by a principle of human self-preservation on Sterba's account (Sterba 2011: 167). He adds, though, that aggression against the basic needs of non-human living things is not justified when the human needs that are at stake are non-basic or luxury needs. He calls this the principle of disproportionality (Sterba 2011: 168).

Robin Attfield concurs that killing other living beings in order to eat them is compatible with species egalitarianism, and so is killing large numbers of insects in cases of plagues (Attfield 2011: 140–141). Following Kenneth Goodpaster (1978: 311–312, 322–323), Attfield argues that, while all living things have equal moral standing, their *moral significance* can vary depending on their species-specific interests. And it is their moral significance that determines whose interests we should prioritize (Attfield 2011: 140). Note that Taylor himself, in *Respect for Nature*, after laying out his biocentric egalitarian framework, proposes various principles for settling inter-species conflicts that allow us to routinely prioritize the interests of humans over those of other living beings (Taylor 2011).

Gary Varner, while not himself a species egalitarian, argues that, from the perspective of a species egalitarian, it is permissible to favor the interests of some creatures over those of others as long as these creatures have relevantly different

interests and we do not weigh their *similar interests* differently (Varner 2011: 172). Citing Peter Singer, he holds that we are only being speciesist if we weigh the *similar interests* of individuals differently (see Singer 2009: ch. 1). Mark Michael has previously made a similar argument. Again following Singer, he holds that equal consideration of interests often allows us to prioritize the interests of, say, humans over those of other living things, because harming a human usually frustrates more interests to a greater degree than harming a non-human creature in the same way (Michael 1997: 310).

Thus, all sides seem to agree that we have good reasons to treat living things differently based on their species-specific characteristics, such as their rational capacities or their capacity to feel pain. What is more, species egalitarianism's critics usually do not endorse a certain kind of old-fashioned anthropocentrism that legitimizes the ruthless conquest and exploitation of nature. The contemporary species inequality is more enlightened than that. Schmidtz, for example, argues that we often have reasons to refrain from harming plants that are based in self-respect (Schmidtz 2011: 132–134). And Thomas Hill (1983) has influentially argued that a person who wantonly destroys nature is lacking in virtue. I wager that many species inequalityists would also, to some extent at least, agree with Sterba's principle of disproportionality. One does not have to be a species egalitarian in order to agree that it is not okay to violate the basic needs of other living things for the sake of trivial human benefits (Anderson 1993: 362).

There is, thus, a host of things species egalitarians and inequalityists seem to agree on—perhaps too much? Given the radicalness of the claim that all living things have the same inherent worth, shouldn't we expect the practical outlook of species egalitarianism to drastically diverge from that of the more common-sense-friendly species inequalityism? Perhaps, in trying to find common ground with their critics, species egalitarians have made concessions that are too big too soon.⁵ I do not mean to downplay the importance of Taylor's work and that of other species egalitarians. Biocentrism in general, and the rejection of human superiority in particular, constitute a powerful protest against a narrow anthropocentrism that was and still is widespread in the general population. In fact, it might even be unwise, from a pragmatic standpoint, to publicly advocate a more radical species egalitarianism when large parts of the population don't think that certain "lower" life forms have any moral standing whatsoever; doing so might alienate potential allies and *hinder* progress. At the same time, however, it may also be unwise to completely shut down certain lines of inquiry due to pragmatic considerations; if we do so, we might miss out on important insights that, in ways we cannot always foresee, find their way back into mainstream philosophy and even popular opinion. Hence, I invite the reader to consider that a more radical species egalitarianism may be more plausible than both species egalitarians and their critics have granted.

2. A More Radical Species Egalitarianism

2.1 Carrots, Cows, Mice, and Chimps

All species egalitarians should agree *to some extent* that members of different species should be treated differently based on their species-specific characteristics, insofar as these characteristics determine whether something is good or bad for an organism at all (Taylor 2011: 149–150). For example, it is often good for sentient beings to be administered anesthetics, but a non-sentient being, such as a portobello mushroom, cannot benefit from painkillers. Likewise, a human can benefit from a right to free speech, but a skunk cannot.

