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FACULTY OF SOCIAL, HUMAN AND

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Department of Politics and International Relations

SELF-RESPECT IN THE JUST SOCIETY:

A RAWLSIAN RECONSTRUCTION AND DEFENCE

by

Richard Penny

Thesis for the degree of Doctor of Philosophy

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ABSTRACT

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This thesis is concerned with the status of the good of 'self-respect' within John Rawls's account of the just society. Self-respect has a central place within Rawls's theory of justice—and yet, as many recognise, Rawls's discussion of this good is both fragmented and opaque. As such, very basic questions remain unanswered. What is the nature of this good? Precisely how does it relate to justice? And what moral implications follow from this for organising the basic structure of a just society?

In the first part of this thesis I address these (and other) important questions. I begin by reconstructing a Rawlsian account of self-respect, so as to arbitrate between the multiple uses Rawls ascribes to the term. What emerges, I argue, is an account of self-respect which is not only more coherent than Rawls's exposition may suggest, but one which has an interesting and sophisticated relationship to the account of justice which Rawls develops. I use this account to argue that considerations of self-respect act as a constraint upon the principles of justice Rawls sets out, and I set out what I take to be a covert distributive standard for this good. These findings not only shed light on the status of self-respect within Rawls's work, but also on a number of theoretical debates over the kind of project in which Rawls was engaged.

With this exegesis completed, the second part of the thesis asks what the implications are for three contemporary debates over the Rawlsian 'legacy'. I first address G.A. Cohen's 'incentive-based' critique of Rawls, and argue that the good of self-respect serves to deepen the thrust of this challenge. I then

address recent accounts of 'Market Democracy' and argue that its proponents are wrong to argue self-respect can act as the bridge between Rawlsian and libertarian thought. Finally, I address the recent work done to expand upon the Rawlsian ideal of a 'property-owning democracy'. I argue that—subject to some minor revisions—this interpretation comes closest to realising the vision that Rawls had for the status of self-respect in the just society.

DECLARATION OF AUTHORSHIP

I, ...

declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

.....

.....

I confirm that:

1. This work was done wholly or mainly while in candidature for a research degree at this University;
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated;
3. Where I have consulted the published work of others, this is always clearly attributed;
4. Where I have quoted from the work of others, the source is always given. With the exception of such quotations, this thesis is entirely my own work;
5. I have acknowledged all main sources of help;
6. Where the thesis is based on work done by myself jointly with others, I have made clear exactly what was done by others and what I have contributed myself;
7. Parts of this work have been published as: Penny, R. 2013. 'Incentives, Inequality and Self-Respect,' *Res Publica*, 19(4).

Signed:.....
Date:

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CONTENTS

INTRODUCTION

"[T]he parties in the original position would wish to avoid at almost any cost the social conditions that undermine self-respect". (1999, p. 386)

So states Rawls mid-way through his major work – *A Theory of Justice* (*TJ*). Clearly much hinges on this uncharacteristically strident remark. What are these social conditions we must so urgently avoid? How is the basic structure of a society supposed to achieve this? And what is it about 'self-respect' that makes it so precious from the perspective of justice?

Rawls provides only brief and fragmented responses to such questions. As such, the role of self-respect within his theory remains under-developed. Whilst it clearly matters a great deal, the substantial secondary literature on Rawls does not contain an accepted or systematic account of how or why. It should be of concern to Rawlsians that such sizeable questions remain unanswered.

It is this lacuna around which this thesis will be oriented. My primary goal will thus be exegetical—reconstructing the 'Rawlsian' account of self-respect based upon Rawls's explicit (and often *implicit*) normative and methodological commitments. As a secondary goal, I will claim that the account I derive can be defended as a valid and important contribution to our understanding of the broader Rawlsian project. In particular, I argue that a full understanding of Rawlsian self-respect sheds valuable light on a range of contemporary disputes within the literature on Rawls, as well as more recent attempts to move his work in new directions.

This structure of the thesis will be separated into two parts. In part one, I will undertake the exegetical and reconstructive work necessary in order to set out a clear account of how self-respect fits within Rawls's theory of justice. In part two, I apply this account to three contemporary interpretations of Rawls's work.

Thus Chapter 1 addresses the question of what Rawls means when he talks of 'self-respect' as 'a good'. I argue that despite Rawls's equivocation over the term, a coherent and interesting account of 'Rawlsian' self-respect can be

identified. I set out a tripartite account of this good – connecting it to both the Kantian tradition of self-respect, and Rawls's own conception of persons within *TJ*. As such, this account evades many of the criticisms that are levelled at Rawls's own description of the term, and offers us a basis upon which to explore the relationship between this good and Rawls's account of justice in greater detail.

In Chapter 2 I set out how self-respect fits into Rawls's theory. Specifically, I ask why it is that Rawls supposes self-respect must be a justice-good, and what burdens this places on principles of justice as a result. I argue that whilst Rawls clearly viewed self-respect as a primary social good, it differs from other such goods in both its significance, and in the way it acts upon principles of justice. The account of Rawlsian self-respect I have set out – I argue – allows us to address a vital distinction between individuals *being* 'free and equal citizens' and *feeling* like free and equal citizens, which deepens our understanding of the relationship between self-respect, and Rawls's theory more generally.

In chapters 3 and 4 I address the question of whether, and how, the basic structure of society can be expected to act to supports citizens' self-respect in a meaningfully controlled way. I argue that the tripartite account I developed allows us to identify what Rawls calls the 'social bases of self-respect' as acting upon this good in one of three ways. I then apply this distinction to Rawls's account of justice as fairness and argue against views that treat the first principle of justice as either the primary or the sole basis for citizens' self-respect. Rather, I argue, the efficacy of this principle is dependent upon the basic structure cultivating a certain kind of fraternal social environment and, as such, both the difference principle and the principle of fair equality of opportunity are more significant than scholars recognise.

In Chapter 5 I address the question of what it would mean for a society to be 'just' in terms of the support it offers for citizens' self-respect. I argue that despite Rawls's silence on this important question, the account of Rawlsian self-respect we have developed allows us draw some very general conclusions in this regard. Whilst each aspect of self-respect differs slightly, I

argue that the basic institutions of the just society would seek to ensure that all citizens met a sufficient standard in terms of their access to self-respect—where sufficiency is cashed out in functional terms relating, once more, to Rawls's conception of persons. Inequalities above this line, I note, are likely to be limited once the other workings of the principles of justice are accounted for.

At this point the exegetical work concludes, leading to the second half of the thesis which addresses the implications for three contemporary debates over the Rawlsian 'legacy' in which the good of self-respect does, or can, play a major role. In Chapter 6 I address G.A. Cohen's 'incentive-based' critique of Rawls, and argue that considerations of self-respect serve to deepen this challenge. There is, I argue, a tension between a strong endorsement of unequalising incentives and the work Rawls expects the difference principle to do in supporting citizens' self-respect. As such, the account of self-respect we have developed offers further reason to suppose that a 'lax' reading of the difference principle would not be acceptable to parties in the original position.

In Chapter 7 I address a quite different engagement with Rawls's account of self-respect, that which sits within the recent 'Market Democratic' interpretations of Rawls's justificatory model. I argue that market democrats are wrong to argue self-respect can act as the bridge between Rawlsian and libertarian thought—at least in the way they suggest. Rawlsians, I claim, have good reasons to reject the account of self-respect proposed by market democrats, and to be deeply suspicious of the way in which it is deployed to justify a more market-friendly interpretation of justice.

Finally, in Chapter 8 I address the more recent scholarship regarding Rawls's favoured institutional interpretation of justice as fairness—the 'property-owning democracy'. I argue that the key features of this model connect closely with the account of Rawlsian self-respect that I have developed. I suggest that so long as its focus on productive economic engagement is moderated by alternative policies (such as a basic income), a property-owning democracy offers particularly broad and deep support for citizens in

the development of their self-respect. This, I claim, is a major point in its favour.

1. CHAPTER 1 – THE RAWLSIAN ACCOUNT OF SELF-RESPECT

1.1. INTRODUCTION

In this chapter I will address the question of what it is that Rawls means by the term 'self-respect'. What, in other words, does 'Rawlsian self-respect' consist of? And what properties, dispositions or characteristics should we expect an individual with 'Rawlsian self-respect' to have? Whilst there are many other questions about self-respect which must be addressed too – this task of clarification is a vital, and obvious, first step.

For those seeking to interpret (still less apply) Rawls's theory, a great deal surely hinges upon this question. As I have noted, and will maintain throughout, the good of self-respect plays a subtle but influential role in the character of Rawls's account of justice. It is also – in some form – one of the key goods with which we ought to be concerned when we question the justice of real (or hypothetical) social systems or institutions. We therefore ought to want to know what it is. And yet despite this importance there is not, I will argue, a satisfying account in the literature as to what Rawlsian self-respect really is.

Of course it is extremely common within political theory for the identification of particular justice goods to be both challenging and complex. The question of *what* ought to be distributed, is, in many ways, just as central to questions of justice as to *how* 'it' should be distributed. As a result the *definition* of almost all justice goods is characterised by contestation and dispute. What, for example, *are* the basic liberties that we ought to distribute? What *is* an opportunity from the perspective of justice? What *kinds* of wealth are relevant to distributive questions? That the definition of self-respect is neither obvious nor uncontested should not come as a surprise.

Nonetheless, the claim I want to make is stronger than Rawls's definition of self-respect being contestable. Rather, I will argue that there is not an

accepted or at least *compelling* reading of what Rawls himself means when he talks of self-respect. Rawls is charged variously with misidentifying self-respect with other goods, or improperly conflating differing goods under the heading of self-respect, or of simply defining the good of self-respect in such a way that it is unrecognisable within the most important analytical traditions. Rawls's account of self-respect then, is often to taken to be deeply flawed – a claim which itself is taken to have serious implications for his wider theory.

In response to these claims, I will argue that the most common criticisms of Rawlsian self-respect fail to hit the mark. Rawls's account of self-respect is certainly complex, and Rawls's exposition of the term leaves much to be desired. But despite this we can elicit from Rawls's work an account of self-respect that is, I argue, recognisable as an account of self-respect in terms of both the traditions of this term, and in contrast to other related goods. And further, I shall argue, this account of self-respect can be seen to have both a natural and informative place within Rawls's wider approach to theorisation about justice. As such, Rawls's account of self-respect, I will argue, is much more coherent, and interesting, than many theorists have recognised.

1.2. RAWLS'S DESCRIPTION OF SELF-RESPECT

Self-respect – even amongst justice goods – looks to be a particularly awkward concept. This may stem in part from the complex nature of respect, or from the fact that self-respect is (peculiarly) a self-allocated good. Either way, the identification of 'self-respect', much less its quantification, is a more puzzling question than posing the same to 'liberties', 'opportunities' or even, say, 'powers and prerogatives of office'. The task of defining self-respect such that it can be discussed as a justice-good then, is a sizeable one.

Rawls, for whatever reason, does not undertake this project. And whilst he does set out a definition of self-respect in *TJ*, this account is brief, and ambiguous in important ways.[1] As such Rawls's own description of self-

[1] Further, as I shall argue, there is an important disconnect between the literal definition of self-respect that Rawls offers, and his more varied and expansive use of the term throughout his work.

respect offers an invaluable starting point for our identification of the term. But as a final word on its meaning, its use is limited.

Regarding the meaning of self-respect, Rawls tells us simply that:

> "We may define self-respect (or self-esteem) as having two aspects. First of all… it includes a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out. And second, self-respect implies a confidence in one's ability, so far as it is within one's power, to fulfil one's intentions." (Rawls 1999, p. 386)

'Rawlsian self-respect' then, *appears* to be composed of two features. For simplicity, let us label the first of these (the sense that our life-plan is worth carrying out) as 'plan-worthiness' and the second (feelings of confidence in our ability to pursue these plans effectively) as 'plan-confidence'.

As such, a central characteristic of Rawls's account of self-respect is the close association of this good with our plans and commitments. People's Rawlsian self-respect, in other words, is inextricably linked to their *conceptions of the good*. I will discuss this (Rawlsian) concept and its connection to self-respect in greater detail in chapter 2. But for now it will be sufficient to note the following. According to Rawls, individuals with the requisite moral powers form, revise and pursue particular conceptions of a good life in light of their commitments, personal characteristics and social positions (Rawls, 1999, pp. 377–378). These conceptions of the good are crystallised in 'life-plans', which themselves are subject to revision and pursuit. These plans are something more than a set of hopes or aspirations that an individual might have, and something less than a fully worked out balance sheet of what matters to them, and how it is to be achieved. Rather, a rational life plan would be a fairly flexible 'compass' that would guide us (particularly) at important junctures in our lives – balancing our desires and commitments with our recognition of our options and capacities, as well the likelihood that each will change over time.

On a straightforward reading of Rawls then, our self-respect consists, perhaps solely, of our attitudes towards these plans. Self-respecting

individuals would be characterised by feeling no more (and no less) than a sense of *confidence* in pursuing a subjectively *valuable* conception of the good. To illustrate, we might think of a parent who successfully balances a fulfilling career and a set of personal projects alongside a family that they cherish, and who feels that the fundamentals of their life are (to a reasonable extent) under their control. This 'self-respecting' individual need not be blissfully happy with every aspect of their life, nor totally immune to its vicissitudes. But they seem, more or less, to be content with their major achievements, and the ways in which these fit together – as well as having reason to be optimistic about their maintenance of this balance in the future.

Rawls certainly captures a pleasant sounding notion here – but is this a plausible account of self-respect? Many theorists have claimed that it is not (B. Boxill, 1976; Deigh, 1995, pp. 149–150; Lane, 1982; Thomas, 1978; Yanal, 1987). I will examine the history of the concept of self-respect in due course, but for now let us note simply that common language appeals to 'self-respect', at least, do not conform closely to this characterisation.

To illustrate, consider an individual who – it would seem – appears to lack self-respect, at least in a pre-analytic, common-sensish way. This person adopts an apologetic, deferential manner in his interactions with those around him, having internalised (for whatever reason) the notion that he is simply worth less than others. Suppose that accordingly this individual elects to perform a service based job – say as a shoe shine. But suppose also that (partly as a result of his disposition) he both *enjoys*, and values his work. He may, for example take great pride in offering his customers every courtesy – and accepting graciously their disrespectful or degrading attitudes towards him. He sees nothing wrong, or resentment-worthy, in other words, with kneeling all day in front of those he considers to be his betters, and wiping the mud from their boots. And this attitude runs more widely too, such that the shoe shine eschews all political or social discussion, preferring to leave such matters to those who ought to decide such things. This is not to say he is downhearted though. Indeed, when pressed, the shoe shine would point to his vocation being self-chosen, and take pride in having

his plans and commitments arranged in a way which offers him a continual source of validation.

Here then we could pose the question: Does this individual have much self-respect? Can this kind of fawning behaviour, this lack of an appreciation self-worth and this unwillingness to stand for one's own rights and interests really be reconciled with being self-respecting? Put another way, whilst it may be cruel for us to tell such an individual to "have some self-respect" the next time he accepted a customer's rude behaviour, or acceded meekly to the views of others – would we use such words *inaccurately* in doing so?

Many theorists would agree that we would not be misapplying the term in this context. The shoe shine – in some senses at least – appears to lack self-respect.[2] However, it is not clear how this conclusion can be drawn from a prima facia reading of *Rawls's* definition of self-respect. The shoe shine seems to have formed a plan for his life that genuinely gives him pride, and better still, one which, given the steadiness in demand for obsequiousness, is probably a safe bet going forwards. He may (in fact) feel legitimately more confident in his ability to pursue his chosen lifestyle than many of his peers. Perhaps then, by finding a place for himself in the world, and being comfortable in it – the shoe shine ought to be envied rather than pitied.

This conclusion, as many theorists have observed, is unsatisfying. It seems that Rawls is presenting a notion of self-respect which is limited in important ways. Rawls seems correct inasmuch as he recognises the importance for individuals to live their lives in ways that they believe to be worthwhile.[3] But, we might say, the 'self' in Rawlsian self-respect is lacking.

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[2] The shoe shine example is based, in part, on the example of 'Uncle Tom' described by Thomas E. Hill, Jr (Hill, 1973, 1982) who Hill takes to illustrate how an individual might be said to lack self-respect by lacking a strong sense of their moral worth, and rights.

[3] Take the example of the artist who gives up on her favoured style and medium in order to produce art for a mass market whose taste she loathes. She may well choose to do so freely, but it seems likely that she would feel some sense of loss or regret about 'selling out' in this regard. She may be able to accept, or rationalise her actions, but it seems quite likely that she may not be able to respect them – and to respect herself (to some extent) as a result. Rawls gives us one explanation for the mechanics of this feeling – were it to be the case. The artist would face an

'We' are surely more than simply what we do, or aspire to. We can surely fail to respect ourselves even when our endeavours feel worth pursuing. The shoe shine might feel his plans are worthy of respect (from both others and from himself), but does he feel that *he* is worthy of respect?

If Rawls does go wrong in his definition of self-respect, where does he do so? The most common criticism levelled at Rawls is that his is not really a definition of self-respect at all. Rather, it is an account of what most philosophers (and perhaps, psychologists) would recognise as self-*esteem*. As such, the argument goes, Rawls misses important aspects of what self-respect entails, and includes elements which have no proper place within a definition of self-respect. This charge can be thought of as having a strong and weak version. The strong charge says that Rawls presents nothing more than an account of self-esteem – that the two are simply confused. The weaker version of the charge says that Rawls's account of self-respect incorporates elements of self-esteem in an improper or problematic way.

I will detail and respond to both of these charges in the forthcoming sections. The strong charge against Rawls, I will argue, can be dismissed. Whilst Rawls's *definition* of self-respect is vulnerable to such a charge, the same cannot be said of Rawls's wider *use* of the term within his work. Rawls's formulation of self-respect then, may well be flawed – but his understanding and use of the term appears to be much richer, and I will argue, more defensible than his literal definition implies.

Something similar can be said with regards to the second charge, that Rawls still affords too much space to the notion of self-esteem within his account of self-respect. I will argue that, properly understood, Rawls's working account of self-respect actually draws our attention to important connections between the concepts of self-respect and aspects often taken to characterise self-esteem (but which are better understood as being a form of *appraisal* self-respect). Rather than being an improper amalgamation of the two, I will argue, Rawls is best understood as proposing an account of self-respect

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incongruity between her actions, and what she took to be a meaningful or valuable path for her life.

which is more sophisticated than many theorists recognise. Rawls's account of self-respect may be broader than others – but this need not compromise its coherence.

1.3. SELF-RESPECT OR SELF-*ESTEEM*?

The idea that Rawls is focusing on self-esteem rather than self-respect derives not only from the definition he offers, but also from the fact that Rawls refers sporadically to the good of self-*esteem* throughout *TJ* (indeed it is present in the definition I set out above). Rawls appears to treat the terms 'self-esteem and self-respect' as largely synonymous – and he uses them interchangeably, with no obvious logic behind the choice of either.

There is thus an obviously ambiguity as to which good Rawls is referring to. But why should we resolve this uncertainty in favour of self-esteem? The crux of the charge against Rawls is that the account he offers shares not only important similarities with accounts of self-esteem, but also appears to lack elements which most theorists take to be central to self-respect.

Let us place this claim in context by saying something about how self-esteem is typically understood in contrast to self-respect. As I noted above, the concept of self-esteem has largely been the preserve of psychologists, and indeed most histories of the term are traced back to the psychologist William James, in his '*The Principles of Psychology*' (1890).[4] For James, a pioneer in theories of self-conception our self-esteem can spelt out in relatively simple terms, as the ratio of our successes to our aspirations (Marsh, Byrne, & Shavelson, 1992). We have high self-esteem when we succeed in those things to which we aspire, and low self-esteem, when we fail to achieve those things to which we aspire. Conversely, successes and failures in fields which we either do not value, or do not have strong expectations of what we should achieve, will affect our self-esteem to a lesser extent.

