

Amartya Sen asked two questions: (i) Why equality?; and (ii) Equality as to what? He believed that the answer to the first will necessarily entail an answer to the second. (XI) However, to this reviewer, conspicuous by its absence is the question “Is each human being owed equal respect?” In fact, each of the essays gives the impression of presupposing that respect for other persons *ought* to be equal and then striving to find justifications for that outcome. In other words, there are no essays that argue that, in fact, we do not owe one another equal respect.

The project is one of philosophy, principally, political and moral philosophy and as such, it is predominantly a theoretical one, being light on concrete application, notwithstanding the editors’ questions. Whilst illuminating the concept of equal respect as well as its importance in human interaction, the collection does not attempt to argue that equal respect is the only or principal guiding value; we are not advised as to the circumstances in which other values may prevail over our duties of equal respect.

It is deeply unfair, of course, to criticize a collection of essays for what it does not achieve rather than recognize its merits as an excellent and nuanced contribution to contemporary philosophical discourse. Thus, the reviewer will now turn to some of the articles to demonstrate what to her seemed to be the most interesting ideas and conclusions contained within their pages.

However, before beginning that task, it is necessary to clearly distinguish - as accomplished clearly in the book, in particular by Stephen Darwall and Anna Elisabetta Galeotti - between “recognition respect” and “appraisal respect.” The former indicates equal respect for each human being solely on the basis of their humanity - it is on this that the book concentrates. Appraisal respect, as the name suggests, is the respect we give to others based on their attributes, be they moral virtue, musical virtuosity, athleticism or erudition. Clearly, appraisal respect is not owed equally to everyone as everyone carries such attributes in unequal measure. Moreover, one can merit appraisal respect in one area but not in another. No one would question Mozart’s musical talent and the due respect on that ground without respecting his personal life as one displaying moral virtue and one rather doubts he was a gifted ball player.

Beginning with Strozzi’s depiction of Mark 12: 13-17 (“Render unto Caesar...”), Darwall takes a tour of respect as recognition, illustrating the “second person standpoint” as a fundamental component. (1-23) Galeotti expands upon this theme to suggest that recognition respect and appraisal respect have closer links than first appear and argues that

even recognition respect can be suspended by unspeakable crimes, justifying punishment according to law, though never torture. (The subject of the death penalty was left, disappointingly, unaddressed.) (24-53, especially at 35-36) This is because respect is not so much *felt* or *given* as *done*. We manifest respect through our behaviour; hence can suspend it in appropriate circumstances.

Ian Carter tackles the question of why *equal* respect. Given that recognition respect is based on the moral agency and personal autonomy of individuals, why should we not vary our respect based on the evident variations in capacity for the exercise of personal autonomy according to individual characteristics? (54-77, especially at 57-8, 61) Carter answers by rejecting Bernard Williams' demand that we take the other person's internal point of view and argues instead that recognition respect must be opaque; we must *refuse* to look inside the other person and assess them, thus coming to a conclusion closer to a Rawlsian position. (66-70) Carter also reverses Sen's assumptions and argues instead that one cannot answer the question "Equality as to what?" until we have some answer to the question "Why equality?" that is, we have some justification for equality. (56)

Carla Bagnoli returns to Kant and the significance of dignity and its basis, autonomy, as the foundation of equal respect, and throws some light on the related questions: what is individual autonomy and why does it have moral value? (78-100)

Hillel Steiner, Luca Beltrametti and Lester H. Hunt all address in various modes the requirements of equal respect in economic affairs. Steiner persuades us that, despite neoclassical arguments, free trade can be exploitative. (101-112) Using an example of fair trade bananas, he demonstrates that buying at lower cost is a form of exploitation as the purchaser is benefiting from earlier exploitation - and lack of respect - that has put the producer at a long-term economic disadvantage, thus forcing him to sell at a price lower than he would have absent the earlier exploitation. (108-10) He successfully answers the question "Why pay more?" but he also turns that question around and asks the reader: "Why pay less if it means being unjust?" (107)

Beltrametti considers paternalism in economic affairs and begins from B. New's position that market imperfection is a necessary, but not a sufficient condition to justify paternalism. (113-127) Paternalism may represent a failure to treat its beneficiaries as "ends in themselves" but there are some examples where this is not so. New defines paternalism as A: an interference with the decisional autonomy of the beneficiary; B: with the intention of improving that person's wellbeing; and C: without the consent of the beneficiary. (114) Beltrametti then distinguishes authoritarian paternalism (which is coercive) from libertarian

paternalism (which changes the weights of ones' reasons for action, such as introducing "default" options in public and private law) (115-117) and finds that the latter is not necessarily more acceptable (or respectful of its beneficiaries) even though it veils itself with the illusion of choice. (122) He adds two more which do not strictly fit with New's definition, namely Ulysses' paternalism (which is consensual) and donation paternalism (which requires consent of recipient). (118-120)