However, in many cases in which we have to make trade-offs between the lives or well-being of two or more organisms, the treatment in question would benefit or harm both (or all) organisms involved. For example, being set on fire is bad for humans, squirrels, and sunflowers alike. In those cases, shouldn't species egalitarians hold that it is unjustified to favor the members of one species over members of another species? This point goes beyond the idea that we should consider individual beings on their own terms, rather than on grounds of their species membership. To clarify, some philosophers have argued that, because humans *typically* are rational agents, we should treat *all* humans with the respect that is due to a rational agent, even those humans that lack "normal" rational capacities. Others believe that we should attribute moral standing on a case-by-case basis, regardless of species membership, depending on the characteristics of *the particular individual*.⁶ However, what I am questioning here is whether capacities such as rational thought, moral agency, or sentience are grounds for favoring the interests of some over the interests of others at all.

Let's consider Schmidt's example of the carrot and the cow. In response to Schmidt, Sterba says that a species egalitarian can appeal to the consequentialist goal of minimizing suffering in order to justify killing a carrot over a cow (Sterba 2011: 169).⁷ Killing animals (as well as transporting them to slaughter) usually involves causing them physical pain as well as psychological distress, whereas carrots cannot be in pain or distress. A similar point could be made in response to another one of Schmidt's examples (Schmidt 2011: 130–131). Schmidt asks what we would do if we could either save a drowning mouse or a drowning chimp and whether, in order to cure an otherwise catastrophic disease, we would rather conduct lethal medical experiments on mice or on chimps. According to Schmidt, species egalitarianism implies that it does not make a difference whether we choose the chimp or the mouse, which Schmidt finds "monstrous" (Schmidt 2011: 131). Sterba would perhaps respond that, for a species egalitarian, favoring the chimp over the mouse is justified because, due to its more sophisticated capacities, the chimp would suffer more from drowning and from the medical experiments than the mouse.

In general, it is very intuitive that we should minimize suffering in our actions. However, I find the principle of minimizing suffering *more* intuitive in certain cases than in others. It's particularly intuitive when no lives are at stake and when the choice is between different kinds of actions, either treating A in a certain way x or treating B in a certain other way y, where x generally causes less suffering than y. For example, if I have to choose between kicking my downstairs neighbor in the shin (x) or waterboarding my upstairs neighbor (y), I should choose to kick my downstairs neighbor in the shin. Now, what if the treatment is the same in both cases and the difference in suffering would be due to certain characteristics of A and B? Suppose that I have to kick either my upstairs neighbor or my downstairs neighbor in the shin, but my upstairs neighbor bruises more easily. In that case, while I find this decision a bit more difficult, I should probably still choose my downstairs neighbor. But what if what's at stake is not a bruise and some mild pain but a life? Suppose, for example, you can save either person A or person B from painful death but not both. Both are begging you to save them. However, B has a variety of congenital insensitivity to pain that makes her indifferent to pain. You decide to save A because B will suffer less in the process of dying. Is this the right choice? Maybe you should have flipped a coin instead. After all, B does not want to die, either, and death is final. Is it okay to make a decision about who gets to *die* and who gets to *live* based on considerations about temporary suffering? In particular, is this kind of reasoning compatible with respect for persons? B might complain that it is not her fault that she was born with insensitivity to pain and that it is unfair to give her the short end of the stick simply because she was not born with a certain vulnerability. Likewise, we could complain on behalf of the mouse and the carrot that it is not their fault that they were born without the same kind of vulnerability as the cow or the chimp. Why should they get the short end of the stick because of that?

Now, William French has argued that it is precisely because some living things, such as humans or sentient animals, have additional vulnerabilities that their interests should be prioritized over the interests of less vulnerable beings (French 1995: 55–56). However, while, again, unequal treatment is certainly *often* justified when some of the parties involved are more vulnerable than others, this may not hold when it comes to matters of life and death.

In this context, let's also contemplate a possible scenario in which we encounter a highly sophisticated species of aliens. They have capacities that we cannot even comprehend. We do, however, understand that these capacities add a whole other layer of complexity and intensity to their experience of pain. What is more, even the "lower animals" on their planet are more sophisticated than us and, as a result, are more vulnerable to pain than us. Suppose these aliens realize that, in order to find a cure to a devastating disease, they can either conduct lethal medical experiments on the "lower animals" from their own planet or on us. They decide to choose us because doing so minimizes suffering. Is that a justification

we have to accept? Maybe. But it's at least not obvious. Thinking about a case in which we would be the ones getting the short end of the stick might make us a little more sympathetic towards the mouse and the carrot.