James's account of self-esteem seems applicable in some quite basic situations. To esteem one's self is, in the most basic sense, to look upon one's

[4] A work which Rawls cites in *TJ* (Rawls, 1999, p. 390 #27)

self favourably. One grounding for this self-appraisal will likely be our accomplishments in our lives. Thus when we think of individuals with high self-esteem, we are likely to think of those who are satisfied with their achievements, one way or another. And we might also think that individuals who consistently struggle and fail in those areas which matter to them will be especially liable to feel low self-esteem – a low sense of their own importance or quality.[5] But whilst some theorists are comfortable with adopting James's approach (Thomas, 1978, p. 258), the equation-based approach which James offers looks more like a useful heuristic device rather than a full account of self-esteem. It is evident, at the very least, that some of our successes will count for more than others, and that the sheer number of successes is unlikely to correlate simply with our sense of self-esteem (in the way that a basic ratio might fail to capture).

Furthermore, whilst our 'successes' may be one component of self-esteem, there are a number of other aspects that aren't best described as achievements. For example, theorists such as Robert Nozick identify a pride in our capacities and *attributes* as the key aspects of our self-esteem. For Nozick, it is less what we have achieved, and more what we *could* achieve that determines our sense of self-esteem (Nozick, 1974, p. 243). For Nozick we look favourably upon ourselves not only when we achieve certain goals, but also when we have desired abilities or features that others do not (or do not in equal degree). Possession of these qualities is understood as a component of self-esteem in its own right.[6] This assumption is mirrored in the most common psychological accounts of self-esteem, such as the Rosenberg scale – used extremely widely in psychological research

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[5] It is worth noting that the causation could also run counter to that proposed by James. I.e. that after some point, a person's sense that they are inadequate, incapable or 'a failure' might doom projects or endeavours which were otherwise achievable for them.

[6] This recognition offers us a way to deal with cases where individuals achieve, *despite* (rather than because of) their own efforts – and how we might feel this ought to affect their sense of self-esteem. Take for example a mediocre racer who wins an Olympic gold medal due not to her quality as a runner, but because her competitors are forced to default en masse due to an extremely virulent case of stomach flu. Whilst such an athlete may well feel some self-esteem as an 'Olympic champion', it does not seem – intuitively – that her 'achievement' in winning gold would count towards her self-esteem *as much* as if she had earned it through her own merit.

(Baumeister, Campbell, Krueger, & Vohs, 2003) – which emphasises its participants' evaluation of their qualities, capabilities and personal characteristics alongside their assessments of their achievements (Rosenberg, 1965).[7]

Indeed, there are surely some abilities that are sources of self-esteem simply by their presence. An obvious example is a person's physical appearance. It is well established in the psychological literature that appearance – beauty and the like – is a strong determinant of individuals' self-esteem (Roland & Foxx, 2003, p. 262). Other personal characteristics such as social acceptance (Roland & Foxx, 2003) and social class (Rosenberg & Pearlin, 1978) and a sense of efficacy (Hughes & Demo, 1989) act very similarly.[8] In contrast with achievements, it is not so clear that one's meriting these abilities matters so much in terms of self-esteem.

This definition of self-esteem, as being based upon our achievements, attributes and capacities is supported elsewhere in the literature (Roland & Foxx, 2003, p. 274).[9] For David Sachs, like Nozick, our self-esteem appears to be based upon "beliefs about the magnitude of one's advantages or accomplishments," and "the magnitude, for example, of one's intelligence, social standing, or role in an enterprise." (Sachs, 1981, p. 351). Stephen Darwall adopts a similar, if more general formulation, arguing that "Those features of a person which form the basis for his self-esteem or lack of it are by no means limited to character traits, but include *any* feature such that one

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[7] Participants are asked to respond from 'agree strongly' to 'disagree strongly' to 10 different statements, such as: "I feel that I have a number of good qualities", "All in all, I am inclined to feel that I am a failure.", "I feel I do not have much to be proud of." (Rosenberg, 1965)

[8] Note the difference between *determinants* and *grounds* for SE, e.g. social class can act as both a *grounds* for self-esteem (a reason to feel self-esteem) and a *determinant* of self-esteem (to the extent that it structures a person's interpretation of themselves and the world).

[9] For example, who values the characteristic? Is it a subjective evaluation, or does it depend on wider social norms? Can people raise their self-esteem by lowering their aspirations? Do all 'valued' attributes (earned and unearned, moral and immoral) count equally towards self-esteem? I will address some of these questions in section 2 regarding the basis of self-respect and self-esteem.

is pleased or downcast by a belief that one has or lacks it." (Darwall, 1977, p. 48 My emphasis).

Speaking more generally then, the idea of self-esteem is best understood as a quite flexible appraisal on our part. This is to say that in being linked to achievements and capacities, individuals are likely to esteem themselves to quite different extents, and with the potential for substantial variation over their lives. Furthermore, the grounds for esteem are likely to be both varied and, to some extent, subjectively defined. Thus whilst social standards of the kinds of qualities or achievements that are positively appraised are likely to influence our own sense of what is valuable – the breadth of possible skills, projects, lifestyles and capacities that might be esteem-worthy is likely to result in individuals differing substantially in their assessments of what kind of features or considerations are worthy of positive appraisal (in both themselves and others).

On this account then, a self-esteeming individual is one who appraises themselves positively in terms of their attributes, capacities and/or achievements. With this in mind, it is clearer how Rawls's account of self-respect might be viewed as an account of self-esteem. Rawls, recall, defined our self-respect in terms of two key components. Firstly, our feeling that our plans and endeavours were worthwhile, and secondly, in terms of our confidence in our ability to achieve them. We will feel a positive self-conception – in other words – when we feel positively about our plans, endeavours and achievements, and also when we feel confident in our abilities and capacities. This definition then, appears to line up more or less precisely with self-esteem as it is understood by philosophers and psychologists. By resting so directly on our achievements and capabilities, Rawls's account of self-respect appears to relate directly to the key traits that are commonly taken to compose self-esteem.

One aspect of this conclusion is particularly puzzling. It seems that the primary feature lacking from Rawls's account of self-respect is the sense of self-conception emphasised by the Kantian tradition in which it is typically located. This tradition, of course, is one which Rawls appears to favour at other junctures of *TJ* (Eyal, 2005). Here then, we begin to see the divergence

between Rawls's description of self-respect and, I shall argue, his broader understanding of the term. To demonstrate this, I will briefly consider what is meant by the 'Kantian interpretation of self-respect'. With this achieved I will be in a position to show how aside from the description Rawls offers above – these more Kantian components of self-respect remain a concern for Rawls, throughout *TJ*.

1.4. THE KANTIAN TRADITION OF SELF-RESPECT

The Kantian tradition of understanding self-respect bears some superficial similarity to the ideas which underlie self-esteem as we have defined it. Thus both concepts appear to relate to ideas of self-worth or self-value, and the feelings of self-confidence that individuals ought to have. However, the two differ markedly in the space they afford to moral or normative concerns. Notions of self-worth and self-confidence in the Kantian tradition are tied closely to ideas of moral worth and dignity – rather than the plans, achievements and (non-moral) capacities which ground most accounts of self-esteem.

At its basis the Kantian tradition of self-respect relates this good to the 'moral law' to which all rational persons are supposedly subject (Massey, 1983). For Kant, the moral status of persons is based upon their being 'ends in themselves', from their having the capacity to determine their will in accordance with the moral law. With this status as ends comes a sense of 'dignity' which must be afforded to all such rationally directed persons. Our value as persons then, is not dependent on our usefulness to others or in any sphere of life, but rather our capacity to determine our will in accord with the moral law.

It is this feature of persons, Kant argues, which compels respect from others, in order that they themselves uphold the moral law to which they are rationally committed. Kant writes that:

> "The respect that I have for others or that another can require from me (observantia aliis praestanda) is therefore recognition of a dignity (dignitas) in other men, that is, of a worth that has no price, no

> equivalent for which the object evaluated (aestimii) could be exchanged." (Kant & Gregor, 1996, p. 462)

This, in turn, morally binds us to recognise this dignity in others:

> "…just as he cannot give himself away for any price (this would conflict with his duty of self-esteem), so neither can he act contrary to the equally necessary self-esteem of others, as men, that is, he is under obligation to acknowledge, in a practical way, the dignity of humanity in every other man." (Kant & Gregor, 1996, p. 463)[10]

Kant makes clear the implications for our self-respect in the quote above – just as we must recognise other persons to be beyond price – so too can we not 'give ourselves away for any price'[11] without violating our obligation to respect *ourselves*.

Kant is unclear about precisely what kind of obligation we have to ourselves in this regard. Elsewhere for example, Kant appears to reject our having a strict *duty* of self-respect. Prior to the quote above, he writes that an obligation to ourselves:

> "… regarded as a duty, could be presented to us only through the respect we have for it. A duty to have respect would thus amount to being put under obligation to [have] duties. Accordingly it is not correct to say that a man has a duty of self-esteem; it must rather be said that the law within him unavoidably forces from him respect for his own being, and this feeling (which is of a special kind) is the basis of certain duties, that is, of certain actions that are consistent with his duty to himself. It cannot be said that a man has a duty of respect toward himself, for he must have respect for the law within himself

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[10] Though confusingly, Kant is often translated as using the term 'self-esteem'. Most contemporary distinctions between the two terms take Kant to be referring to self-respect though, and I will assume as much. (C. Stark, 1997, p. 66 Fn 7) See also (Massey, 1983)

[11] To "deliberately… set aside one's moral worth merely as a means to acquiring the favour of another, no matter who he may be . . . is false (lying) humility, which is contrary to duty to oneself since it is an abasement of one's personality" (Kant & Gregor, 1996, pp. 435–436)

> in order even to think of any duty whatsoever." (Kant & Gregor, 1996, pp. 462–463)

We might address this apparent contradiction in two ways. Massey (1983) argues that it can be resolved by distinguishing between two uses of 'respect' on Kant's part – one implying respect for those agents with moral capacities, and respect as 'reverence' for those agents who *act upon* these moral capacities. Feelings of this latter reverential respect, which Kant appears to refer to in the quote in question, are an 'irresistible' feeling in response to virtuous persons. As they cannot be compelled, such feelings could not be subject to duties (Massey, 1983, p. 62).

This claim is plausible. However, we might also understand Kant as highlighting an interesting discontinuity between the processes of our respecting of others, and our respecting of ourselves. Kant argues that we have a duty to respect others as part of a more fundamental duty to honour the moral law. This duty attaches to the *capacity* of others to appreciate the moral law. We respect then, from a third-person perspective, and as such, we can ground a wider duty to respect *independently* from the capacity of particular subjects. With regards to our *self*-respect however, the process is complicated by its first-person perspective. To recognise our duties to ourselves, is to recognise our own dignity. But for Kant, our dignity consists, in part, *of* our ability to recognise our duties to ourselves – as part of our wider recognition of the moral law. Thus we could not recognise the concept of such a duty, in the absence of the dignity which it responds to. For those with the requisite moral capacity, their sense of duty is not obligated by this moral law in a causally prior sense; their self-recognition is forthcoming *because* they recognise the moral law. Recognition of the moral law *is* the recognition of the duty.

Indeed, Kant implies this when he writes that we cannot be obligated to acquire certain moral endowments, including self-respect, because:

> "…they lie at the basis of morality as subjective conditions of receptiveness to the concept of duty, not as objective conditions of morality… To have these predispositions cannot be considered a

> duty; rather, every man has them, and it is by virtue of them that he can be put under obligation." (Kant & Gregor, 1996, p. 399)

The implication from this is that whilst there are parallels between our respect for others and our respect for ourselves, we should be wary of treating self-respect as simply the respect we have for others reflected inwards. Inasmuch as our relationship to ourselves is different to that relationship we have with others, which it surely is, we might expect our *self*-respect to be different as a result.

We might highlight three general features of the Kantian conception of self-respect at this point. Firstly, Kantian self-respect is based upon our *recognition* of certain moral capacities. Self-respect is not just a feeling, but a self-assessment also. Secondly, this recognition is *morally informed*, even if its status as a strict moral duty is questionable. Our self-respect depends not merely on a given state of mind, but on this stemming from certain moral precepts. And thirdly, our self-respect implies both an assessment and a *disposition* to act in a certain way towards ourselves. An individual with Kantian self-respect would not only recognise their moral worth, but also the restrictions which it places upon their attitude towards themselves, and their conduct.

This account of self-respect as an active moral recognition is supported in the literature on self-respect. In Thomas E. Hill's influential work on self-respect for example, the basis of individuals' self-respect is identified squarely as their proper recognition of their equal moral status (Hill, 1973). Hill contrasts self-respect with 'servility' which he identifies as one (or both) of the failure to understand one's moral rights, and/or the failure to value or defend them sufficiently. The shoe shine in our example above would probably lack self-respect on both of these counts. They appear to have a very weak sense of their own entitlements regarding dignity, and they seem unwilling to take the steps in order to defend them – or to act (in other words) in accordance with the basic human dignity that Kantians would suppose them to have (Hill, 1973, pp. 94–97).

A similar idea is articulated by Laurence Thomas, who argues that "A person has self-respect… if and only if he has the conviction that he is deserving of full moral status, and so the basic rights of that status, simply in virtue of the fact that he is a person." (Thomas, 1978, p. 265) This conviction, Thomas argues, would mean that such an individual would not submit to unfair or unequal treatment without good reason (Thomas, 1978, pp. 266–267). On this reading, self-respect relies once more on an individual's recognition of their moral status, *and* their acting accordingly in their dealings with others, at least when there are not strong or coercive pressures for them to do otherwise.[12] This is a view echoed by Virginia Held who claims that:

> "For persons to acquiesce in the avoidable denial of their own rights is to lack self-respect… for them voluntarily to yield their own interests in securing their rights to the interests of others in thwarting them is incompatible with their self-respect." (1973, p. 22).[13]

In all three of these cases we can see elements of the Kantian tradition at work. For each (and many other[14]) authors, recognition of our moral worth, or personhood, is a basic requirement of our self-respect. But this recognition not only entails a certain kind of attitude towards ourselves – but also a certain disposition to act accordingly, in our own conduct – and in the treatment we expect from other individuals, groups and perhaps, institutions.

It is important to note that scholars writing in the Kantian tradition do not typically advance a *fully* Kantian account of self-respect (R S Dillon, 1995, p.

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[12] Of course – it may not be to the detriment of an individuals' self-respect if they were to acquiesce to degrading or disrespectful behaviour in a highly coercive situations. See Hill (1973) for a discussion.

[13] Held's concern is as to whether disenfranchised groups can pressure for (realistic) incremental change, rather than more radical (but unlikely) social reorganisation, without compromising their self-respect (given that these parties themselves are unlikely to benefit personally from slow, but steady progress). Interestingly though, Held also identifies the willingness to benefit from such injustices as 'incompatible' with self-respect (Held, 1973, p. 27).

[14] (Bird, 2010; B. R. Boxill, 1992, pp. 189–190; Chazan, 1998; R S Dillon, 1995; Feinberg, 1970, p. 252; Massey, 2013; McKinnon, 2000; G. Taylor, 1985)

25). They do not, for example, see our sense of worth deriving from our moral capacity in such a rigorous way as Kant.[15] And they may differ from Kant in terms of both the kind of moral worth that persons are taken to have, and the premises from which we might defend this worth. Instead then, more recent 'Kantian' theorists of self-respect tend to be Kantian in terms of the *model* of self-respect they advocate. On this model, the essential aspect of self-respect is the relation of individuals to their appropriate moral worth. Self-respecting individuals respect themselves to the extent that they properly recognise (and are disposed to act upon) their inherent moral worth, *whatever authors take this to be*. Thus the Kantian *model* of self-respect might be compatible with a range of assumptions regarding persons' moral value – whether this was based upon a doctrine of natural rights, human rights, contractualist premises, notions of citizenship, or some religious or spiritual foundation. What is distinctive about self-respect though, is that it is responsive to some moral standard, and that this in turn places some moral limitations on how we permit others to treat us.

This idea that individuals ought to feel, and recognise, a particular sense of their moral worth– appears to be what is lacking from Rawls's conception of self-respect. It appears to be what is lacked, for example, by the shoe shine in the example above. This individual appears to have the 'confidence in his determinate plans and capacitates' that Rawls demands (Eyal, 2005), but what he appears to lack is the strong sense of his own worth as a person, and the kinds of treatment and rights that this entitles him to.

It is clear that Rawls does not describe this sense of worth or dignity in his literal definition of self-respect. But is an appreciation of this Kantian model for self-respect to be found elsewhere in Rawls's discussion of the term? I will argue that it is.

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[15] For example, Massey argues that for Kant, all immoral action displays a lack of self-respect (Massey, 1983, pp. 69–70) – something which most commentators would, I suspect, not endorse. See also (Telfer, 1968, pp. 115–116)

1.5. THE KANTIAN ELEMENT OF RAWLSIAN SELF-RESPECT

One way of testing whether the definition of self-respect which Rawls offers is really representative of his understanding of this term is to look at how the concept of self-respect functions in his account of justice. I will address this question further in chapter 2, but for now it is sufficient to note that the account of self-respect that Rawls introduces is intended to play an important role in 'checking' the principles of justice that he proposes. The principles of justice, in other words, are supposed to operate in support of the self-respect of the citizens to who they apply.

This is significant because it offers us – in effect – a second way to verify Rawls's understanding of self-respect. If it really is true that Rawls is using the term 'self-respect' to refer *only* to self-esteem, then it should follow that the ways in which Rawls identifies the principles of justice as supporting self-respect should – accordingly – relate *only* to our plans, achievements and abilities, rather than our sense of dignity, worth or moral status.[16]

Once we do this though, it becomes quickly apparent that the 'work' the principles of justice are doing in supporting 'self-respect' goes well beyond that which would make sense if Rawls really were to understand this good as self-esteem only. The clearest example of this comes in regards to the justification for the priority of liberties in *TJ*. The preservation of citizens' self-respect is, as I will set out in Chapter 3, one of the key grounds on which Rawls rests the lexical priority of the first principle of justice.[17] But the good doing the justificatory work here is better understood as self-*respect*, in the Kantian tradition, rather than self-*esteem*.

Rawls claims that the privileged position afforded to the basic liberties should stem, in part, from the fact that parties in the original position would not be willing to sacrifice their share of equal basic liberties in return for

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[16] This is certainly not to say that the principles of justice might not support the dignity, worth and moral status in an ancillary sense – but instead that Rawls would not interpret their doing so as a source for self-*respect*. For our interpretive purposes, what matters is not so much what the principles of justice *do* when they affect the basic structure, but what Rawls *thinks they are doing* when they affect the basic structure.

[17] For some, the only compelling ground (Eyal, 2005)

economic gain (Rawls, 1999, pp. 474–475) To make this argument though, Rawls makes a connection between citizens' self-respect and their political *status* that was not explicit in his earlier definition of the term.

Rawls's argument runs as follows: Parties in the original position would privilege liberties over material gain because they have a fundamental concern for securing their social and political status (Rawls, 1999, p. 477). Accordingly, one justification for the principle of equal basic liberties (both its existence and its lexical priority) is the role it plays in securing this status (Shue, 1975, p. 199). Thus as much as offering liberties which have a 'use value', the first principle of justice also confers a 'status value' on citizens.