Hunt takes us on a disturbing tour of Auschwitz to rebut Robert Nozick's conclusions in *Anarchy, State and Utopia*. (128-147) In a complete reversal of respect, Hunt describes the treatment of Jews in the labour camps of Auschwitz, reduced in the eyes of their exploiters to the ultimate "consumable resource." Each lost 3-4 kg per week and could usually survive for about 3 months before being overcome by starvation, disease or deliberate disposal. Each body was literally consumed, with fat and proteins being converted into labour (like coal or wood burnt for energy) and even in death, body parts were consumed for gold, mattress stuffing and soap. The value of each person was reduced completely to an economic resource. (130-132) In fact, Hunt claims that the labour camps were inefficient even on their own sordid terms; they were poor factories with low output. Furthermore, there was a clear "net-loss" (Kaldor-Hicks) - the persons robbed of their own bodies lost more than was gained by the operators. Nonetheless, this economic analysis seems hardly adequate to explain why we find it so morally horrifying. Nozick's utility analysis does not explain why it would *still* be wrong even if it had been economically efficient. Thus, concludes Hunt, there must be some deontological explanation beneath or beyond the economic analysis. (133) Hunt turns to Kant, reminding us that human life has a *dignity* and not a *price*; (134) thus we cannot dispose of one Jewish worker and replace him with another of greater "worth" (fatter, fitter, stronger, healthier). (135) Auschwitz' factories represent the extreme of treating persons as means and not ends in themselves. (136) The second part of Hunt's article, only loosely connected to the first, discusses the justifications for taxation in democratic states and ultimately concludes that although taxation *might* be a form of paternalistic coercion (respectful of taxpayers and their ends), in fact, it usually slides into exploitative coercion (like robbery) owing to the clumsiness of states as well as their occasional lack of moral rectitude. (143)

Valeria Ottonelli takes us on a tour of the difficulties of translating the theory of equal respect and formal equality into the realities of the public sphere. (148-173) Examining three concepts - democracy, justification and equal respect - she argues that equal respect mandates democratic governance.

Peter Jones makes an interesting and rather rare foray into the implications of equal respect internationally. (174-200) Despite the fiction that remains the basis of international law, the Westphalian model is no longer a fact of contemporary international relations: states are *not* independent boxes and certainly not *equally* independent. (178) Hence, states are not in equal positions to “tolerate” one another as it can only make sense to say that *A* tolerates *B* if *A* has some power to intervene in *B* and chooses not to exercise it. (177) Furthermore, tolerance or intervention is not a question of a cost-benefit analysis or a perspective of self-interest. (179) Jones argues against intervention as a matter of respect for individuals, rather than respect for “peoples” in some kind of artificial personification of “the state” (186) (defined by Rawls rather than by the *Montivideo* Convention[2]). (182-184) Some people (persons) may indeed prefer a system that is not liberal-democratic. We can still maintain that a liberal-democratic system is better – even for them – but that is not adequate reason to intervene. (192) In the end, Jones’ conclusion is in line with contemporary international law, which permits humanitarian intervention only in extreme situations.[3] Jones is perhaps over-optimistic about the extent of individuals’ consent to be governed – in liberal-democracies or otherwise – but this paper is theoretical, not practical and thus can be excused.

Elisabeth Telfer completes the book with her essay on humour and equal respect, focusing on ways in which humour can be used to undermine equal respect. (201-213)

On reflection on all the chapters considered together, it becomes less convincing that the collection justifies equal respect at all. Instead, each chapter can be considered as an explanation of and justification for a standard of “equal minimum respect.” Accepting Galeotti’s conclusion that recognition respect and appraisal respect are not of a different nature but rather shades of the same thing, each of the essays can be read as a justification of a *presumption* of respect at level  $x$  for each person *qua* person, which amount can be increased on the basis of appraisal ( $x + a$ ) or can be reduced on the basis of exceptionally immoral or anti-social behaviour ( $x - b$ ). However,  $x - b$  can never fall below a basic threshold ( $y$ ) for example, to justify torture, non-consensual medical experimentation, or to treat human bodies as consumable economic resources.  $y$  is the level of equal minimum respect.

It has not been possible in this short review to give equal consideration to each of the commendable essays in this collection but it is hoped that this review will encourage readers to take a closer look at the book and, for those not fluent in Italian, to seek out further work by these accomplished scholars.

[1] All translations are the reviewer's own.

[2] Montevideo Convention on the Rights and Duties of States, Dec. 26, 1933, Art. 1.

[3] Cf: United Nations Charter, Art. 2(4) (principle of non-intervention in sovereign states) and Convention on the Prevention and Punishment of the Crime of Genocide, 9<sup>th</sup> December 1948, 78 U.N.T.S. 277, Art. 1 (requiring states "to prevent and to punish" genocide and indicating, therefore, international intervention). *See also*, Case concerning the application of the convention on the prevention and punishment of the crime of genocide (Bosnia and Herzegovina v Serbia and Montenegro) Judgment of 26<sup>th</sup> February 2007, 2007 ICJ Rep. 1.

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