So much for raising some doubts about the significance that a species egalitarian should attribute to temporary suffering when it comes to decisions about life and death. But even if an appeal to minimizing suffering allowed us to conclude that we should kill a carrot over a cow when killing the cow would result in suffering, this leaves open the question of what we should do when we could kill the cow *painlessly*.

Perhaps there is another way to justify prioritizing the life of the cow over that of the carrot or the life of the chimp over that of the mouse, which has to do with the *value of a future*. Arguably, the death of a chimp deprives it and/or the world of more value than the death of a mouse. Perhaps this is what Danny Shahar is getting at when, in discussing Schmidtz's example, he writes: "If we allow the chimpanzee to drown, the world will be impoverished in ways that do not come to bear if we allow the mouse to drown. Chimpanzees bring things to the table which mice do not... [M]ore is at stake when they are involved" (Shahar 2011: 165). And, according to Christopher Knapp, due to its more sophisticated capacities, the continued existence of the chimp is more valuable *to the chimp* than the continued existence of the mouse is *to the mouse* (Knapp 2009: 175–176). A species egalitarian could perhaps hold that, while chimps and mice qua individuals do not have different degrees of worth or moral standing, their *futures* nevertheless differ in value.

However, one reason for species egalitarians to be hesitant to adopt this line of argument is that, when it comes to *humans*, there is something iffy about making decisions about life and death on the basis of how much value an individual's future holds. This is especially true when it is not the individual's fault that their future life is less valuable to them or enriches the world to a lesser degree than the future of other individuals. Take, for example, a person born into unfortunate circumstances and with a natural tendency towards depression who never manages to "make anything" of her life and who does not place a high value on her own life. Take, on the other hand, a person who was provided with an environment and a natural temper that allow him to develop his capacities to the fullest and to deeply cherish his existence. If one is already in the business of comparing the value of different living beings' futures, one would probably say that the second person's future is more valuable than the first person's. But prioritizing his life for that reason seems problematic. It certainly doesn't seem egalitarian.

Perhaps more importantly, the idea that members of some species have more valuable futures than members of other species moves us away from one of Taylor's most central arguments for species egalitarianism. Taylor extensively argues that species-specific characteristics, such as rationality or consciousness, that are often taken to ground superior worth are *not valuable from the perspective*

of beings who don't have those characteristics and that it would be arbitrary to favor our perspective over theirs. Thus, about human-specific characteristics, Taylor writes: "Other creatures achieve their species-specific good without the need of rationality, although they often make use of capacities that humans lack...For animals that neither enjoy thinking for its own sake nor need it for living the kind of life for which they are best adapted, it has no value" (Taylor 1981: 215–216). Pierson Tse brings up exactly this point in discussing Schmidt's example of the carrot and the cow:

a carrot pursues its own good in its own way—it does not need to have the qualities and capacities that say a chimpanzee has—it does not need to swing from trees or fashion rudimentary tools or to think. It is complete in and of itself and needs nothing more to pursue its own good. Surely, then, any qualities or capabilities a carrot seems to lack is strictly due from looking at things from our perspective, and not the carrot's. Therefore, it is not a matter of who has what qualities and how much of them. Things like that matter only to us, not the organism itself. (Tse 2014: 109)

Of course, when Taylor and Tse speak of "the perspective" of a plant, this cannot be taken literally if having a perspective requires having a mind. But what we can take literally is the claim that a carrot is not *deficient* for its lack of rational thought or sentience. It is complete the way it is, and it would not be ennobled or elevated if we somehow "added" the capacity for rational thought to it (which might also make it into an entirely different being). There is, of course, no logical implication from the observation that the carrot does not need rationality in order to be perfect to the conclusion that rational beings do not have more inherent worth than the carrot. But, for me at least, it makes the claim to human superiority more suspicious.

If we buy into Taylor's point regarding inherent worth, then I think we also shouldn't judge one organism's *future* to be more valuable than another organism's, based on species-specific characteristics. A carrot's future does not *need* to contain, say, the experience of pleasure in order to be complete, just like our future does not need to involve photosynthesis to be complete. The continued existence of a flourishing carrot contributes perfect carrot-ness to the world, and the continued existence of a healthy cow contributes perfect cow-ness to the world; who are we to say that the one enriches the world more than the other or that perfect cow-ness is better *for the cow* than perfect carrot-ness is *for the carrot*?