This status value, Rawls argues, can be defended in terms of its supporting citizens' 'self-esteem':

> "The basis for self-esteem in a just society is not then one's income share but the publicly affirmed distribution of fundamental rights and liberties. And this distribution being equal, everyone has a similar and secure status when they meet to conduct the common affairs of the wider society." (Rawls, 1999, p. 477)

Thus, Rawls argues, the equal basic liberties principle (and its importance) serves to secure a vital basis of citizens' self-respect acting as a public affirmation of each person's equal worth as, specifically, a *free and equal citizen*.

What is significant here, is that the role Rawls affords to the first principle of justice in supporting self-esteem (guaranteeing each citizen a secure sense of their own worth) appears to relate not to citizens' appraisals of their plans and abilities[18], but presupposes precisely the kinds of ideas that I have said characterise self-*respect* (in the Kantian tradition). The recognition of citizens as *free and equal* – as ends in themselves – is a recognisably Kantian form of status or worth. This status is not to be related to changes in citizens'

[18] Though it may have this effect also, to the extent that it frees individuals to pursue plans which they value. I will address this further in Chapter 2

achievements, abilities or capacities[19], but rather exists as a separate, moral presupposition and one which – importantly – has identifiable implications with regards to how these citizens will expect to be treated by others (and by social institutions).

That Rawls is concerned with self-*respect* here become clearer still as he continues. Parties in the original position would be unwilling to countenance a less-than equal political status, he argues, because:

> "This subordinate ranking in the public forum, experienced in the attempt to take part in political and economic life, and felt in dealing with those who have a greater liberty, would indeed be humiliating and destructive of self-esteem" (Rawls, 1999, p. 477)

For Rawls then, confronting others who had a greater set of basic liberties would be humiliating, and harmful to our self-esteem. But once more, it is not clear as to how the fact that others had greater political liberties should be so damaging to the degree to which we value, or feel confident in our aspirations and abilities.[20] Citizens' aversion to experiencing a 'subordinate ranking in the public forum', and their sense of 'humiliation' in the face of others with greater political rights or liberties corresponds not to their wish to feel that their plans for life are worthy, but their wish to feel that *they* as individuals are worthy.

This point is pressed further when Rawls argues that, "hardships arising from political and civic inequality, and from cultural and ethnic discrimination, cannot be easily accepted." It is again difficult to see why hardships of status need to be *particularly* hard to accept, *unless* we are counting the damage they do to individuals' sense of their own moral worth.

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[19] It must be noted that to some extent Kantian self-respect is 'capacity sensitive' – responding as it does to the *presence* (or lack) of particular rational capacities. However, it is capacity sensitive only in this binary sense, such that all of those above the requisite threshold are to be respected equally, and all of those below the threshold are to be considered not to be subjects of respect.

[20] There may be some cases in which an individual's plan of life required equal political rights in an instrumental way – such as in running for political office. But unless the losses of liberty were extremely severe, this would seem to be the exception rather than the rule.

In terms of their effects on self-esteem – that is, our sense of our achievements and capabilities – it is not clear how political hardships are any different to, say, economic hardships.

Thus when Rawls comes to discuss the realisation of self-respect in the just society, he reveals a covert commitment to securing some form of individual moral worth, or status, which bears resemblance to the Kantian traditions of understanding self-respect. This additional aspect of self-respect is not, for whatever reason, made clear in the description of the good that Rawls offers. I will offer some speculations as to why this is in the forthcoming sections, but for now let us re-formulate the Rawlsian definition of self-respect to reflect its usage in *TJ*, rather than its description.

In addition to self-respecting citizens having the sense that their plans were worthwhile (plan-worth) and the feeling of confidence in their ability to pursue these plans (plan-confidence), we might add that Rawls also expects self-respecting individuals to have some feeling of 'moral worth' – a recognition of their status as persons and citizens, and the kinds of treatment and behaviour which would befit this moral value. In Rawls's account of justice this status would be based, in large part, on individuals' status as free and equal citizens. For brevity once more, let us call this the sense of 'moral worth'. The Rawlsian account of self-respect then, should – to accord with Rawls's *use* of the term – be understood as being composed of *three* rather than two aspects.

1.6. DISTINGUISHING SELF-RESPECT FROM SELF-ESTEEM

This response is sufficient to address the charge that Rawls offers us *only* an account of self-esteem. But it does not address the second claim I noted – that Rawls improperly conflates the concepts of self-esteem and self-respect. Indeed, if we are to treat Rawls as advancing this tripartite account of self-respect – this may serve to reinforce, rather than refute this claim.

The claim that Rawls is misguided in incorporating both elements of self-respect and self-esteem into one ideal is made by a number of theorists (cf. Doppelt, 2009). And similarly, most theorists writing in the Kantian tradition implicitly take self-respect to be focused more squarely (if not solely) on an

individual's sense of moral worth – a narrower view than Rawls (with his focus on citizens' plans and abilities) appears to take.

How much do self-respect and self-esteem overlap? One important proponent of the claim that the two are quite different concepts is David Sachs. In a seminal paper on this question, Sachs accepts that self-respect and self-esteem may be empirically correlated – typically found together that is (1981, p. 356), but points to a number of ways in which these concepts diverge in meaning. In particular, Sachs argues that the relationship between self-respect and self-esteem is not reciprocal. Having a sense of self-respect, Sachs argues, may well be grounds for our feeling self-esteem. We may, quite reasonably take pride in, and look positively upon ourselves, for having self-respect. But the *counterpart* to this claim does not appear to be true – i.e. it does *not* seem to be a reason for us to feel self-respect that we *also* have a sense of self-esteem. It ought not to affect our sense of worth as a person, Sachs argues, whether we are proud of our achievements, abilities or personal features (1981, pp. 354–355).

Sachs argues that this divergence between self-respect and self-esteem becomes clearer still at the margins. An individual, Sachs argues, may be thought to be capable of having a sense of self-respect, even if they do not esteem *anything* about their person or their achievements.[21] Such an individual might, in other words, not view any of their accomplishments or capabilities as being praise-worthy, and yet *still* protest their situation if they were not treated as, say, an equal by others. "I may not have achieved anything of note, and I may never do so" this individual might say "but I am a person nonetheless, and there are some ways in which I ought not to be treated."

Sachs's implication then is that self-esteem and self-respect are two quite different concepts – and more importantly, that an individual's sense of self-respect is not dependent on their having a sense of self-esteem. If this is the case, then Rawls's account of self-respect may be too broad. Concerns for

[21] Sachs asks us to assume this person does not even believe that maintaining a sense of self-respect is esteem-worthy (Sachs, 1981, p. 355).

self-esteem might well have a place in an account of justice – but they would not, on this reading, fall under the auspices of self-respect. Given the centrality of self-respect within Rawls's account of justice (see Chapter 2) it would be quite troubling indeed for Rawls's theory if the different aspects of what he calls self-respect each required a separate (and probably different) justification.

A similar argument is made by Bernard Boxill, who claims that:

> "No doubt it is good to be securely convinced of the worth of one's plan of life, and to be confident of one's abilities. But surely these attitudes are not necessary to self-respect. It would then be beyond the reach of too many people. Self-respect is sparer, sterner, more fundamental; it has more to do with how we conceive of ourselves as human beings in our basic moral relations with others, and it is therefore within the reach of almost everyone." (B. R. Boxill, 1992)

Gerald Doppelt (2009) argues that this conflation of the two concepts creates a major problem for Rawls. The self-esteem elements of self-respect, Doppelt argues, cannot be satisfied by the principles of justice in the same way as the self-respecting aspect. Thus, the two elements cannot be treated in the same way by a theory of justice, and nor do they relate to justice in the same way. The addition of esteem-style elements to his account of self-respect would either (or perhaps both) place the good of self-respect beyond the influence of the basic structure, and beyond the grasp of many citizens, or it would include in the good of self-respect all kinds of concerns or elements that people use to esteem themselves (such as their appearance or intellect), which should not be grounds for them to *respect* themselves. Accordingly, Doppelt claims, Rawls ought to focus solely on the recognitional aspects of self-respect (those pertaining to a Kantian sense of worth) in his account of justice, or risk the coherence of his argument (Doppelt, 2009).

1.7. THE STRUCTURE OF SELF-RESPECT

Are these arguments compelling? Can a Rawlsian give a reasonable account of why we ought to treat (elements of) self-esteem as a part of self-respect? I believe that they can. In another important paper on self-respect, Stephen

Darwall argues that there are in fact two different forms of self-respect – recognition self-respect, and what he calls *appraisal* self-respect. These I believe, point us to a way to interpret Rawls's account of self-respect as more coherent than it may appear at first sight.

Darwall identifies the two forms of self-respect by first asking us to consider how we might respect *others*. Recognitional respect for others, Darwall argues, "consists in giving appropriate consideration or recognition to some feature of its object in deliberating about what to do" (Darwall, 1977, p. 38). With regards to persons, having recognition respect requires us to give proper moral weight to the fact that they are *persons* (Darwall, 1977, p. 39). Recognition respect then, takes the form of the Kantian respect that we have outlined previously acting as a moral attitude which requires us to constrain our behaviour in light of the moral facts we recognise about other people's moral worth. Applied inwards, recognition self-respect would entail our recognising our moral worth and acting appropriately upon this recognition. This then, is roughly equivalent to the Kantian tradition of self-respect that I have identified, and to the additional aspect of self-respect which I am attributing to Rawls.

However Darwall argues that recognition respect is importantly different from what he terms *appraisal* respect which consists in the positive appraisal of an individual with regards to some features or excellences they display (Darwall, 1977, p. 45). In the case of persons, once more, Darwall believes we feel appraisal respect for individuals who manifest the *excellences* of persons – specifically those of 'character', understood as the "[disposition] to act for certain reasons and the higher-level disposition to do that which one takes to be supported by the best reasons" (Darwall, 1977, p. 44). This is to say that whilst we might (recognitionally) respect two people equally as *persons*, we might nonetheless have *more* respect for one, if, say, she displayed admirable commitment to her principles, force of will or courage of her convictions. We might appraisively respect, in other words, an individual who suffered great material hardship in defence of her values, more than we appraisively respected an individual who 'sold out' their principles, colleagues, or plans.

The presence of appraisal respect need not commit us to saying that either of the individuals above are more or less of a *person* than the other, or that they deserved to be recognised as more or less morally significant as a result. Rather, appraisal respect is a separate, and *additional* form of respect. Recognition respect is commonly understood to be owed equally to all persons, whereas appraisal respect, Darwall argues, may be due in different measures, depending on the degree to which people manifest the relevant traits or excellence (Darwall, 1977, p. 45). Recognition respect enjoins moral requirements on how we treat the bearer of the relevant moral fact, whereas appraisal respect does not compel us to act in any particular way, beyond recognising the excellences in question. (Darwall, 1977, p. 39).

We can turn these values inwards to yield an account of ASR. We would feel a sense of appraisal self-respect when we manifest excellences (in Darwall's example) of personhood – when, that is, we are disposed to "act for certain sorts of reasons together with the higher order disposition to act for what one takes to be the weightiest reasons." We appraisively respect ourselves, in other words, when we display the 'agentic capacities' that underlie the conception of personhood that we respect *recognitionally*. The two types of respect are thus importantly related (Darwall, 1977, pp. 47–49).

As an account of respect for persons, Darwall's has some intuitive force. This is to say that our everyday assumptions regarding respect for others appear to accord with Darwall's distinctions. Most of us accept that there are moral limitations on the way we treat others which are independent of whatever features or excellences of persons they manifest.[22] Most people would endorse the claim that each person is entitled to some, broadly equal, level of respect simply by virtue of their being a person. At the same time however, it is intuitively obvious that we do not respect all others equally. Darwall

[22] I have in mind both the common courtesies we extend to others on the grounds of their being persons (such as offering them a say on matters affecting them, or respecting their autonomy in decisions affecting only themselves), as well the moral limitations that we might place on the ways we *could* treat others. One reason we may not tolerate, say, slave-style relationships, is the belief that such treatment of others can *never* be reconciled with a recognition of personhood, regardless of the character of the person in question.

suggests these differences come in the form of the non-morally binding appraisal kind. Those people for who we have particular respect are typically those who we see as manifesting particular excellence of persons – integrity, force of will, consideration and the like. And yet we would be unlikely to feel that they deserved any special moral status, or that we were morally *required* to treat them in ways that we would not treat other people.

How then does this claim bear upon Rawls's conception of self-respect? It does so, I will argue, by drawing our attention to *second-order implications* of the Kantian tradition that are not acknowledged by theorists who focus solely on recognition. The identification of this first order/second order relationship is, I will claim an underappreciated aspect of Darwall's contribution to the debate over self-respect – and one which allows us to recast Rawls's account of self-respect in a far more sophisticated and coherent light.

Take, once more, the Kantian tradition of understanding respect (and self-respect). Here we recognise some feature or capacity in people that makes them worthy of (moral) recognition. Under a strict Kantian schema, this capability is the ability to recognise the moral law. This capacity imbues individuals with a moral worth – their status as ends in themselves, which we are compelled to recognise. This is the strict Kantian account, but as I noted above, many writers adopt this Kantian *model* for self-respect, without subscribing fully to each of Kant's precepts.

This is to say that the *source* of the moral worth that authors identify in others may be (and often is) something other than their rationality, or their recognition of moral law. It might, for example, be the fact that they are human.[23] A proponent of human rights might, for example, reject the idea that humans who lacked 'normal' rational capacities ought not to be viewed as respect worthy, arguing instead that their 'humanity' is sufficient basis for us to respect them. This proponent could hold firm to the Kantian *tradition*– arguing that our capacity for humanity (rather than reason) was the basis of

[23] Indeed, this is broadly the position taken by Avishai Margalit in his 'The Decent Society' (Margalit, 1998, pp. 39–40)

our moral worth, and that this capacity still imbues the subject with a moral worth that we are compelled to recognise in just the way Kant set out.

Thus, I claim, the Kantian tradition in the literature on self-respect mirrors Kant's account of self-respect not in terms of content – but in terms of *structure*. The Kantian tradition that is, appears best characterised as following a formulaic model of this kind: Some respect worthy feature or capacity is identified as present, and this identification triggers an obligation for others to recognise this individual as having a distinct moral worth, and, in turn circumscribe their interactions with this individual accordingly. Kant has one account of what the relevant features, moral value and circumscriptions are – but there may be many others.

This model of recognition and circumscription of behaviour neatly summarises the consensus in the literature as to what it means to respect someone. And the model can be applied to self-respect also. Here too, the recognition of some capacity or feature which signifies moral worth acts as a trigger for us to recognise our *own* value, and to circumscribe our *own* conduct accordingly. Thus to respect one's self is to recognise one's moral worth, and to be disposed – other things equal – to act accordingly.

Let us call this part of the Kantian model the first order implication for respect. Darwall's innovation, I claim, is to note that the description of the relevant moral capacities which underlies recognitional respect, may also have *second-order* implications for how we respect others (and by implication – ourselves).

In Darwall's account, the claim that we ought to recognitionally respect others is based upon their possession of Kantian 'agentic capacities'. This, in turn, gives us reasons to respect (appraisively*)* people's use, or manifestation of these capacities. The respect worthiness of the *capacity*, in other words, implies a form of respect-worthiness of its *exercise*. Thus we are, according to Darwall, led to respect manifestations of 'character' in ourselves and others, based upon our wider commitment to recognising the personhood of which this character is constitutive (Darwall, 1977, p. 47). This form of respect is, of course, different in the sense that it is appraisive –

and may vary from person to person. It may also be less morally demanding upon the respecter. But it nonetheless follows quite naturally from the first order commitment to recognise the morally-worthy capacity.

1.8. RECONSTRUCTING RAWLSIAN SELF-RESPECT

This model offers us a framework by which we might re-describe Rawls's own account of self-respect in a more coherent manner, avoiding the charges above. The recognitional aspect of Rawlsian self-respect, we said, was best understood as individuals' acknowledgement of themselves as free and equal citizens. But this status as free and equal citizens presupposes – as in the Kantian tradition – a set of 'agentic capacities' of its own. Indeed, these are central pillars of Rawls's conception of persons in their own right. They are, of course, the *two moral powers* which Rawls takes to be constitutive of free and equal citizens: their capacity for a sense of justice and their capacity for a conception of the good (Rawls, 1999, p. Xii).

Thus the first-order basis for citizens' sense of moral worth (their status as free and equal citizens) confers a respect-worthiness on the capacities (the exercise of the moral powers) which characterise that status. How though does this allow us to unite the goods of moral-worth and self-esteem within one coherent reading of Rawls's account of self-respect?

We can do so because of the specific character of the moral powers Rawls identifies. In particular, the capacity for a conception of the good entails, more specifically, the capacity to (rationally) form, revise and pursue a particular individual life-plan. Here then we see a potential relationship between Rawls's first (Kantian) aspect of self-respect, and the second and third aspects, focused, as they are, *on citizens' life-plans and abilities*. Rawlsian individuals ought to recognitionally respect themselves as free and equal citizens, but underlying this status is a moral capacity – a pair of moral powers – by which (in Darwallian terms) they might also *appraisively* respect themselves. Thus individuals might also respect, or fail to respect themselves, by virtue of exercising, or failing to exercise, these moral powers.

It is here that an explicit link between the three aspects of Rawlsian self-respect can be drawn. The exercise of the moral power to form, revise and pursue a conception of the good becomes a grounds for citizens to respect themselves (appraisively). And the exercise of this moral power – the formation of a *rational* plan – will demand – in turn – that citizens form, revise and pursue a plan for their life which feels *worthy*, and of which they are *confident* in pursuing. Thus were it the case that a citizen were not (for reasons within or without) able to form a plan which they felt was worth pursuing, or achievable, they would not (fully at least) be exercising the moral powers which underscored their appraisal self-respect. A lack of 'confidence in [one's] determinate plans and capacitates' would, in effect, to be to lack of one of the key grounds for (appraisal) self-respect.

If this claim is compelling, then it offers us a way to respond to the charge that Rawls improperly mixes self-respect and self-esteem. Instead, Rawls can be understood as mirroring the two aspects of self-respect which Darwall identifies – and to some extent, *anticipating* the first and second order implications of the conception of free and equal persons. Our senses that our plans are worthy, and that our abilities are sufficient to accomplish them, *can* be understood as aspects of self-respect, as they are inextricably bound to the basis by which individuals feel moral-worth as free and equal citizens. The elements are both causally, *and conceptually* connected.

Thus rather than mistaking self-respect for self-esteem, Rawls arguably puts forward an account of self-respect which sees further than conventional Kantian accounts in recognising the role of second-order respect for agentic capacities. This conclusion allows us to address to two charges with which I began this section. The first of these was that self-esteem seems to be affected by a wide range of personal attributes and circumstances which aren't relevant to self-*respect*. For example, I noted above that research shows physical attractiveness to be a common determinant of measured self-esteem. Suppose too, as is plausible, that a range of other 'attributes' were correlated with self-esteem too – such as height, quick wit, athleticism and dexterity. It seems implausible however that self-*respect* ought to depend on such things (B. R. Boxill, 1992). And yet if Rawls is going to allow our abilities

to contribute to our self-respect in the way he suggests they ought to – then they may have to.

The argument I have developed shows why this need not be the case. Appraisal respect may well share a number of structural similarities with self-esteem – relating, in some sense to achievements and attributes, and being variable in degree. However, this similarity is illusory. Whereas a sense of self-esteem is based upon a direct assessment of achievements and attributes, appraisal self-respect responds not to these personal features themselves, but rather, how they are integrated and functioning within our conceptions of the good. Thus it is not attributes or achievements that are *themselves* esteemed under Rawls's account of self-respect (though they might be separately by citizens), but rather it their contribution to the life-plan of which they are a part that is to be *respected*.

Accordingly then, a Rawlsian can deny that factors such as 'beauty' or 'athleticism' are grounds for our self-respect in any meaningful sense. Rather, the *plans* that such attributes may be part of are the grounds for self-respect – when these are formulated and realised appropriately. Whilst our personal features or capacities are an essential element of this plan, we do not appraise them directly qua attributes.

We can also say something similar to the charge that the consideration of attributes or achievements in addition to a sense of our own moral worth makes Rawls's account of self-respect unobtainable for many. This concern is negated by the inherent subjectivity that Rawls expects to see with regards to what citizens take to be a 'valuable life-plan'. Given that it is plans that are to be the basis of citizens' appraisal self-respect, and given that citizens' plans are to primarily be a reflection of their *own* abilities, commitments and circumstances, citizens need not be set against one another in the pursuit of them. What will matter for an individual is how their abilities and achievements relate to their own plans – and not those of others. As Michael Teitelman argues: "Well-adjusted carpenters whose aspirations and self-estimations fit them comfortably into their assigned roles are no more barred from it than are heads of state." (Teitelman, 1972, p. 554)

Rawls thus gives us a way to unite the three quite disparate elements upon which his account of self-respect rests. Our sense of moral-worth, and our senses of value and confidence in the pursuit of our lives all relate back to the status of free and equal citizens with which Rawls begins.

In so doing Rawls offers an account of self-respect, that is coherent, sophisticated, and, I believe, inspiring. It paints a vision for a society in which citizens have not merely the strong sense of themselves as political or legal agents, but one in which each is encouraged to develop the sense that they – as an individual – are more than that – that their plans and commitments matter, and that they have the strength of purpose and capacity to pursue them, for themselves – without jealousy, competition or shame. Self-respect in this regard, can be understood as the realisation of the status of free and equal citizenship – not in legal or political, terms – but as the kind of disposition such citizens would have as they build their lives in cooperation with one another.

1.9. CONCLUSIONS

In this chapter I have defended the Rawlsian account of self-respect from a number of criticisms – most notably that it improperly confuses this good with that of self-esteem. I have shown that whilst these charges have superficial purchase when applied against Rawls's literal description of self-respect – they fare poorly when we apply them to Rawls's actual use of self-respect within his account of justice. Rawls's understanding of self-respect, I argued, is both more sophisticated and more coherent than many critics have allowed for.

In elaborating this claim, I showed how Rawls draws on both elements from the Kantian tradition of self-respect, and from what might be considered psychological accounts of self-esteem. These diverse elements cohere around the conception of persons as free and equal citizens – a conception which supplies both a standard of moral-worth for citizens, and second order respect-worthiness for the manifestation of the moral powers which characterise this status. As such, self-respecting citizens ought to feel not only a sense of their moral-worth – but also that their plans and endeavours

were both valuable – and within their capabilities to achieve. To feel anything less would imply that they did not feel – fully – like the free and equal citizens that Rawls describes.

This is, I believe, a coherent and satisfying account of what Rawls means by self-respect. And additionally, I hope to have to have also demonstrated at least the prima facie plausibility of the compatibility of this account with some of the most fundamental elements of Rawls's work. Indeed, in some senses the account I offer is more deeply ingrained in Rawlsian theory than the accounts of self-esteem or self-respect which stem from the literatures on psychology and Kantian ethics (respectively). Thus whilst the view I advanced diverges from some of Rawls's literal claims about self-respect, it ultimately connects up more deeply with Rawlsian theory than other interpretations which I considered (and rejected) in this chapter. Or so I claim.

By way of conclusion I offer one final reason to favour the reading I have presented here. I have thus-far sought to focus on the account of self-respect that Rawls sets out in *TJ*. There are two main reasons for this. The first is that the vast majority of the secondary texts pertaining to Rawls's understanding of self-respect refer to the account he offered in *TJ*. Accordingly to engage with this literature required some degree of focus herein. Secondly, it is *TJ* in which Rawls sets out most directly (and thoroughly) the arguments behind his account of justice. Given that my aim in this thesis is to interpret and question the relationship between self-respect and justice that Rawls puts forward, *TJ* remains the central text.

However, this is not to say that looking at Rawls's other works, particularly his later publications, cannot provide useful context for this investigation. And whilst I noted previously that Rawls does not explicate the concept of self-respect in substantially greater detail in later works, he does effect some subtle changes in definition that are illustrative for our purposes.

In Political Liberalism in particular, Rawls's definition of self-respect shifts slightly. Rawls maintains that self-respect is still made up of two elements, but now claims that:

> "...the first element is our self-confidence as a fully cooperating member of society rooted in the development and exercise of the two moral powers (and so as possessing an effective sense of justice); the second element is our secure sense of our own value rooted in the conviction that we can carry out a worth- while plan of life." (Rawls, 1993, p. 319)

In Rawls's original account of self-respect (from *TJ*), the first element of our self-respect was 'one's secure conviction that their plan of life were worth carrying out', whereas the second was the sense of 'confidence in one's ability to fulfil their intentions.' (Rawls 1999, p. 386). At first sight it may simply appear that Rawls has switched the two aspects around – but this is not the case. Rather, Rawls is emphasising something different in the first aspect – specifically, our sense of being a '*fully cooperating member of society*'.

This is an appeal, in other words, to citizenship – to individuals genuinely having the sense that they are an equal and worthy member of their society. In this sense then, Rawls's understanding of self-respect may reflect the political turn which characterised his work more generally. But rather than being a shift in understanding, the account I have offered suggests that Rawls is finally making *explicit* the importance of citizens respecting themselves as social equals – the view I claimed to be *implicit* in *TJ*.

Additionally, it is worth noting also that Rawls also makes the reference to the two moral powers explicit in this latter account of self-respect. This too mirrors our claim that the moral powers play a subtle but significant role in the way self-respect is conceptualised in *TJ* – allowing us to unite the sense of respect citizens ought to feel towards themselves, and the respect they ought to feel towards their plans and abilities. Here too it is possible that this is an evolution in Rawls's thinking. But based upon the arguments I have offered it appears more likely that the threads I identified in *TJ* – running between Rawls's conception of persons, the moral powers, and their sense of self-respect – were real but (for whatever reason) not brought out by Rawls at the time.

By way of conclusion let us address the second concern I noted. This is the more troubling question of as to whether the account I have offered has much of use to contribute to the question of justice. As necessary as this theoretical archaeology was in order to clarify the inner workings of Rawls's account of self-respect, does it yield something which can be usefully applies to questions of justice – both within this thesis, and more generally?

I believe that it does. If we leave behind the conceptual analysis and justificatory baggage necessary to explain how Rawls's account of self-respect is coherent, we are left with a fairly straightforward and, I believe, a fairly desirable account of what Rawlsian self-respect *is*. Self-respecting citizens, we can say, will view themselves as political, and moral equals – as free citizens who are owed the same broad bundle of rights and liberties so that they may pursue their plans and endeavours with confidence and enthusiasm. Each citizen ought to feel that they count, and that they count equally. But more than simply recognising this political or social status, these citizens would recognise that with their free and equal citizenship came both the entitlement, and opportunity, to form a conception of what matters to them. This in turn moves them to recognise the need for a plan by which they wished to lead their lives. As such, self-respecting citizens would be both *willing* and *able* to live with a sense of purpose and direction – *and* the sense that these goals were within their power to achieve. An individual with Rawlsian self-respect then, would have a strong sense of *who* they were, *what* they were entitled to, and in what *way* they wished to live their life. This reading, I argue, is neither complex, mysterious nor unrecognisable as an account of self-respect.

2. CHAPTER 2 – THE PLACE OF SELF-RESPECT IN RAWLS'S THEORY OF JUSTICE

2.1. INTRODUCTION

As I noted in Chapter 1, self-respect has long been viewed as an important moral concept – particularly for those scholars working within the Kantian tradition. However, Rawls's focus on self-respect as an important aspect of *justice* is a distinctive claim. On this account, self-respect is not merely something which is morally important, or desirable – but something that the presence (or lack of) will trigger concerns of justice *specifically*. It is important for us to understand Rawls's justification for such a move. In what way does Rawls believe self-respect *is* related to justice, and *why* should we accept that this is the case?

Addressing these questions will throw useful light on Rawls's theory. The relationship between justice and self-respect is, in a very real sense, at the core of Rawls's theory. And, as I will argue, this relationship between justice and self-respect is something that can (and should) be better understood. Just as Rawls's account of self-respect is more sophisticated than many commentators allow for (as I argued in Chapter 1), so too is the relationship between self-respect and justice deeper as well. As such, a fuller understanding of how Rawls expects self-respect to relate to justice offers both the prospect of our better understanding Rawls's theory, and the opportunity to reassess its strength as an account of justice.

I will begin by briefly sketching out the important position that Rawls affords self-respect within his account of justice. With this established I will move onto analyse and explicate the reasons Rawls has for believing self-respect can and should play the role – of a primary good – that he assigns to it. Self-respect can be seen to be connected to justice in this way, I will argue, but contrary to most interpretations of Rawls's work, self-respect ought to be understood as a primary good in a deeper and more fundamental way that it has been hitherto. This claim, I argue, is facilitated by the analysis I

performed in chapter 1, whereby the link between self-respect and citizens' sense of free and equal citizenship is made explicit.

2.2. THE POSITION OF SELF-RESPECT IN RAWLS'S ACCOUNT OF JUSTICE

Where precisely does self-respect fit into Rawls's theory? Why ought we to accept that it has such importance, and how is it that this assumption comes to affect other aspects of Rawls's account of justice?

To address this question, let us begin by asking in what way Rawls sees self-respect as related to justice – in a broadly mechanical sense (we shall say something more about the reasons Rawls believes self-respect is an important concern of justice in due course). Where, in other words, does the good of self-respect enter Rawls's theory of justice?

Rawls's work famously involves separating the question "what are the correct principles of justice" into two distinct stages. In the first stage, Rawls argues that we need to specify an appropriate constructivist setting in which adequate decisions about principles of justice may be made (Rawls, 1999, pp. 15–19). This then is the original position that Rawls outlines – with its associated assumptions regarding its participants' rationality, preferences and the limitations on their knowledge. The second stage consists of the (imagined) deliberation which would take place under these conditions, and the formulation of the principles of justice that rational parties, so situated, would agree upon. Thus a very crude model of Rawls's constructivist methodology would see a consensus regarding the appropriate situation in which to deliberate about justice being transformed – by the conduit of rational deliberation – into a presumptive consensus (or at least a degree of justificatory power) regarding the principles that emerge (Rawls, 1999, pp. 52–57).

As such, there are two ways in which a good such as self-respect might come to be connected to the conception of justice that Rawls identifies. It may be the case that a commitment to the importance of self-respect emerges as an

output of the deliberations in the second stage of Rawls's model – as something the parties in the original position (PIOP) agree upon in order to support their more fundamental interests. Or it may be that the importance of self-respect enters as an *input* to the constructivist model – as one of these fundamental interests that PIOP are assumed to base their deliberation upon.

Of these two options it is clear that self-respect is connected in the latter way. Whilst the good of self-respect plays an important role in the second deliberative stage of Rawls's theory it is clear that it *already* appears to be established as a desiderata upon which the relevant parties would agree. Rawls, for example, explicitly labels self-respect as a 'fundamental interest' of citizens (2001, p. 60), and one which they have a rational preference to secure (1999, p. 156). Thus the concern of the PIOP is not as to *whether* self-respect itself has value, but rather as to how self-respect is to be supported, *given* that it has value.

What this suggests then, is that the relationship between self-respect and justice is quite different from, say, the relationship between the 'special significance of liberty' and justice. The latter is not assumed as being a fundamental concern of justice *prior* to the entry into the OP, but rather *emerges* as a concern given PIOPs other and prior *assumptions* about their interests. Self-respect, on the other hand enters into Rawls's theory as an assumptive interest of the parties Rawls hypothesizes. The significance of this fact has, I claim, been largely overlooked.

As with other fundamental interests, Rawls deals with self-respect by treating it as a primary social good with which justice is concerned with distributing (Shue, 1975, pp. 197–198). This is how – mechanically – self-respect is related to Rawls's account of justice. It is something which the basic structure of society is to be charged with securing, and distributing, and it is to count as a legitimate basis on which to estimate both the relative advantage of individuals, and the desirability of institutional arrangements, and the principles of justice which guide these (Doppelt, 2009, pp. 129–131).

However, it is important to note that self-respect appears to be 'more than just another primary good' in this regard. Specifically we should note Rawls's key invocation regarding this good, namely that:

> "…the parties in the original position would wish to avoid at almost any cost the social conditions that undermine self-respect."(1999, p. 386)

In this sense then, the ability of chosen principles of justice to bring about social conditions which support the development of citizens' self-respect appears to act as a 'red line' for parties in the original position. It does not appear that – for Rawls – principles of justice which could not promise social conditions conductive to self-respect would be acceptable to parties in the original position, regardless of what other effects they may have. As such, whilst the provision of self-respect may be assessed in terms of its being a primary social good, it also serves as a *constraint* on the acceptability of principles of justice in the first place, in a way which other primary social goods may not.

This response only takes us so far though – for the more pressing question is *why* Rawls believes that self-respect ought to enter into justice in this manner. Why, in other words, should we accept that self-respect is a primary social good in the first place, and why the most important? I will now turn to address these questions.

2.3. THE PRIMARY GOODS

The class of social primary goods comes about as a result of what Rawls calls the 'thin' account of a person's good. In justice as fairness Rawls argues that 'the right' must take priority over that of 'the good' in order for a justifiable social consensus to be maintained (1999, p. 28). It is thus extremely important, Rawls argues, that the satisfaction of conceptions of the good is not the *direct goal* of justice as fairness. In purely structural terms, individuals' conceptions of the good – even when limited by the principles of the right – are simply too diverse and subjective to form the basis of ordered social cooperation. And further, there is no rational way to resolve conflicts between competing conceptions of the good (Rawls, 1999, pp. 392–393).

Because of this, and concerns about the kinds of good which justice might be required to enable should they take priority over 'the right' (Rawls, 1999, p. 28), Rawls seeks to begin by establishing the priority of the right (upon which Rawls believes we can secure greater consensus) within justice as fairness.

However, Rawls recognises that this faces the following problem: At least some information must be assumed about the subjects of justice for any meaningful principles of right to be established at all (Rawls, 1999, p. 348). It is this problem that the thin theory of the good is intended to solve – providing us with the "bare essentials" so that we may make judgements regarding the most fundamental motives of subjects of justice, without jeopardising the priority of the right by inadvertently introducing something which resembles a conception of the good. (Rawls, 1999, p. 348)

The thin theory of the good makes the initial assumption that the good for an individual will be – in all cases – "the successful execution of a rational plan of life" (Rawls, 1999, p. 380). And this assumption, Rawls believes, leads inexorably to another, namely that individuals so situated would *also* have a rational desire to secure the *means* to pursue these rational life plans. Rawls thus argues that:

> "…even though the parties are deprived of information about their particular ends, they have enough knowledge to rank the alternatives. They know that in general they must try to protect their liberties, widen their opportunities, and enlarge their means for promoting their aims whatever these are. Guided by the theory of the good and the general facts of moral psychology, their deliberations are no longer guesswork. They can make a rational decision in the ordinary sense." (Rawls, 1999, p. 123)

Thus the assumption that citizens have an interest in pursuing their rational plans for life itself grounds another assumption – or input – into Rawls's theory, regarding the means they would need to do this. It is the class of primary goods that respond to this need. As such, the first defining

characteristic of primary goods is their status as an 'all-purpose' good in this regard. Rawls defines them as such:

> … primary goods… are things which it is supposed a rational man wants whatever else he wants. Regardless of what an individual's rational plans are in detail, it is assumed that there are various things which he would prefer more of rather than less. With more of these goods men can generally be assured of greater success in carrying out their intentions and in advancing their ends, whatever these ends may be. (Rawls, 1999, p. 79)

This is to say that behind the veil of ignorance, the only goods that PIOP could agree were of value were those which were likely to enable *all* types of life-plans, and conceptions of the good. Without knowledge of their particular plans then, it becomes rational to for PIOP to seek those goods which are of use across the widest body of different plans, projects and activities.

2.4. 'PERHAPS THE MOST IMPORTANT PRIMARY GOOD'?

We can now address what is perhaps the most important characteristic of social primary goods, namely their role as 'all-purpose rational goods' – goods, in other words, which are supportive of virtually all conceptions of the good. Self-respect, Rawls believes, is valuable because it can support the pursuit of individuals' rational life plans in the same all-purpose ways as other primary goods. It is in this feature of the good that serves to connect it to justice.

Self-respect can be said to play this all-purpose role in two ways. Firstly Rawls notes that to the extent that self-respecting individuals feel a strong and confident sense of worth about their plans and endeavours, they will be similarly more motivated to pursue them. This, Rawls believes is a matter of basic psychology:

> "When we feel that our plans are of little value we cannot pursue them with pleasure or take delight in their execution." (Rawls, 1999, p. 386)

This is to say that it is hard, Rawls believes, to imagine a person who lacked self-respect – or at least, the sense that they had valuable and worthy plans – as being able to pursue these plans as effectively as an individual who saw great worth in the goals they oriented their life around. Self-respect in this sense can be understood as an enabling resource aiding citizens in the meaningful pursuit of their goals (Rawls, 1999, p. 155). What is significant for the status of self-respect as a primary good though, is that this good is widely applicable in the manner Rawls stipulates for primary goods. The pursuit of all plans of life will be supported by such motivational resources. For *whatever* plans we have, having the desire, and will to pursue them will be supportive of our quest to do so.

Indeed, very often we might suppose that such a sense of purpose is – in some sense – even more valuable than any material resource. For whilst individuals can often find ways around such problems as a lack of resources, or opportunities, no such options appear to exist for those who simply see no point in what they are pursuing. No amount of wealth, for example, would enable the pursuit of a meaningful life-plan for one who simply doubted that their commitments had any value at all.

Rawls also lists a second way in which self-respect acts as an all-purpose enabler of plans. This relates to the second aspect of self-respect, the sense of confidence in our abilities. Specifically, Rawls believes that some degree of confidence in ourselves is necessary to pursue our objectives, and in particular, to overcome the kinds of set-backs and obstacles that we are likely to confront during the pursuit of our plans. Rawls's claim here is that without this sense of confidence, we would be "plagued by failure and self-doubt" as a result would be unable to "continue in our endeavors" (Rawls, 1999, p. 386)

In this sense, self-respect can again be seen as playing a similar enabling role to goods such as wealth, whereby it gives citizens something of a buffer as they go about pursuing their plans. Just as an individual with very limited economic resources may have their plans stifled by small financial challenges or misfortunes, so too might an individual with very limited confidence in themselves have their plans stifled by small challenges and

setbacks. Conversely, a sense of confidence in one's abilities, and a sense of personal efficacy should also enable citizens to negotiate the various vicissitudes of life more smoothly, and effectively.

We should note once more that in some cases, this sense of confidence may be a more important – or more irreplaceable good – than other primary goods. Whilst goods such as wealth and liberties may themselves be grounds for a sense of confidence in one's pursuits - they may are not adequate substitutes for the more fundamental types of *self*-confidence that people may come to possess or lack. An individual who genuinely believed themselves to be incapable, or prone to certain failure would not be assisted much by generous means external to their (flawed) self. No amount of wealth can be of use, for example, to an individual convinced that they will squander it.