2.2 Are We Vampires?

So far, I considered the questions whether it is worse to kill a sentient animal (cow) than to kill a plant (carrot) and whether it is worse to kill a cognitively

more sophisticated animal (chimp) than to kill a cognitively less sophisticated animal (mouse). However, in many cases, there is, of course, a third option. Instead of experimenting on either the chimp or the mouse, we could choose to experiment on ourselves (perhaps via a lottery system) or to let the disease that is affecting us take its course. And, instead of killing and eating either plants or animals, we could choose to eat neither and let ourselves starve, or to eat a fruitarian diet and suffer the resulting effects on our health.

Thus, I now turn to the question of whether species egalitarians should hold that we are justified in killing other living beings in order to eat them. Let's first note that doing so cannot be justified by appeal to *self-defense* in most cases, since the animals and plants we eat usually have not aggressed against us. Nevertheless, species egalitarians generally argue that doing so is permissible, since it is necessary for self-preservation. Taylor argues that humans are allowed to kill for food because, if they did not, "they would in effect be sacrificing their lives" for the sake of animals or plants, and respect for nature does not require this (Taylor 2011: 293–295). Now, the language of "sacrifice" obscures what is really going on. Our "sacrifice" consists in refraining from killing a creature that has not aggressed against us; it is not like we are actively helping the creature in any way. Sterba's formulation of the self-preservation principle is less euphemistic: "Actions that are necessary for meeting one's basic needs or the basic needs of other human beings are permissible even when they require aggressing against the basic needs of individual animals and plants, or even of whole species or ecosystems" (Sterba 2011: 167).

Evidently, we do not endorse a corresponding principle of self-preservation when it comes to interactions between humans, which Sterba is well aware of (Sterba 1995: 196–197). For example, one of our basic needs is to have functioning hearts. Yet, we are not justified in kidnapping homeless people from another country to surgically remove and transplant their hearts. And if there's no more room in the neighbors' storm shelter when you arrive, you cannot just grab someone who is already in there, throw them out, and take their spot.

Sterba provides two reasons for why we are nevertheless justified in aggressing against the basic needs of non-humans for the sake of self-preservation. The first is: "favoring the members of one's own species to this extent is characteristic of the members of all species with which we interact and is thereby legitimated... [W]e are required to sacrifice the basic needs of members of the human species only if the members of other species are making similar sacrifices for the sake of members of the human species" (Sterba 1995: 197).

However, note that animals and plants, in fact, make this "sacrifice" all the time by refraining from attacking and eating us. When was the last time you were attacked by an animal that tried to eat you? At least if you live in an industrialized nation, in which wilderness and "civilization" are neatly separated, being attacked by wild animals is probably not part of your daily life. In fact, herbivores would

not even eat us if they had a chance, and most plants don't need to eat *any living things* in order to survive, so have no interest in killing us. Again, it is important to emphasize that the "sacrifice" that Sterba is speaking of amounts to nothing more than refraining from killing. Of course, animals kill and eat *each other* as well as plants. But how does that justify that *we* are joining in and killing them, too? Now, there will be cases in which an animal does attack and try to eat a human. In those cases, it is of course fine for a human to defend herself. Furthermore, if you live in certain parts of the world, attacks by wild animals may indeed be part of your daily life, in which case you can be considered to live in a state of "mortal combat" with another species (Schmidtz 2011: 133–134). In that case, you are presumably permitted to treat members of that species like "enemy soldiers" and kill them. But this does not imply that, in a situation where animals neither individually nor collectively pose a threat to you or your community, it is okay to kill and eat them. Nor does it imply that we should try to *enter* a state of "mortal combat" with other living beings in order to acquire an excuse to kill them.

Sterba's second justification for holding that species egalitarianism is compatible with killing for food is that humans would otherwise go extinct "and fortunately, we have no reason to think that we are morally required to bring about our own extinction" (Sterba 1995: 198). But whether we do have a moral reason to go extinct, of course, depends on whether it is wrong for us to kill other living things in order to eat them, which is precisely the question at issue.