2.5. SELF-RESPECT AND CITIZENSHIP

Suppose we agree that these feelings of motivation and confidence which Rawls sees as being part of self-respect can plausibly operate as the kinds of all-purpose enabler that Rawls takes to be characteristic of primary goods. Does this fully elucidate the relationship between self-respect and justice then? I believe it does not. There is, I argue, an important strand connecting self-respect to the conception of primary goods that has largely been neglected by commentators. This connection relates to the additional element of self-respect that I identified in Chapter 1 – namely the aspect of self-respect I termed as 'equal moral worth'.

Rawls, as I noted, does not explicitly list this as being one of the aspects of self-respect as he defines it. But he relies heavily on this element in his defence of the importance of self-respect, and as to how it might influence the conception of justice he proposes. And as I noted also, the idea that self-respect presupposes a conception of the self as a free and equal moral person is not something that is antagonistic towards the Rawlsian framework, but rather a very central and vital element of it.

The idea that the first aspect of self-respect can also play an all-purpose enabling role can be expressed as such. We have seen so far that aspects of

self-respect – as well as the other primary goods, can support individuals' pursuit of their plans in two broad ways: the feeling that our plans are valuable gives us the impetus to pursue them, and our sense of confidence in our *abilities* gives us the determination to do so. Both of these elements then respond – by and large – to plans, and conceptions of the good which already exist. Of course, these and other primary goods support us in the formulation of our plans too – but even here too we are presupposing a further element in the psychology of the subjects of these plans. This is their acceptance of what Rawls calls the 'social division of responsibility' by which "citizens… accept responsibility for revising and adjusting their ends and aspirations in view of the all-purpose means they can expect." (Rawls, 1993, p. 189)

Put more succinctly, citizens may possess (or *lack*) the inclination, or motivation to *form* such plans in the first place. This motivation to form plans is, I argue, a quite distinct – and significant – element in the process by which Rawlsian life-plans become formed. Imagine, for example, a citizen who had ample resources to pursue a chosen plan, and adequate resources by which they might investigate and reflect upon the options available to them. We can, I argue, still imagine the possibility that citizens so situated might fail to form the rational plans that Rawls expects them to, *if* they held a deep or sincere belief that they were not entitled, or worthy of doing so.

As an illustration, consider again a slave who has been raised in servitude to consider only the whims of his masters, and who has adopted the dominant ideologies that justified his second-class status. As such they see nothing improper in their status as a servant, and do not view their lack of autonomy with any sense of loss (c.f. the examples in Hill, 1973). Suppose then that this slave were emancipated in such a way that they were afforded the freedoms and resources by which they could properly become the author of their own lives. It is quite possible that such an individual will struggle to take control of their life in the way we, and Rawls, normally expect citizens to do so.[24] Indeed, the phenomenon of freed slaves returning to work for their

[24] A similar example may be the degree to which long-term inmates become suffer from 'institutionalisation' and struggle to adapt to their freedom upon release. (Visher & Travis, 2003)

previous-masters suggest that this kind of occurrence need not be fanciful[25] (Graves, 1978)

What then is the hindrance to this kind of individual forming the kind of autonomous plan for their life that Rawls supposes they should? What this individual appears to be lacking is a kind of '*motive force*' for the formation of a life-plan – or, in other terms, for the exercise of the first moral power. By motive force I mean that much in the same way a battery provides the motive force, or *impetus*, for an electric current within a circuit, it is self-respect that – arguably – provides the impetus for, not merely the pursuit, but the *formation* of citizens' conceptions of the good, and their life plans.

What is the motive force specifically? It is, surely, the aforementioned sense that one is a free and equal citizen for who it is not only permitted, but quite *proper* that one should reflect upon and choose how to plan and live their life. It is, in other words, not merely that one needs to have the *opportunity* to exercise the first of the moral powers – but rather that one *also* needs to have – in a sincere fashion –the *feeling* that one is a free and equal moral agent, who is entitled to approach exercise control over their destiny in the first place (Rawls, 1993, p. 189). Such an individual may – legally or formally – *be* a free and equal citizen, but so long as they do not *feel* like a free and equal citizen they will not only be lacking in self-respect but – crucially from the perspective of primary goods – they will be lacking a vital element in their pursuit of a personal conception of the good.

It is here then that the connections with what I called the first aspect of self-respect become both clear and informative. It is this sense that one is a morally worthy, free and equal citizen that is lacking in the examples above. And it is this lack specifically which precludes them from pursuing a conception of the good in a meaningful way. In this sense then, the fundamental feeling that one is entitled to form plans for their life is both a separate and *prior* enabler of the pursuit of plans that Rawls sees as

[25] Though of course these occurrences cannot (and should not) be considered in isolation from the pressing conditions of socioeconomic (and legal) hardship that faced real slaves in such situations.

constitutive of free and equal citizens. As such, this element of self-respect is precisely the kind all-purpose enabler that would mark it out as a primary social good – not through ensuring that citizens' plans feel *worthy*, but that citizens feel *worthy of plans.*

This observation is significant for a number of reasons. First of all, it is one that is not commonly made within the literature. The focus on the distribution of the goods which aid citizens in pursuing their plans tends to take it for granted that citizens will be motivated to form such plans in the first place (See Eyal, 2005 for a good example). But Rawls himself would have rejected such an assumption – a claim which is borne out by the importance he places on the basic structure of society being structured in such a way that citizens feel genuinely free and equal (Rawls, 1999, pp. 477–478). Thus the question of how citizens come to feel entitled to form the kinds of plans to which the primary goods respond is not tangential, but *central* to the question of justice. And yet it is not clear this sense is captured (or secured) by a focus on any of the other primary goods – including the first two aspects of self-respect, the sense of plan-worth, and the sense of plan-confidence (as in Yanal, 1987).

Secondly, this account of self-respect as a kind of motive force for life-plans offers a better justification for Rawls's claim that self-respect is 'perhaps the most important primary good'. So long as self-respect is treated as simply an enabler of *existing* plans, then it is not clear as to why it is *necessarily* more important than the other primary goods which *also* enable plans (Eyal, 2005). For example, if an individual can enhance their ability to pursue their conception of the good by *either* developing their sense of self-confidence, *or* giving themselves greater margin for error by increasing their holding of wealth – it is not clear as to why the former route is necessarily to be preferred or prioritised. So long as the metric for valuing self-respect is limited to the facilitation of existing plans, in other words, this good is vulnerable to being traded off in just the same way as the other primary goods.

Conversely, by emphasising the first aspect of self-respect – and its effects as a kind of motive force – we are able to identify a genuinely unique property

of self-respect, the like of which Rawls appears to presuppose in earlier works (Rawls, 1975, p. 536). This is to say that a great many goods can make citizens' lives go more smoothly, or enable them in choosing the plans they wish to pursue. But the motive to form such plans – to act as a free and equal citizen – appears to be based on this aspect of Rawlsian self-respect alone. No amount of wealth, liberty or opportunities can, by themselves, compensate for the self-appraisal that one is a morally worthy, free and equal citizen. In this sense then, there is something clearly unique, and fundamental about the good of self-respect as a primary good. It is, in one sense, the good which allows the other primary goods to act as the all-purpose enablers Rawls intends them to be.

2.6. CONCLUSIONS

Self-respect, I noted, is at the very heart of Rawls's account of justice. Not only is it one of the primary goods with which justice is most concerned, but it is in many ways the most *fundamental* primary good. It is self-respect which unites the conception of persons upon which Rawls grounds his account of justice – with the conception of what it is that these people would want and require in order the develop and express this nature. Understood in this way it is easier to understand why Rawls believed self-respect to be the most important primary good. It is not merely the case that without self-respect one could not *go on*, but also that without self-respect one might not *begin* in the first place.

This finding serves not only to clarify an important part of Rawls's account of justice – but it also highlights an important implication of Rawls's approach which – left unaddressed – may be fatal to the project he hoped to undertake. This is the distinction between individuals *being* free and equal citizens (in terms of their political status, and the rights, liberties and opportunities they were afforded) and their *feeling* like free and equal citizens (having, that is, the confident sense of their entitlement as citizens, and a sense of agency and purpose in pursuit of their chosen ends).

The significance of this distinction can be illustrated by imagining – as seems possible – societies in which the first kind of free and equal citizenship (of a

formal kind) were met, without citizens feeling, experiencing or internalising this status in a meaningful way. I will argue that citizens' political status, rights and opportunities all play a vital role in the development of their sense of self-respect. But whilst the provision of such formal legal statuses might guarantee citizens the status as 'free and equal' – there are – Rawls believes, other *social* ways in which citizens might nonetheless come to lack the feeling that they were free and equal citizens through and through.

Such a state of affairs would surely raise grave concerns were Rawls's account of justice to lack the tools to diagnose, criticise or address such a situation. The ideal of citizens as free and equal is not merely the conceptual underpinning of the original position, but also one of the features of a just society that the parties in the original position would want to bring about (Rawls, 1999, p. 386). Such parties would be unlikely to support or value a conception of justice which promised only the formal status of free and equal citizenship, rather than the actual lived experience of one's feeling as such in their interactions with the society around them (Rawls, 2001, p. 59). In this sense then, the good of self-respect plays a vital role within Rawls's theory, by creating a language by which we not only recognise the importance of citizens genuinely *feeling* the status of free and equal citizenship – but also the conceptual tools with which we might integrate the importance of this self-assessment into a theory of justice, and begin to address through the basic structure of society.

Put another way, the introduction of the concept of self-respect into Rawls's theory is an indispensable step for ensuring that the assumption of free and equal citizenship which is used to characterise the status and mind-set of those in the original position, is *converted* into an actually existing feature of the members of the future society which is under question. Whilst we can make these kinds of simplifying assumption about the self-assessments of those in the hypothetical original position, Rawls recognises that an adequate theory of justice would also need to ensure and explain how the requisite self-assessments would actually be nurtured and developed in the resulting society (Rawls, 1993, p. 269). A failure to do this would surely be fatal to Rawls's account of justice – and it is this task – more than anything,

which underlies Rawls's concern with self-respect, and its status as a constraint on the acceptability of principles of justice.

To conclude, let us address the potential charge that this distinction is too technical to be of much use in terms of reinterpreting Rawls work in a way that might render it applicable to existing social or political questions. The distinction between citizens being free and equal citizens, and feeling like free and equal citizens, it may be said, is of only semantic interest – such that it might be thought to be simply implausible that citizens who are guaranteed the appropriate social and legal status in society could come to lack the sense of that they are morally equal in the way Rawls and PIOP want them to feel.

This objection can, I believe, be dismissed by reference to some central and uncontroversial examples of injustice. And indeed, I believe that in giving us an additional Rawlsian way to diagnose these injustices, the value of the account of self-respect I have offered is made clearer still.

Take for example take a situation in which the legal and political status of some previously subordinated group in society has changed quickly, such that they are now – formally – recognised as (more or less) free and equal citizens. Yet given the speed of these changes let us also suppose that many of the more informal processes of social and political recognition have yet to adapt equally. A particularly good example of this is the legal status of women before and after the women's suffrage movements in a range of western liberal democracies. In many of these cases then, the success of the movements was such that – ultimately – recognition of their status as equal citizens was achieved in legal and institutional terms. But, crucially, for a long period after (and to some extent, still) there remained a wide and pervasive set of informal and subtle social pressures and norms which sought to hinder or downplay the informal status of women as political equals (Young, 1990, pp. 109–110). These ranged from a lack of educational and associative opportunities (particularly within the family) for women to develop an exercise a political voice of their own, to a climate of hostility or ridicule or patronisation, were they to seek to engage politically as equals. (Mason, 2000).

In such situations then, it is perhaps quite understandable that many women came (and still come) to adopt the view that political participation was not something fitting (or sensible) for them to engage in. Thus in a very real way – despite their formal position of equal citizenship – many women in history surely lacked the strong sense that they really were fully equal citizens (Robin S. Dillon, 1997). They have not felt entitled or able to participate in the same way as other (male) equals, even if they were aware of their formal position of equality. This is to say then, as I noted above, that the status of a particular kind of citizenship can quite easily become divorced from the feeling, or lived experience of that same status of citizenship.

These states of affairs are surely troubling from the perspective of justice *whether or not* the individuals in question resent or regret the way that they feel. And from a Rawlsian perspective in particular, whereby parties in the original position do not merely desire a political status, but the ability to *exercise* the entitlements that come with this status such a situation would surely be intolerable. This then is the crucial role that the concept of Rawlsian self-respect plays – by enabling us to diagnose, describe and address these kinds of internalised inequalities of status, even in conditions of formal equality. As such self-respect is not merely a central good for Rawls's theory – but an irreplaceable one.

3. CHAPTER 3 – THE SOCIAL CHARACTER OF SELF-RESPECT

3.1. INTRODUCTION

In the previous chapter I set out why (and in what way) Rawls believed self-respect to be a concern of justice. Self-respect, I noted, can play the role of a primary good in a number of significant ways – in particular by providing the impetus by which citizens form the plans that they go on to pursue with the help of *other* primary goods. This account, I argued, gave a better grounding for the claim that self-respect was perhaps the most important primary good, and avoided a potentially serious weakness within Rawls's theory that might emerge were he unable to explain how the assumptions made in the original position regarding citizens' will to exercise the two moral powers would be realised in a real society.

This justification for the interest of justice in self-respect is, I believe, sound – as far as it goes. However, I noted briefly that in order for the claim to apply to the particular approach to justice that Rawls takes, it would have to be supplemented with a second argument: namely that self-respect was something that is meaningfully under the *influence of* the basic structure of society. In this chapter I will set out why it is that Rawls must defend this premise, and I will ask whether an adequate Rawlsian response can be developed.

3.2. SOCIAL AND NATURAL PRIMARY GOODS

The primary feature of a primary good – so to speak – is its role in supporting the pursuit of all plausible conceptions of the good. On these grounds there is reason to suppose that self-respect can perform such a function. However, Rawls held that there are many different types of primary good – some of which justice ought not to have a direct role in influencing, or distributing. Specifically then, Rawls draws a distinction between what he calls *social* and *natural* primary goods. In both cases these goods are taken to be those that rational persons would desire in order to

pursue their various conceptions of the good. However, Rawls argues that PIOP would differentiate between these two as such:

> "For simplicity, assume that the chief primary goods at the disposition of society are rights, liberties, and opportunities, and income and wealth… These are the social primary goods. Other primary goods such as health and vigour, intelligence and imagination, are natural goods; although their possession is influenced by the basic structure, *they are not so directly under its control*." (1999, p. 54 Emphasis mine)

Thus natural primary goods – like their social equivalents – are things which rational individuals behind a veil of ignorance would be presumed to want, as goods which would be supportive in the pursuit of all conceptions of the good. It is this that makes them *primary* goods of some stripe. The way in which these goods differ from social primary goods, Rawls argues, lies in their relation to the basic structure. In simple terms, these natural primary goods are goods which the basic structure of society '*cannot control so directly*'.

Rawls does not say that the basic structure has *no* ability to influence the distribution of these goods. For example, even if we were to (erroneously) treat a capacity such as intelligence as purely natural or biological, it is likely that the basic structure could retain some influence – through, for example, educational policies – on the development of these capacities.[26] Thus, what marks natural primary goods out is the fact that the basic structure cannot so '*directly'* control their distribution. It is this feature, Rawls believes, which means that justice cannot reasonably demand that the basic structure seeks to effect particular distributions of these goods – but rather ought to seek to incorporate differences in their possession into a mutually advantageous cooperative social system (Rawls, 1999, p. 87).

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[26] And indeed, the basic structure surely has sizeable *potential* to affect the distribution of such goods by *stifling* the development of such capacities in various ways, even if such actions might quickly raise questions of justice themselves.

Rawls, I noted, addresses self-respect as a social primary good – something which can, and *should* be 'directly under the control' of the basic structure. But given the recognition of the class of natural primary goods, can this claim be sustained? It might be thought that, if anything, self-respect shares more resemblances with the natural primary goods – particularly those such as intelligence or vigour – that Rawls lists.

Equally, it is not obvious how the basic structure could set out to distribute self-respect in a controlled or precise manner. The account that I have given of self-respect is of an attitude individuals can have *towards themselves*. Whether we have self-respect is clearly not stipulated (in the way that, say, our liberties are) by the institutions around us, but instead, results from our own judgments about our self. And these judgements respond, I noted, to the set of personal standards or goals that we – our self – author. In this sense then, self-respect appears to be, in some significant measure, a good we 'allocate' to ourselves – rather than something to be 'distributed' by the basic structure around us.

This latter kind of claim is made by Gerald Doppelt (2009). Doppelt argues that there is a serious difficulty in talking about self-respect being under the influence of the basic structure of society. Doppelt's claim is precisely that an individual's self-respect cannot be meaningfully said to be under the control of the basic structure of society, because it is to a significant degree under the control of the individual *themselves.* 'Self-respect' in this sense is not 'ours to give':

> "Self-respect is fundamentally different in that it doesn't seem to make sense to identify it as a good that is distributed to persons by law or institutions at all. On Rawls's self-appraisal thesis self-respect involves a person's judgment that her conception of the good is worth carrying out, and that she has sufficient ability to succeed in its realization to some significant degree. As such, *individuals* possess some significant measure of control over, and responsibility for, their own self-respect…While the basic structure of society undoubtedly influences the resources at people's disposal for developing and actualizing their conceptions of the good life, this influence does not

> imply that the basic structure does or could distribute self-respect itself." (Doppelt, 2009, p. 132)

Doppelt believes that on Rawls's account, individuals' feelings of self-respect rely heavily on both their judgments regarding the value of their conceptions of the good, and their judgements regarding the achievability of these conceptions given their own abilities. As such, Doppelt believes that individuals have some control over, and some responsibility for, the degree of self-respect they feel, thus reducing the degree of influence that the basic structure can have over the distribution of self-respect.

Doppelt is correct in a sense. Individuals surely are the authors of their self-respect. We might think that for an individual who, for reasons of their own, lost their sense of self-respect, there is little or nothing that the basic structure could do – immediately at least, to repair this situation. Similarly, we might also suppose that there are a number of cases in which individuals could develop or feel a sense of self-respect even when the basic structure of their society was not especially conducive to their doing so.[27]

However, Doppelt wants to go further and argue that this has potentially serious implications for Rawls's project. We might see this idea as being presented in one of two theses. The strong thesis would claim that the basic structure cannot meaningfully affect citizens' sense of worth, or the value or confidence they feel regarding their plans. This is mistaken. Even though it is likely that any given basic structure will lead to quite different outcomes in terms of citizens' sense that their plans are worth pursuing, or achievable, this need not lead us to conclude that it cannot have some reasonably stable effects along the way. It is surely true, for example, that if the basic structure of a society singularly failed to provide some individuals with even basic resources necessary to form and confidently pursue worthy-feeling plans, or if it were to disparage – in law or public culture – this same class of individuals, or a particular set of commitments they held dear it would, nonetheless, be directly effecting a particular (if regrettable) distribution of

[27] For example, it is often the case that religious minorities can provide extremely strong inter-communal bases of self-respect (Roland & Foxx, 2003, p. 262).

self-respect.[28] If nothing else then, the basic structure can surely create moves towards equality of self-respect by *refraining* from such discriminatory or callous practices.

As such, Doppelt is better understood to be advancing a weaker thesis then, namely that whilst the basic structure can offer supportive *conditions* for the development of citizens' self-respect, this is not a distribution proper, given that the act of self-respecting can only be *done* by individuals, on their own terms. On this account the basic structure might be capable of broad or clumsy interventions to support or distort the distribution of self-respect. But given that individuals act as an intermediary between social conditions, and the self-respect they feel, the basic structure could not wield such influence in a 'controlled' way.

This second thesis appears true, but only in a rather banal sense. Citizens are surely gatekeepers for a wide range of 'goods' with which the basic structure retains a 'controlled' role in distributing. For example social institutions surely have a sizeable role affecting rates of education within a given society, despite the fact that the individuals in question can most certainly refuse to learn, should they wish. In more prosaic terms it would be similarly pedantic to say that a state could not affect the distribution of hunger amongst its citizens in a 'controlled' way, on the grounds that it is the individuals themselves that would need to consume the foodstuffs.

With regards to how individuals convert social conditions into personal goods, what matters is not whether they have the *ability* to interdict such conversions, but whether they are at all *likely* to do so. As such, the thrust of Doppelt's claim – that it must actually be citizens themselves who do the *self*-respecting – need not mean that the basic structure cannot also influence self-respect in a fairly controlled way, so long as we have reason to believe that citizens *would* indeed convert favourable social circumstances into a sense of self-respect.

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[28] And the same can clearly be said, *a fortiori*, for the basic structure's ability to support, or particularly *undermine* individuals' sense of their moral worth.

In the next section I will reconstruct this account of how Rawls expects self-respect to be developed, particularly with regards to the role played by the social and institutional environment in this process. I will set out, in other words, how and why Rawls supposes that the development of self-respect is something that can be meaningfully influenced by the basic structure of society.

3.3. THE DEVELOPMENT OF SELF-RESPECT: THE 'ARISTOTELIAN PRINCIPLE'

Can the basic structure of society act in support of citizens' self-respect in a controlled way, such that individuals would be, in some sense, likely to feel the kind of self-respect Rawls envisages? In order to address this question it will be useful to say a little more about the ways in which Rawls expects citizens to *develop* a sense of self-respect, such that we might establish what (if any) avenues there are for the basic structure to influence this process. To this end I will also make reference to existing literature on the sociological determinants of self-esteem and self-respect, where relevant.

Rawls engages directly (though briefly) with the question of how he expects self-respect to be developed. He identifies two conditions as necessary for citizens to develop the senses of confidence, purposefulness and moral worth which compromise self-respect. These 'circumstances of support' for self-respect – as he terms them – are:

> "…(1) having a rational plan of life, and in particular one that satisfies the Aristotelian Principle; and (2) finding our person and deeds appreciated and confirmed by others who are likewise esteemed and their association enjoyed." (Rawls, 1999, p. 386)

We shall address the second aspect (regarding the support and recognition of others) shortly. For now though, let us explicate the first point – particularly what Rawls calls the Aristotelian principle. In what way does our satisfying this principle make us more likely to feel a sense of self-respect?

According to Rawls, the Aristotelian principle is a 'basic principle of motivation' (Rawls, 1999, p. 373) – perhaps better understood as a rough law of human psychology. The principle states that:

> "…other things equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and this enjoyment increases the more the capacity is realized, or the greater its complexity" (Rawls, 1999, p. 364)

The Aristotelian principle is a claim about what makes various activities, goals and plans feel worth pursuing. For Rawls we garner a greater sense of value and purpose from those activities which not only draw upon our various capacities, but which also allow (and challenge) us to develop and refine these talents and capacities (Rawls, 1999, p. 377). As such, Rawls believes that:

> "When activities fail to satisfy the Aristotelian Principle, they are likely to seem dull and flat, and to give us no feeling of competence or a sense that they are worth doing. A person tends to be more confident of his value when his abilities are both fully realized and organized in ways of suitable complexity and refinement." (1999, p. 386)

The Aristotelian principle can be said to connect up with our sense of 'plan-worth' in the following way. Rawls believes that, as a psychological fact, when plans and activities do not draw upon, develop, or challenge our talents and capacities, we will struggle to see value in them (and as a consequence, in ourselves). Plans and activities which are monotonous, simplistic or stunting of our capacities will, as such, fail to feel worthy, and fail to arouse a sense of worth and motivation to pursue them on our part. Failing to develop plans which meet with the AP then, would lead citizens towards lacking the sense of purpose which Rawls sees as integral to self-respect.[29]

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[29] Rawls does not offer any empirical evidence for us to suppose the Aristotelian principle is true. But, it does not seem unreasonable to suppose that – our having

The exposition of the Aristotelian principle works to illustrate in more detail what it is that Rawls means by a plan which will inspire the requisite sense of worth within citizens. And this in turn allows us to identify the ways in which the social environment bears upon citizens' ability to form and pursue such plans.

We should note that there is an extent to which the AP, at first sight, appears to limit the ability of basic social institutions to support citizens in the development of such plans. This is because AP reinforces an important point to which I alluded in Chapter 1, namely that there is an important subjective component to citizens' judgements that their plans are worthy or valuable (Zink, 2011). Rawls states explicitly that:

> "The application of the Aristotelian Principle is always relative to the individual and therefore to his natural assets and particular situation." (Rawls, 1999, p. 387).

This is to say then that one's judgements regarding what is a valuable plan must emanate – in large part – from one's own standards, and one's own commitments, abilities and characteristics – rather than any 'perfectionist' social standard which seeks to define what is, and is not, a worthy life. In this sense then, the AP may appear to drive a wedge between the role of social institutions, and the role of the citizens themselves, in defining and pursuing the kinds of worthy plans Rawls is concerned with.

However – this impression is surely misleading. Inasmuch as the subjectivity of the AP precludes the basic social institutions from defining the *content* of citizens' 'worthy plans', it does not obviously restrict the ability of such institutions or environments to support either the *formation* of these subjective plans, nor their *pursuit* once formed. And indeed, there is ample reason to suppose that they could.

In the first instance it is clear that citizens' ability to consider and choose plans that are genuinely their own cannot be taken as a given – and is

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plans which were mundane, repetitive or unchallenging might affect our sense that they were worth pursuing.

something which requires a very particular set of (presumably) liberal political structures to even permit – less still enable. Such conditions have clearly not been the historical norm, not for most citizens at least. Indeed, in this regard, the AP can be seen as increasing the degree to which the social environment is essential in ensuring that all citizens can pursue plans of this kind. This is for the simple reason that by postulating a more demanding standard for what it is for a plan to feel worthy to a citizen, it is likely that the AP will require citizens to receive more support in meeting this standard.[30]

Secondly, inasmuch as Rawls expects the standards of what defines 'value' in our plans to be our own, he is aware also of the important psychological needs citizens have when it comes to the validation of such standards.[31] Our sense of self-respect, Rawls argues:

> "… normally depends upon the respect of others. Unless we feel that our endeavors are respected by them, it is difficult if not impossible for us to maintain the conviction that our ends are worth advancing" (Rawls, 1999, pp. 155–156)

All things equal then, Rawls believes that it would be almost 'impossible' for citizens to maintain the sense that their endeavours were of value if they [the endeavours] were not respected and esteemed by others.[32] This might appear counterintuitive at first sight. If confronted by citizens who were excessively reliant on seeking the approval of others we might wonder as to

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[30] If, for example, Rawls were to simply define a 'worthy plan' as one which 'felt satisfying from one moment to the next', then the burden placed on social institutions in order to aid citizens in pursuing such plans may be quite limited. In contrast, the Aristotelian principle, posits something more substantive about what it is to have a valuable plan. Such plans need not only connect up with the valued commitments and abilities of citizens in a fulfilling way, but also be marked by the drawing on, and developing such personal features in increasingly complex and rewarding ways. In a very simple sense then, this latter conception of what makes plans valuable inevitably requires a more sophisticated and favourable set of social conditions for citizens to accomplish it.

[31] One way of picturing this is to say that whilst we remain the *judge* of our own self-worthiness, we remain at the whim of the *evidence* with which we are presented.

[32] See also: "unless our endeavors are appreciated by our associates it is impossible for us to maintain the conviction that they are worthwhile" (Rawls, 1999, p. 387) and "[Individuals'] self-respect and their confidence in the value of their own system of ends cannot withstand the indifference much less the contempt of others" (Rawls, 1999, p. 338)

whether they were really *self*-respecting at all. Fawning, insecure, praise-seeking behaviour is a poor example of a self-respecting mind-set (Chazan, 1998). Indeed, in some such circumstances we might be more inclined to view the shunning of critical voices in favour of one's *own* evaluations as particularly *good* examples of self-respect.

This response though would be to misinterpret Rawls's claim here. Rawls, as I noted already, is clear that our sense of self-respect must depend in large part on our own standards of value. Rather, Rawls should be understood as making an empirical claim regarding how self-respect is *typically* supported and nurtured, rather than a normative claim about what the appropriate standards of evaluation are. And there is substantial evidence that this kind of social recognition of both the ends that we choose (Baumeister & Leary, 1995; Schwalbe & Staples, 1991) and our attempts to pursue them (Miyamoto & Dornbush, 1956; Reeder, Donohue, & Biblarz, 1960; Rosenberg & Pearlin, 1978; Sherwood, 1965) has a strong influence on our own self-assessments.[33]

Rawls is thus better understood as saying that social support and recognition of our achievements will *in most cases* be an important part of our sense that our plans are worthwhile (Lane, 1982, p. 10). Certainly no-one can be self-respecting without a sense of their own personal standards. But it is likely that most individuals would struggle to maintain the sense that their own standards were correct without at least some social recognition of their achievements.[34]

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[33] There are doubtless many individuals who do persist in the face of their work being disparaged or overlooked – such as the artist we discussed earlier. However the kinds of processes I am considering here are more pervasive than, say, a creative person's 'style' not being appreciated – impacting more widely upon their sense of efficacy and purpose across their life-course (including, significantly, in their formative years). In these cases it seems likely that many 'normal' people's sense of purpose would not escape intact.

[34] Indeed, the claim that social esteem and support can affect our self-respect in this way may become clearer when phrased in the negative: could *most* citizens, as a matter of fact, really maintain a sense of purpose if the social and instructional environment were set up to belittle, hinder or disparage their commitments and achievements?

Thirdly, with regards to citizens' sense of *confidence* in the pursuit of their plans, the potential for social influence is clearer still. Rawls, once again, is explicit in supposing a role for social and institutional factors in the development of this aspect of self-respect. In particular, he argues that:

> "…associative ties strengthen the second aspect of self-esteem, since they tend to reduce the likelihood of failure and to provide support against the sense of self-doubt when mishaps occur."[35] (Rawls, 1999, p. 387)

For Rawls then, the esteem and recognition our plans are afforded by our peers, and those we associate with, operates as a source for us to have confidence in not only the *worth* of our endeavours, but also our ability to successfully pursue them. In this sense associative support can also enhance our feelings of personal competence and efficacy – our sense, in other words, of confidence in our ability to pursue various ends. This claim also has basis in the psychological literature, where perceptions of self-esteem, and importantly, *competence,* have been observed to track individuals' perceptions of the degree of social support and encouragement they receive (Fass & Tubman, 2002; Gecas & Schwalbe, 1983; Harter, 1999)

Once more, we can suppose that Rawls does not mean to say that *all* of a person's confidence in their abilities ought to, or does, rest upon the support or encouragement of others (Zink, 2011, pp. 332–333). This much is implied by Rawls's claim that associative support '*strengthens'* the second aspect of self-respect. Rather, Rawls is best understood to be making the more moderate claim that there is some balance to be had between our own personal views, and the recognition and support of those around us in the development of our sense of confidence in our abilities. Once again, if we phrase the claim in the negative, it would surely be excessive to say that the praise and esteem of others had normally had *no* effect on our confidence.[36]

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[35] Note that Rawls refers to this as the 'second aspect' of self-respect, but on our division it is the third aspect.

[36] In particular, Rawls is concerned with the support our peers can offer in the development in cases where we face unexpected or unfortunate challenges or set-backs. In such a case, the claim that self-respecting individuals ought to stand on their own two feet confidence-wise seems especially harsh.

In this sense then, the basic structure is afforded another opportunity to influence the distribution of self-respect, by cultivating a certain sort of supportive and associative institutional and public political culture.

Another important way in which this social environment could influence the development of individuals' self-respect is in relation to the opportunities it gives individuals to develop and exercise their various abilities (Schwalbe & Staples, 1991). Thus the quality and availability of education is likely to play a major role in the degree to which individuals feel confident in their abilities, and a sense of competence as they approach their plans and endeavours (Hughes & Demo, 1989). Rawls's defence of education is similar in spirit, pointing to the role it plays in "…enriching the personal and social life of citizens...." (Rawls, 1999, p. 92)

These kinds of support are particularly important in light of the Aristotelian principle, which supposes that citizens will benefit in terms of their self-respect when their talents and developed and honed throughout their lives. But another important support for this process comes through affording citizens the opportunity to act autonomously, to pursue their own chosen endeavours with a strong degree of self-direction (Franks & Marolla, 1976; Gecas & Schwalbe, 1983; Spenner & Otto, 1985). Whilst social institutions and environments can inhibit or stunt the development of autonomy (by limiting individuals' self-expression, or their opportunity to develop a sense of competence) social structures can also:

> "… shape possibilities for individuals to act efficaciously and to experience this in a way that enhances feelings of self-esteem. Social-structural conditions [can] enable and constrain efficacious action, influence the meanings that we give to it, and are in turn, reproduced by it." (Gecas & Schwalbe, 1983)

Citizens' feelings of agency and competence then, are at least partly a product of the opportunities open to them in society, and the roles they are afforded, or permitted to undertake within their community (See also Arnold, 2012). Environments in which citizens are afforded greater autonomy then, tend to lead to citizens developing a greater sense of agency

and competence, as their exercise of these powers is both enabled and affirmed (Korman, 1970; Mortimer & Lorence, 1979; Owens, Mortimer, & Finch, 1996). To the extent that the basic social institutions can carve out (or constrain) the spaces in which citizens might act autonomously, they support the development of the accompanying senses of self-confidence and efficacy. In this sense also, the social and institutional environment can be seen to influence the development of self-respect.

3.4. THE DEVELOPMENT OF SELF-RESPECT: SOCIAL RECOGNITION

Thus the circumstances in which citizens might confidently develop and pursue plans which accord with the AP appear to permit (and perhaps require) substantial scope for social and institutional influence. I now turn to the second of the 'circumstances of support' that Rawls identifies namely "finding our person and deeds appreciated and confirmed by others who are likewise esteemed and their association enjoyed."

This condition – particularly the reference to our 'deeds' certainly bears upon the kinds of social recognition for our plans and endeavours that I discussed I above. But the claim that we must also have our 'person' recognised by our peers relates – I argue – more closely to the first element of self-respect that we identified – regarding citizens' sense of their moral worth. This aspect of self-respect, I believe, is also quite clearly subject to the influence of the basic structure of society.

Indeed, Rawls claims as much when stating that citizens have their status affirmed by the principles that govern the basic structure of society. Individuals "insure their self-respect" Rawls argues, by "expressing] their respect for one another in the very constitution of their society" (1999, p. 156). This is to say that at a fundamental level, Rawls believes that citizens' status depends on the public recognition of their moral standing. For Rawls a society which failed to afford individuals adequate moral status in its founding principles, would fail to support their sense of self-respect outright. To be identified as anything less than an equal by the basic structure of

society, Rawls argues, would be "humiliating and destructive of self-esteem." (1999, p. 477)

As with our sense that our plans are valuable, Rawls also believes that we are also in need of social reinforcement of this status. As such, merely being aware of our public status may not be sufficient for us to *feel* this status in a robust way. Thus Rawls argues that "our sense of our own value, as well as our self-confidence, depends on the respect and mutuality shown us by others." (Rawls in: Rawls, 1982, p. 34). On this basis, parties in the original position would also adopt a natural duty of respect which governed their interactions with one another, with the aim of further securing their self-respect through their quotidian dealings (Rawls, 1999, p. 297).

Both of these claims are supported by the psychological literature on the development of self-esteem and positive self-conception.[37] Authors distinguish between (at least) two levels of recognitional interaction between society and individuals. The first of these is at an institutional level, whereby individuals' self-conceptions are influenced by their legal and political status, as well as their access to various social goods such as education, employment and economic resources (Hughes & Demo, 1989, pp. 153–154). In this arena, perceptions of inequality, inferiority and discrimination can have strong and damaging effects on the self-esteem and self-conceptions of individuals.

However, these institutional effects are in some sense secondary in their influence to the effects of what researchers call 'micro-processes' of recognition (Hughes & Demo, 1989, p. 154). This is to say that it is, in many cases, the lower level social interactions that serve to reinforce differences in status or recognition, which have the most significant effects on individuals' self-conception:

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[37] Such views are also echoed by other political theorists, notably Axel Honneth who notes that: "One can develop a practical relation-to-self only when one has learned to view oneself, from the normative perspective of one's partners in interaction, as their social addressee." (Honneth, 1995, p. 92)

The general conclusion is that being well informed about one's location in a status hierarchy does not necessarily have the same consequences as being frequently reminded of that location. This evidence supports the idea that our conception of self "is anchored primarily in on-going social relationships in recurring social settings." (Faunce, 1984)

These finding serve to justify a kind of dual role for the social environment when it comes to the influence and maintenance of citizens' sense of their moral and political worth. Principles of justice and the legal political order will play an important *direct* role in affirming the moral status of different citizens. But we should look further to the kinds of social and associational interactions, or climate, that these institutional and legal structures bring about. For it is within these more local and inter-personal contexts that much of the development of individuals' sense of their moral and political status will occur. Both aspects are thus essential. Without the appropriate social reinforcement, institutional affirmations of citizens' worth are unlikely to be internalised effectively. But without the appropriate institutional recognition of all citizens' moral and political status, there is the risk that the conceptions which are reinforced within more quotidian social interactions will themselves be damaging to some citizens' sense of their own worth (Hughes & Demo, 1989, p. 134).

Thus Rawls believes that the social environment also has a major role in the development of our confident sense of our own worth. A just society would support this sense of worth through both the fundamental principles it was based upon, and also through the way its public political culture was set up to ensure that citizens had their sense of their worth recognized and reinforced by their peers and the institutions around them (McKinnon, 2000, p. 494). As much as it is for each individual to actually respect themselves, and to recognize their own moral status, this process can be aided and supported should the basic structure cultivate the appropriate institutional recognition, and respectful public political culture.

3.5. THE SOCIAL BASES OF SELF-RESPECT

The analysis above should serve to demonstrate that the development of self-respect can be seen as sensitive to the social environment (broadly construed) in important ways. This however, is still not sufficient to ground the claim that Rawls wishes to defend, namely that the basic structure of society can exert meaningful *control* over the development of self-respect. In order to defend this claim it would need to be shown that the basic structure of society can act to manipulate this social environment, and the aspects of it which support self-respect, in fairly *determinate* ways.

Rawls's response to this problem is to characterise the effects of this social environment on the development of self-respect in a particular way: through the identification of what he calls the 'social bases of self-respect'. These social bases, Rawls argues, should be understood as:

> "those aspects of basic institutions which are normally essential if individuals are to have a lively sense of their own worth as moral persons and to be able to realize their higher-order interests and advance their ends with zest and self-confidence. (Rawls, 2001, p. 60)."

In this sense we move from the more general claim that the development of self-respect is sensitive to the social environment, to the more specific claim that there are particular aspects of this environment that do this work, *and* which can be cultivated or have their distribution influenced by the basic structure. Thus it is the social bases of self-respect (SBSR) that Rawls takes to unite the claim that the social environment can have a large *influence* over citizens' self-respect, *and* that this influence can be wielded in a fairly controlled, and even *distributive* manner. Another way of putting this is to say that it is the social bases of self-respect that work to secure the *elements* of self-respect that we have identified.

However, Rawls's description of the SBSR as 'aspects of basic institutions' is far from helpful in identifying what they actually might be however. Rawls later clarifies somewhat, stating that the SBSR may be "features of the institutional framework, the social environment, or the public political

culture". This includes, apparently, "things like the institutional fact that citizens have equal basic rights, and the public recognition of that fact and that everyone endorses the difference principle…" (Rawls, 2001, p. 60). But even with these illustrations we are left with a very limited sense of what the SBSR are. And accordingly, here is not an accepted way in which theorists seek to identify the actual SBSR with which Rawls is concerned (Moriarty, 2009).