Now, it may look like I am constructing a *reductio ad absurdum* against species egalitarianism. After all, a view that implies that, in order to even continue our existence, we *have* to commit wrongs is surely wrong (see Sandler 2007: 73; Sterba 1998: 367). But I don't intend my argument as a *reductio*. The idea of having to commit wrongs in order to continue to exist is not itself absurd. In fact, that this possibility occupies our minds is evident when we look at pop culture and folklore. There are many movies in which one of the characters has to choose between either dying herself or bringing about the death of an innocent third party in order to survive. For example, in the original *Saw* movie, Amanda Young, trapped by the Jigsaw killer, is forced to either brutally kill a sedated stranger or accept her own horrible death. In the 2014 movie *It Follows*, characters are pursued by a supernatural entity that eventually kills them unless they pass on the curse to some other unfortunate soul. The view that these characters, in saving their own lives, are acting wrongly is debatable but certainly not absurd. Some fictional characters even need to kill *by their very nature* in order to survive. In many vampire stories, vampires are depicted as *needing* to kill humans and drink their blood in order to sustain themselves or their sanity. Nevertheless, arguably, it is still wrong for vampires (who appear to be moral agents just like us) to kill innocent people. But couldn't it be that *we* are "vampires"? That would certainly be tragic, but it does not seem outright absurd. We cannot just assume a kind of pre-established harmony in the universe that guarantees that all intelligent life forms can sustain themselves without committing any wrongs.

Now, creatures who, in order to live, have to commit wrongs, are put in the unfortunate position that they have to decide whether to give up their own lives or to continue their lives in the knowledge that they are wronging other beings. The latter is at least not an impossible way to live. It is probably psychologically feasible to live with this knowledge if one is at least making an effort to do no more harm than is absolutely necessary for self-preservation. It may also be helpful for a person to consider that, if she keeps on living, even though this requires her to do wrong, she may ultimately be able to do more good for non-human living beings (let alone humans) than if she allowed herself to starve or slowly deteriorate on a fruitarian diet.

Conclusion

Unsurprisingly, I am uncomfortable with my own arguments. I share the intuition that it is worse to kill a sentient animal than to kill a plant. And I certainly don't like the idea that my own self-preservation necessitates wrongdoing on my part. Neither am I planning on advocating the extinction of the human species anytime soon. However, I also find something very compelling about the basic ideas of species egalitarianism, and it seems to me that these basic ideas take us into a more radical direction than species egalitarians themselves have been willing to pursue. Given that a serious debate regarding the moral status of non-sentient life in particular has taken off in Western philosophical thought only relatively recently, it seems premature to dismiss the more radical implications of species egalitarianism out of hand *simply because* they seem bizarre from the perspective of common sense. Instead, we might want to struggle with them a little more. We generally have the urge to make all parts of our moral thinking fit neatly together; moral intuitions either have to fit our overall moral outlook or are to be dismissed as irrational; bullets either have to be bitten or assumptions have to be revised—but something has to give in order to regain a state of reflective equilibrium. In general, this is probably a good disposition to have. However, perhaps we sometimes try to regain reflective equilibrium too quickly and end up forcing it, rather than properly thinking through the issues. Maybe it is sometimes a good thing to tolerate tensions in one's moral outlook and let them stew for a while (or longer) instead of quickly retreating into the comfort of moral certainty.⁸

Notes

1. For a particularly lucid overview of the literature on biocentrism, see Palmer (2017). Note that there are *individualistic* and *holistic* versions of biocentrism (Nolt 2015: 163). The former hold that only individual living organisms have moral standing, whereas the latter attribute moral standing to entire ecosystems or biotic communities. In this

- essay, the focus will be on individualistic biocentrism. For holistic biocentrism, see Leopold (1949), Callicott (1980).
2. For updated definitions that avoid various counter-examples, see Johnson (1991: ch. 6), as well as Agar (2001: ch. 5).
 3. Sandler (2007: 70–71) makes a similar argument.
 4. Someone might object that animals die and suffer in the production of plant-based foods as well. For example, field animals may be killed during harvest, and insects are killed through insecticides.
 5. In fact, some scholars have charged Taylor with outright inconsistency (Anderson 1993: 350; French 1995: 49–51). However, see Knapp (2009: 176).
 6. For discussion of this issue, see, for example, Lombardi (1983: 263–264), Schmidtz (2011: 130–131), and Singer (2009: 48–54).
 7. Schmidtz and Sterba couch this question as one about vegetarianism vs. omnivorism. I depart from this framing because species egalitarians could potentially advocate vegetarianism, *even if* it was just as bad to kill a plant as to kill a sentient animal. The increased intake of plant-based foods by vegetarians might be more than offset by a decrease in the production of plant-based animal feed, in which case vegetarianism would lead to fewer animal *and* plant deaths (see McPherson 2018: 214; Wills 2019: 257).
 8. I am grateful to Dave Schmidtz for his invaluable encouragement, advice, and helpful feedback.

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