This poses a problem for us in our assessment over whether Rawls is justified in saying that the basic structure can exert meaningful control over the distribution of self-respect. In order to address this I will suggest that the most useful way to think about the SBSR is not in terms of what they are (i.e. principles, goods, or institutions), but rather, in terms of what work they do in supporting self-respect.

3.6. THREE CATEGORIES OF SOCIAL BASES OF SELF-RESPECT

I noted above that the SBSR might be thought of as acting to support the three elements of self-respect which I identified in chapter 1. This division, I believe, offers us a useful way to think systematically about the kinds of SBSR that there may be. As such, the most straightforward way of identifying the SBSR is to view them as playing one of three roles – each of which responds to one of the three elements of self-respect I attributed to Rawls.

The first of these I will call 'recognitional bases'. As I noted, the development of the sense of moral worth that Rawls sees as characterizing self-respect will depend in part on the kinds of recognitional processes that dominate in a given society. Accordingly then, we might say that there are likely to be discrete 'recognitional bases' at work in the social environment. For example, constitutional or legal provisions granting particular rights, liberties or forms of political status to particular individuals (or groups of individuals) for example, have a major role in forming and normalizing the social standards of value that citizens apply to one another, and to themselves (Hughes & Demo, 1989). Citizens may well require more than this to feel a sense of worth as persons, but it is clear that for Rawls, absent these kinds of *direct* public pronouncements, it will be hard for citizens to

develop or sustain the robust sense of self-worth he expects free and equal citizens to feel.

The second type of bases we can identify might be called 'opportunity bases'. As I noted, Rawls also believes that self-respecting citizens' need to be able to form and pursue life plans which feel valuable to them, and which they feel confident in pursuing. Their sense of social status, or the way in which they are recognized by the basic institutions might well *contribute* to this feeling, but it is incapable – by itself – of securing it. As such, there must be non-recognitional bases for this feeling too, and in particular, meaningful *opportunities* to pursue the valuable life-plans that self-respecting citizens will form.

Perhaps the clearest example of 'opportunity bases' comes in the form of resources (Eyal, 2005) which open up options for citizens and aid their pursuit of their plans of life in a number of ways. Of course, the value of these resources however, will also depend on the public and legal context in which they are applied and as such opportunity bases would typical include legal and institutional rights and freedoms, as well as the necessary social policies to ensure that citizens are not precluded in non-material ways from forming a pursing their conception of the good life.

These opportunity bases can be seen to operate in combination with recognitional bases, but whilst responding (primarily) to different aspects of citizens' self-respect. The role of opportunity bases is *primarily* in facilitating citizens' pursuits of the plans and endeavors in which they can feel a sense of pride, worth and confidence.

The two kinds of SBSR are widely acknowledged in the literature (though not necessarily in these terms (J. Cohen, 1989; Doppelt, 2009; Eyal, 2005; Shue, 1975). However, the third kind of SBSR I will identify is generally overlooked. These are what I will call 'associative bases' for self-respect. Associative bases differ from both recognitional and opportunity bases in that they tend to act to *reinforce* one or the other. This is to say that associative bases tend to support citizens in their processes of *recognition*, or in utilizing the *opportunities* open to them.

For example, whilst recognitional bases provide a kind of anchor for citizens' self-assessment, we also noted that Rawls believed that the status these 'bases' conferred would need to be reflected and reinforced by our peers for us to feel a full sense of our worth and status as citizens. This is to say then that it is not merely the formal processes of recognition that drive citizens' internalization of their putative status – but the ongoing *reinforcement* of these statuses in their interactions with their fellow citizens.[38]

Something similar goes for the claim that the associative character of society can also modify the efficacy of the opportunity bases it offers. Just as ongoing reinforcement is, for Rawls, essential to citizens internalizing the sense that they were valuable so too – I noted – was reinforcement needed for citizens to develop the sense that their endeavors had value. As much as the opportunity to live a life of one's choosing is essential for forming sense that one's plans are valuable – it is only when our plans are recognized and esteemed in association with others that we can develop the sense that they are worth pursuing. And it is only with this associative support – Rawls – believes that we can develop the strength of purpose to feel confident in our ability to pursue them in the face of set-backs and failures. Associative bases of self-respect are thus a vital companion to the more obvious recognitional and opportunity bases which emerge from Rawls's account of the development of self-respect.

3.7. CONCLUSIONS: BEYOND THE DISTRIBUTIVE PARADIGM

We might summarise these claims as such: recognitional bases of self-respect might be seen to reflect the relationship between the *principles* governing a society and its members, whilst the opportunity bases might be

[38] To illustrate, note that there are surely examples in which societies have diverged in the degree to which they offered recognitional and associative bases. This is to say that a society might affirm, say, the strict legal or constitutional equality of all its citizens, and in so doing offer citizens *some* reasons to feel this view themselves as equal in kind. However, it is surely possible that such a society might, for historical reasons or otherwise, be riven with powerful but *informal* distinctions and prejudices, such that some citizens systematically had their status lowered and questioned in their interactions with others. Such a society would offer recognitional bases of self-respect, but lack *associative* bases.

seen to reflect the relationship between an individual's plans, talents and endeavours and the resources or options available to them. Between these two sources of support are the associative bases, which reflect the fact that in between the basic structure itself, and the individuals, there exists, in Rawls's terms at least, a vital social or communal element to the development of self-respect.

It is likely that these social bases can be redescribed in these (and probably other) ways. However, I believe this particular distinction in instructive in that it accords with the three different ways in which the social bases of self-respect might *act upon* citizens' self-respect, which in turn connect up neatly with the circumstances under which Rawls believes self-respect is developed. As such, they appear to be useful analytical distinctions by which we might identify the social bases of self-respect which Rawls describes in *TJ*. Further, by specifying in more detail the ways in which social bases of self-respect could act upon citizens' self-respect, we are provided with a useful empirical standard by which to assess the veracity of *potential* social bases of self-respect that Rawls does not consider explicitly. And by focusing on the *means* by which social bases can act to support citizens' self-respect, we also raise the possibility of our comparing the efficacy of different social bases in these regards.

Thus we can support Rawls's claim that the SBSR are aspects of basic institutions and the public political culture whilst going further and adding that these bases have the potential to support citizens' development and maintenance of their self-respect in one of three ways: By offering direct institutional recognition of citizens' moral worth, by leading to a social and associative environment in which citizens can have their person and their deeds esteemed and their confidence in both supported, and by offering individuals the opportunities and resources necessary for them to themselves form and pursue a plan of life that feels genuinely worthy, and which they are confident of pursuing.

This conclusion will aid us in the next chapter, but it is worth pausing to note that it also has important implications for the broader reading of Rawls's work, and the project in which he was engaged. Specifically, by viewing the

SBSR in this kind of way – as (for the most part) functional features of the social environment – we are moving away from the kind of strongly distributivist conception of justice that is often taken to characterize Rawls's approach (Young, 1990, p. 27). This distributivist position has been subject to sustained and influential criticisms by, in particular, 'relational' theorists. Such critiques of Rawls's approach to justice take a wide variety of forms, but at the heart of these positions is typically a claim that Rawls seeks to focus too heavily on goods, rather than the ways in which citizens *stand in relation* to one another. Thus Elizabeth Anderson's account of 'democratic equality', for example, says the following of an account of justice:

> "Its proper positive aim is not to ensure that everyone gets what they morally deserve, but to create a community in which people stand in relations of equality to others" (Anderson, 1999, pp. 288–289)

Relational theorists raise a number of objections to the perceived resourcism within Rawlsian approaches to justice, which include that the focus on distributions obscures (and possibly reifies) the processes by which goods are created in the first place (and who decides this) (Young, 2006, pp. 93–94) and that the language of distribution (the 'distributive paradigm') cannot be stretched – without suffering incoherence – to cover a range of issues related to justice, such as patterns of social respect and recognition (Young, 1990, pp. 8–9). Indeed it has been claimed that the good of self-respect is one area in which the shortcomings of the distributivist conception of justice become most apparent. Elizabeth Anderson, for example, argues that:

> "Rawls considered the social bases of self-respect to be the most important primary good. He hoped that a just allocation of the other primary goods – basic liberties, job and educational opportunities, income and wealth – would be sufficient to secure the social bases of self-respect for all. I think Rawls's hope was misplaced. Unjust stigmas and stereotypes, discourse inequality, shunning, and the like are undemocratic aspects of civil society that are neither constituted nor remediable by redistributions of resources or indeed by any direct regulation." (Anderson in: Robeyns, 2010, p. 90)

Anderson is surely correct to say that there are limits on what the basic structure can achieve with regards to cultivating a self-respect enabling social environment in the way that I have described it. But in another sense her argument here takes an unfairly restrictive view of the ways in which Rawls expected the basic structure to make the good of self-respect available – at least in terms of the reading I have offered here. Rawls is, as I noted, clearly concerned with the distribution of the SBSR in some sense – he is concerned, in other words about the degrees to which these goods (and self-respect) are present or not amongst a community of citizens. But it is a feature of the SBSR that to a large extent it is not so much a distribution of personally held goods (such as wealth or liberties) that supports its development, but rather the cultivation of particular kinds of social *relationships* – between citizens, and between individuals and the major social institutions.

It is simply not the case, therefore, that Rawls hoped for all – or even most – of the work in supporting self-respect to be effected by the distribution of the remaining primary goods themselves. This would be to ignore much of the recognitional and associative work that Rawls supposes a society based upon the principles of justice as fairness to do. In large part then, what matters from the perspective of developing Rawlsian self-respect is not so much the goods one has, but *precisely* the relational standings, and processes of recognition and esteem that an individual experiences across their lifetime. Thus for example, it is at least as much the way one is *recognized* by the major social institutions, as it is the 'use value' of one's rights and liberties that act to undergird one's self-respect. And likewise, it is at least as much the way in which one's contributions and endeavors are *appreciated* by other members of society, as it is one's legal rights to join such associations that aids this development too.

The social bases of self-respect, in other words, play an important (and interesting) role of bridging the apparent gap between distributivist and relational accounts of justice. In creating the class of the SBSR, Rawls explicitly confronts the problem raised by Iris Young of one good (self-respect) being ill-suited to distributive language and processes. And whilst

Rawls's literal description of the role played by self-respect within his theory is distributivist in character – we have seen that this is misleading. Once a full account of the ways in which Rawls expects justice as fairness to support self-respect is recovered and set out, we can see that the process of securing the SBSR for citizens is much less a matter of 'traditional' distribution, and much more a case of cultivating a particular set of social relations and a public political culture that serves to secure for all citizens the space, recognition and encouragement needed for them to develop a sense of self-respect on their own terms. In this sense then, Rawls appears to be more relationist, than distributivist.

Similarly, the focus on self-respect also gives Rawls a reason, and a means, by which to focus on *how* resources are produced, and not only their distribution, in just the way that Young proposes (Young, 2006). This is true not only in the sense that the elements of self-respect Rawls is dealing with must, empirically, direct our attention towards arenas such as the workplace and the family – but also because of Rawls's recognition that the social compacts upon which distributions are predicated are *themselves* recognitional bases of self-respect. This is to say that there may be distributions that could be self-respect (and life-plan) facilitating in terms of *outcomes* (i.e. to the extent that citizens received the requisite material goods) but which nonetheless would be rejected on the grounds of self-respect *if* the productive system were *itself* not supportive of their sense of self-respect (i.e. such that workers felt they could not contribute to the processes of production, or if some class of workers were treated with contempt or in an exploitative manner as part of it).[39]

In this sense then Rawls, like the relationists, can be said to be directly interested in the 'background conditions' which underlie patterns or respect and privilege in society (Laden, 2003). In Anderson's view, one of the key insights of democratic egalitarianism is its "[sensitivity] to the need to

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[39] Indeed, it is this kind of motivation (of citizens having a stake in the productive capacity of society) that Rawls uses to defend the 'property-owning democracy' social model rather than a 'welfare-state capitalist' alternative (Rawls, 2001). I will return to this point in Chapter 8.

integrate the demands of equal recognition with those of equal distribution." (Anderson, 1999, p. 314). In the case of self-respect at least, Rawls does just this. In this regard, we might fairly say that Rawls's concern is not only about 'what you have' but also of 'how you are treated' (Forst, 2007, p. 260).

This conception of Rawls as adopting a post-distributivist approach to the good of self-respect is one of the most important and distinctive claims I have presented here. It is crucial in the defense of Rawls's account of self-respect both with regards to his offering a plausible account of how the good of self-respect is to be secured for all, and in responding to criticisms of his perceived distributivist focus. However, I noted above that many of the mechanisms by which such a process might be undertaken are yet to be sketched out. I will address this issue in the next chapter – looking specifically at the ways in which Rawls expects the principles of justice as fairness to ensure that all citizens have adequate access to sufficient social bases of self-respect in recognitional, opportunity and associative terms.

4. CHAPTER 4 – JUSTICE AS FAIRNESS AND SELF-RESPECT

4.1. INTRODUCTION

Rawls believes that the account of justice he defends will support the self-respect of citizens in a particularly profound way. Why is this? Which aspects of justice as fairness does Rawls have in mind when he talks of this conception supporting self-respect, and how do these aspects work in this regard?

In this chapter I will answer this question by drawing on the reconstructive work I have done hitherto. The broader reading of Rawls's account of self-respect, the deeper account of its relationship to justice, and the classification of the ways in which the social environment might support the development of this good will aid us in this regard.

I will begin by setting out something of a conventional reading of how the principles of justice Rawls advocates are seen to relate to (and support) self-respect – using the language I have introduced. I will then move to address the most significant criticism levelled at this claim – regarding Rawls's alleged naivety over the degree to which citizens' self-respect will be impacted upon by economic and material inequalities. I will argue that this charge is mistaken, and that a deeper understanding of Rawls's account of self-respect – the like of which I have proposed – allows us to reconstruct a Rawlsian response. This is based upon the effects of the second principle of justice in allowing citizens to insulate their sense of self-respect from their economic and material situation.

Whilst this argument rests in part on the resources the difference principle focuses on, the more significant of its effects – I shall argue – come in terms of the 'social environment' which Rawls expects it to cultivate. As such, this defence of Rawls's account of self-respect both draws upon, and offers support for, a reading of Rawls as a 'relationist', (rather than solely 'distributivist') theorist.

4.2. 'THE BEST SOLUTION' FOR SUPPORTING SELF-RESPECT

Rawls's account of how he expects the components of justice as fairness to support the development of self-respect is, as I mentioned previously, fragmented and opaque. Rawls's most direct statements on the subject – in *TJ* at least – focus upon the role that will be performed by the first principle of justice as a basis for self-respect. The principle states that:

> "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all." (1999, p. 220)

Accordingly, this principle and the equal political liberties it guarantees – is typically taken by scholars to be the primary – and perhaps *sole* – social basis for self-respect provided by the account of justice Rawls offers (Shue, 1975). This is based in part upon Rawls's further claim that:

> "The basis for self-respect in a just society is… the publicly affirmed distribution of fundamental rights and liberties. And this distribution being equal, everyone has a similar and secure status when they meet to conduct the common affairs of the wider society." (1999, p. 477)

For Rawls then, the guarantee of the basic liberties established by the first principle of justice (and enhanced by the lexical priority of this principle) is 'the best solution' for securing for citizens' self-respect (1999, pp. 477–478). The liberties to which Rawls refers can be thought of as acting to support citizens' self-respect in a number of ways. Using the language I have adopted, they are most certainly a kind of 'recognitional basis' for self-respect (McKinnon, 2000, p. 497). Rawls believes – as I noted – that the public pronouncements of citizens' moral status are likely to be internalised by these citizens as self-assessments and as the basis for their conduct towards one another (Rawls, 2001, pp. 23–24).

The first principle of justice offers a very public, and powerful pronouncement about the status of each citizen, particularly as the basic

liberties themselves[40] are to be settled by reference to their role in developing the moral powers which characterise free and equal persons (Rawls, 1999, p. 82). As such it is not merely the *entitlement* to the basic liberties which says something about the moral status of citizens (though it does), but also the publicly agreed *forms* of liberties that are socially determined as basic. Thus whilst the basic liberties affirm the status of all, they *also* pick out and emphasise *particular* morally salient capacities – namely those related to the moral powers free and citizens are assumed to develop.[41] These are the very traits which – as I argued in Chapter 1 – underlie the sense of free and equal citizenship Rawls expects self-respecting citizens to value.

Equally important to Rawls is the fact that these basic liberties are to be allocated *equally*. This is to say that whilst some of the recognitional force of the basic liberties might lie with the liberties themselves, an *equal* distribution of these liberties can be seen as performing a recognitional role all of its own (1999, p. 477).

In one sense it is self-evident that the recognition of individuals as free and equal citizens requires that they be treated equally. But Rawls is arguably making a stronger point. It is not merely that affording citizens unequal basic liberties would *fail* to offer them recognition as equals, but rather, that it would (in a very profound way) publicly recognise them as *un*equals. Citizens' 'secure status', Rawls believes, is predicated on their being equal in the eyes of their institutions, and the eyes of their peers, such that:

> "[Acknowledging a less than equal liberty] would… have the effect of publicly establishing their inferiority as defined by the basic

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[40] These basic liberties include: "political liberty (the right to vote and to hold public office) and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person, which includes freedom from psychological oppression and physical assault and dismemberment (integrity of the person); the right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law." (Rawls, 1999, p. 53)

[41] "Our self-confidence as a fully cooperating member of society rooted in the development and exercise of the two moral powers… [This] is supported by the basic liberties which guarantee the full and informed exercise of both moral powers." (Rawls in: Rawls, 1982, p. 34)

> structure of society. This subordinate ranking in public life would indeed be humiliating and destructive of self-esteem." (Rawls, 1999, p. 477)

Thus the first principle of justice plays a role as an SBSR in itself – acting to support, through its own proclamations – citizens' sense of moral worth, and self-respect. But it is also important to note that the liberties conferred by this principle are quite plausibly SBSR in their own right (J. Cohen, 1989; Doppelt, 2009; Eyal, 2005; McKinnon, 2000). These, however, are better understood as what I called 'opportunity bases' – such that they enable citizens (with the requisite sense of agency) to form and pursue the worthy life plans necessary for them to feel self-respect.

The basic liberties provide opportunities for citizens in a self-evident way – permitting individuals a wide personal sphere of action, subject only to the restriction that their plans do not involve injustice towards others (1999, p. 27). Citizens' agreement to secure the most extensive set of basic liberties can be understood – Rawls argues – to represent a commitment to respect one another's varied and disparate ends (Rawls, 1999, p. 388). And indeed the justification for this set of liberties depends in large part on citizens' desire to pursue their own plans unhindered by 'perfectionist' social standards of what is a 'good' or 'acceptable' way to live (Rawls, 1999, p. 288).

Furthermore, Rawls argues that the equal basic liberties guaranteed by this principle would secure for each citizen the right to form and join free associations which reflect their interests, commitments and abilities (1999, p. 477). Rawls believed that this kind of reinforcement was essential for our developing the sense that our plans were worthy, warning that "unless our endeavors are appreciated by our associates it is impossible for us to maintain the conviction that they are worthwhile" (Rawls, 1999, p. 387)

The guarantee of broad equal liberties, Rawls argues, serves to permit "the existence of 'communities of interest' in which individuals can find appreciation and support for their conceptions of the good" (Rawls, 1999, pp. 476–477). Writ large, these communities comprise a social order in which an extremely wide range of associations can co-exist and cooperate.

As such, all individuals are likely to be able to find some supportive community in which they might pursue their various conceptions of the good, and hone and exercise their various abilities and talents. It "normally suffices" Rawls argues "that for each person there is some association (one or more) to which he belongs and within which the activities that are rational for him are publicly affirmed by others" (Rawls, 1999, p. 387). The first principle of justice, Rawls believes, acts to bring such conditions about.

4.3. ARE THE BASIC LIBERTIES SUFFICIENT?

Rawls thus sees the first principle (and the basic liberties it describes) as securing each of the recognitional, opportunity, and associative bases of support for citizens' self-respect that I described. In this regard then, Rawls quite consciously argues that in a just society, it is these basic liberties that would do the bulk of the work in supporting citizens' development of self-respect. And crucially, Rawls argues, it would replace other potential bases upon from which citizens might otherwise derive a sense of their worth:

> "The best solution is to support the primary good of self-respect as far as possible by the assignment of the basic liberties that can indeed be made equal, defining the same status for all. At the same time, relative shares of material means are relegated to a subordinate place." (1999, pp. 477–478)

This privileging of political status over other plausible bases for self-respect – most notably economic or material resources – stands in the literature as the single most contentious aspect of Rawls's account of self-respect (Barry, 1973; Daniels, 1989; Doppelt, 1981; Eyal, 2005; Lane, 1982; Miller, 1978; R. Wright, 1977; Zaino, 1998). Some authors have rejected this move as simply inconsistent. In particular, Nir Eyal argues that Rawls is incorrect to prioritise liberties[42] over material resources in this way, on the grounds that wealth and income can *also* act as effective social bases of self-respect (Eyal, 2005, p. 198). Eyal notes a number of ways in which wealth and income

[42] One concern is whether Eyal is sufficiently sensitive to Rawls's distinction between liberties as freedoms, and the basic liberties as a restricted set of fundamental rights.

mirror liberties in the support they can offer for citizens' self-respect (Eyal, 2005, pp. 198–199), and as such, he argues that the special emphasis Rawls place upon these liberties is unfounded.[43]

This specific conclusion is mistaken, but in an illustrative way. Eyal correctly notes that Rawls' prioritisation of the basic liberties serves to show that he would not tolerate inequality in the basic liberties even *if* this social basis was compensated by *other* social bases (Eyal, 2005). But contrary to Eyal, this does not mean that Rawls must advocate that 'each and every social basis of self-respect be equalised' – thus requiring us to do the same with, say, wealth and income. Eyal's reading neglects another ready explanation, namely that Rawls simply did not believe that other social bases of self-respect *could* compensate for inequalities in the basic liberties. It may not be the case then, that *only* the basic liberties can support self-respect - but they may be irreplaceable, or uncompensatable bases for self-respect nonetheless. And this in turn may not be true for other sources of support for self-respect, which might well be replaceable, or compensable by inequalities in yet other primary goods.

Thus contra Eyal, the fact that Rawls advocates equality in the basic liberties is more likely a reflection of the particular nature of these liberties as bases for self-respect, rather than a 'covert' commitment to equalise all social bases of self-respect (Eyal, 2005, p. 197). Indeed Rawls implies as much in *Theory* when he writes:

> "Thus while the social and economic differences between the various sectors of society… are not likely to generate animosity, the

[43] Eyal's argument in favour of this move also rests on the claim that wealth and income can operate as social bases of self-respect *just as effectively* as the equal basic liberties. However, Eyal can only substantiate this claim by treating Rawls's account of self-respect as an account of self-esteem. This is to say that, by Eyal's own admission, wealth and income can only support citizens' self-respect similarly to liberties when this self-respect is understood in a restricted manner – as their senses of plan-worth and plan-confidence – and not as a basis for their sense of moral worth (Eyal, 2005). The account of Rawlsian self-respect that we set out in Chapter 1 suggests that this reading is inaccurate.

> hardships arising from political and civic inequality… cannot be easily accepted." (1999, pp. 477–478)

Rawls thus believes it unlikely that anything could compensate citizens for the recognitional loss that would ensue from having an unequal set of basic liberties. This claim, we should note, is much easier to understand when we consider the account of self-respect I reconstructed in chapters 1 and 2, which placed emphasis on the importance of citizens feeling the appropriate sense of free and equal citizenship. This, I said, acted as a kind of motive force for plans and endeavours – such that without it, other primary goods may be limited in value. Inasmuch as the basic liberties relate to this status specifically, they can be said to play a more fundamental role in supporting citizens' self-respect than material goods.

Nonetheless, Rawls still faces a further and more troubling charge. This is the claim that it is simply naïve to assume that citizens can so squarely base their sense of their own worth on their political status and – in particular – to do so independently of their situation in terms of economic success, material wealth or the like. "That equality of self-respect may be as much or more hindered by inequalities of wealth or power themselves apparently does not occur to Rawls", argues Brian Barry in an early response to *TJ* (1973, p. 32). More moderate views argue that Rawls at least recognises this challenge, but fails to offer a convincing account of how it is to be addressed (Lane, 1982; Miller, 1978; Zaino, 1998). This, it is supposed, is a major failing at the heart of Rawls's account of self-respect (Zaino, 1998, p. 743)

4.4. RESPONSE: 'FACTORING THE SOCIAL ORDER'

Were Rawls to claim that that citizens could unproblematically look to their political status as the basis for their sense of self-worth – even in situations of economic hardship or want – then this would indeed be a troubling charge. However, it is clear that Rawls does not do this. Rather, he argues that the ability of the basic liberties to act as the primary basis for citizens' sense of self-respect is something that must be *achieved* by the basic social institutions of a just society, rather than something which can (or should) be *assumed*. Accordingly, Rawls's privileging of citizens' moral and political

standing can only be understood in the context of how he expects the principles of justice to work *collectively* to support citizens' self-respect.

In fact, Rawls recognises that designing a social order in which the basic liberties can act in this way is likely to be a major challenge indeed. Contra Barry, Rawls explicitly recognises that citizens may be predisposed to treat their economic positions – their share of wealth or income for example – as grounds for their sense of worth (Rawls, 1999, pp. 478–479). But he believes this would – writ large – be a very undesirable state of affairs:

> "Thus, suppose that how one is valued by others did depend upon one's relative place in the distribution of income and wealth. In this case having a higher status implies having more material means than a larger fraction of society. Everyone cannot have the highest status, and to improve one person's position is to lower that of someone else. Social cooperation to increase the conditions of self-respect is impossible." (1999, p. 478).

A sense of self-respect based upon ones *ranking* in a system of economic advantage would be, in effect, a zero sum game with no citizen able to bolster their self-respect without another losing out. Rawls believes that such an outcome would be undesirable in both the way it sets citizens against one another, and through limiting the ability of social cooperation to raise the prospects for self-respect across society (1999, p. 478).

If at all possible then, Rawls believes that it would be desirable for citizens to derive their sense of worth from their political status rather than their position of economic advantage. But if people are predisposed to allow their economic circumstances to affect their sense of self-worth, it is not enough to simply point to the advantages that might stem from them acting differently. This, of course, would violate one of Rawls's most fundamental methodological assumptions, that "Conceptions of justice must be justified by the conditions of our life as we know it or not at all." (Rawls, 1999, p. 398)

Rawls's solution to the problem is to 'factor the social order into two parts'. This means actively *choosing* a conception of justice which emphases the role

of rights and liberties as a basis for self-respect and downplaying the significance of economic advantage in this regard (1999, p. 478). This 'separation' of the social order – distinguishing political status from economic advantage as a basis for self-respect – can be understood as a two-stage process.

The primary means of achieving this is through affording a special priority to the first principle of justice, such that the moral status of citizens is elevated and protected (Shue, 1975, pp. 202–204). Scholarship, as I noted, has focused on this move – in which the basic liberties become the primary social basis for self-respect (Barry, 1973; Daniels, 1989; Doppelt, 1981; Eyal, 2005; Lane, 1982; Miller, 1978; Zaino, 1998). However, inasmuch as Rawls clearly does expect this move to secure the basic liberties as the primary basis for citizens' sense of self-respect, it is more accurate to say that this is the *second* stage of the process of factoring the social order. Rawls says as much when he writes:

> "Having chosen a conception of justice that seeks to eliminate the significance of relative economic and social advantages as supports for men's self-confidence, it is essential that the priority of liberty be firmly maintained." (Rawls, 1999, p. 478)

This is to say that Rawls is better understood as arguing that the first principle of justice can only operate in this way *once* the link between citizens' sense of their worth, dignity or status and their economic circumstances has been broken (Shue, 1975, p. 201). Only when this 'decoupling' is achieved can we then proceed to the second stage in which the basic liberties – and citizens' use of them in the pursuit of their life-plans – become the primary basis for their sense of self-respect.

This process of decoupling – I will argue – is best understood not by reference to the first principle of justice (though of course, it is this principle which it serves to enable). Rather, it is the nature and functioning of the two parts of the second principle of justice and (in particular, the difference principle) which paves the way for citizens to insulate their sense of self-respect from their position of economic advantage (Rawls, 1999, p. 156).

Understanding this process is central to understanding the full picture of how Rawls expects justice as fairness to work in support of self-respect.

4.4.1. Separating moral worth from economic advantage

Rawls recognises that some kinds of economic inequality pose a threat to citizens' self-respect (Rawls, 1999, pp. 469–471). However, it is not the mere scale of these inequalities which Rawls sees as troubling – but rather how these inequalities are justified and interpreted by individuals, and across society. This is to say then, that inequalities have a particular 'social meaning' and it is this that, for Rawls, will determine how much of a threat they pose to citizens' self-respect (*Ibid)*.

As such, Rawls believes that one of the primary tasks for the second principle is (so to speak) to 'detoxify' the nature of social inequalities. This is to ensure that citizens can enjoy the economic benefits which (Rawls supposes) a system of unequalising incentives can yield (Rawls, 1999, p. 68) *without* suffering harms to their status or self-conception, which may preclude them from identifying with the conception of free and equal citizenship (Rawls, 1999, p. 469).

The second principle of justice – combining both the principle of fair equality of opportunity and the difference principle – can be understood as effecting this separation between citizens' self-conception, and their own economic status in three particular ways.

Firstly it removes one possible threat to citizens' sense of self-worth which may stem from their being party to economic relationships which treated them as 'means' rather than the 'ends' which Rawls believes the conception of free and equal citizenship entails. Rawls illustrates this by contrasting justice as fairness with a utilitarian account of justice (1999, p. 156).

Superficially utilitarianism might be thought to respect all citizens equally as individuals, given that it views each person's interests as counting equally, at least in its calculus. But Rawls notes that in in a more substantive sense, this appearance of equal consideration may not correspond with the treatment of citizens as *equal persons* in the requisite sense. After all, one of the features

of a utilitarian account of justice is that it is ambivalent with regards to how social utility is distributed. As such, Rawls argues that:

> "… there is no reason in principle why the greater gains of some should not compensate for the lesser losses of others; or more importantly, why the violation of the liberty of a few might not be made right by the greater good shared by many." (Rawls, 1999, p. 23)

In a society ordered by a utilitarian principle of justice, the relevant calculus could quite easily endorse the basic structure of society "[imposing] on those already less favored still lower prospects of life for the sake of the higher expectations of others" (Rawls, 1999, p. 157). Rawls believes that requiring those who are least advantaged to accept sacrifices in their expectations without receiving any compensating benefits is tantamount to treating them as means, rather than ends in themselves (Rawls, 1999, p. 157). This, Rawls supposes, would impede the good functioning of the first principle of justice as a basis for citizens' sense of their self-respect (1999, p. 157).

In contrast, the difference principle – by requiring that economic distributions be *mutually* advantageous – serves to ensure that no citizens are treated as ends in ways which might make them feel worthless or diminished (1999, p. 156). Thus under the difference principle, the nature of the economic distribution of the society in question *accords with*, rather than undermines, the conception of citizens' moral status which is established by the first principle of justice.

Additionally, the requirement that economic distributions be justified in terms of their mutual advantage (as established by the difference principle) also serves to protect citizens' sense of their moral worth in two further ways. Firstly, it serves to reframe economic cooperation and material inequality in such a way that citizens need not feel dispirited (nor excessively proud) of their share of economic advantage. It does so, we can say, by institutionalising and publicly affirming the notion that one's productive capacities are unrelated to one's moral standing.

Rawls argues that the difference principle represents an undertaking to regard talents and abilities of individuals as a 'collective asset', and one

result of this is to institutionalise the view that one's moral worth or deservingness is unrelated to one's productive or remunerative potential (1999, p. 274). If it were that economic rewards flowed to those with talents in an unrestrained manner, then it might easily be supposed that those with greater economic advantage were more deserving for a moral point of view. This would be risk damaging for the sense of self-worth felt by those whose talents were more limited, or not valued by the market at that point in time.

The difference principle evades this problem by ensuring that the greater advantages of some are justified *not* in terms of their individual deservingness, but instead in terms of maximising the respective position of those least-advantaged (1999, p. 179). Society, by design, conceives of inequalities not as reflections of citizens' own worth or status – but rather, as tools by which it might maximise the prospects of those who are least advantaged (Rawls, 1999, pp. 156–158). Citizens in Rawlsian society do not, in other words, endorse a strong conception of moral desert for talents and one implication of this is to publicly *weaken* the social perception that differences in *talents* and differences in *moral worth* are connected (Rawls, 1999, pp. 86–89).

As such, while those who are least advantaged may regret their position in terms of the primary goods to which they have access, they should not see either their remuneration, or the remuneration of others, as saying anything about their moral worth (1999, p. 470). Indeed, by transcending the natural distribution of assets, this arrangement shifts the status of those least advantaged from being 'subjects' of a natural order, to the authors of a particularly 'social' one. Taking control over the distribution of inequalities gives those least advantaged reasons to feel, as Rawls says elsewhere, "the sense that they are members of society and not simply caught in it." (Rawls, 1993, p. lvii).

In the same vein, we can identify a third way in which the difference principle serves to modify the *social* perception of inequalities in a way that further allows citizens to insulate their sense of self-respect from their position within the scheme of economic advantage. This can also be construed in what I have called 'associative' terms.

Rawls believes that citizens' attitudes towards inequalities will influence the character of the associations they have and make with one another (Rawls, 2001, p. 60). Given the importance of these associative processes in the formation of citizens' self-respect – it is important that the perceptions of inequality which underlie them serve to bolster, rather than undermine citizens' senses of worth.

Rawls argues that the difference principle achieves just this:

> "…by arranging inequalities for reciprocal advantage and by abstaining from the exploitation of the contingencies of nature and social circumstance within a framework of equal liberties, persons express their respect for one another in the very constitution of their society. In this way they insure their self-respect as it is rational for them to do." (1999, p. 156)

The commitment of all citizens to 'refrain from seeking advantages unless they work to the benefit of those less well-off', can also be thought of as a form of associative respect in its own right. Rawls believes that this refusal to gain at the expense of others represents (and instantiates) a sense of *fraternity* across society, an inherently other-regarding and other-respecting social attitude (1999, p. 90). When publicly manifested in the upholding of the difference principle, Rawls expects this fraternal ethos to act as an important form of associative reinforcement of the equal moral respect due to all citizens (1999, p. 156) as well as serving to mitigate any feelings of shame or envy that those who were less advantaged might feel were their welfare to be disregarded by others (Rawls, 1999, p. 470). Thus while the least advantaged in society "control fewer resources, they are" Rawls argues "doing their full share on terms recognized by all as mutually advantageous and consistent with everyone's self-respect" (Rawls, 2001, p. 139).

4.4.2. Enabling citizens' use of the basic liberties

The moves above can be understood as working to mitigate potential harms to citizens' self-respect that may stem from particular kinds of economic inequalities. In this sense they permit citizens to base their sense of self-respect more squarely on the ideal of free and equal citizenship established

by the first principle of justice. This process is further supported further by two aspects of the second principle of justice which not only permit, but *facilitate* citizens in deriving their sense of worth from their personal projects, rather than their degree of economic advantage.

The most obvious way in which this support for projects is achieved rests upon the resources citizens have access to under such a distributive principle. This may sound counterintuitive at first sight, given that it is precisely these economic circumstance which Rawls is hoping to isolate. However there is a subtle distinction to be drawn in this regard.

Rawls's main priority is to ensure that citizens in a just society do not use their *share* of wealth as a basis for their self-respect (1999, p. 477). This is to say that he does not want their position in the overall economic *ranking* to act as the basis for their sense of moral worth – for this would lead to the zero-sum outcome in which citizens could only benefit at the expense of others. This, however, does not preclude economic resources from having *any* role in the development of citizens' self-respect. And inasmuch as Rawls expects citizens to develop a plan for life in which they feel value and confidence, it is clear that material resources would play an important *instrumental* role in the development of both of these senses.[44]

The specific claim here then is that whilst citizens ought not to use their *relative* share of goods and resources as a basis for their sense of self-respect – it remains an inescapable fact that their *absolute* share of economic resources will affect their ability to confidently form and pursue the worthy-plans which characterise self-respecting citizens. Resources, in this regard, aid citizens by giving them the time and space to not only plan and reflect – but to come to understand who they are in terms of the talents, skills and commitments upon which their plans should be founded.[45] They – like the

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[44] This claim is essentially a repetition of one of the central assumptions of Rawls's account of justice. Parties in the original position assume that citizens desire a greater share of the primary goods precisely because they facilitate their plans and endeavours. What is significant though is recognising that this is understood (at least partly) as a concern of self-respect.

[45] Consider that it not only requires considerable education and training to properly understand the breadth and depths of one's various talents, but also a great deal of

basic liberties – serve to open up a wider range of options which citizens might pursue, as well as offering them reasons to feel confident in their attempts to do so (Eyal, 2005).[46]

In particular, material resources matter with regards to individuals' formation of a life-plan which meets with the Aristotelian principle. Resources matter in terms of this principle because if an individual has talents that are either expensive to nurture, or which they quickly display competence over, then their absolute quantity of resources is likely to limit (or enhance) their ability to satisfy the Aristotelian principle[47], affecting their self-respect in turn. And because for Rawls, the development of our talents and abilities is not merely one option among many, but a requirement of our meeting the Aristotelian principle at all, individuals could not merely elect to curtail this development (in the face of limited resources) *without* limiting their ability to *feel* self-respect.

Thus in guaranteeing that the least advantaged are materially better off than they would be under *any other* distributive scheme (Rawls, 1999, pp. 135–136), the difference principle also ensures that these individuals would also enjoy a greater degree of material support for developing their self-respect than they would under *any other* distributive scheme. And further, by facilitating individuals' development of their self-respect through their own personal projects and goals, it also allows them to fully utilise the use-value of the liberties afforded to them by the first principle of justice. In this sense the difference principle acts not only as a kind of recognitional basis of support for self-respect, but as an opportunity basis also.

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engagement with the various forms of labour and recreational opportunities 'out there' before one could really say that they understood the sense of value and enjoyment they would glean from applying particular talents in particular contexts. In this sense the opportunity to undertake, say, work experience and apprenticeships and to 'sample' various lifestyles would be an essential part of confidently forming a genuinely personal, and worth inspiring life-plan.

[46] And this in turn, Rawls believes, will serve to deepen the social support citizens can, and will, offer to one another: "One who is confident in himself is not grudging in the appreciation of others" (Rawls, 1999, p. 387).

[47] See also Shiffrin (2010, pp. 123–124)

Whilst the difference principle provides the resources which enable citizens to utilise the liberties set out on the first principle of justice – the principle of fair equality of opportunity, we can say, also offers them the 'venues' in which they might do so.

Rawls does not discuss this role for the principle of fair equality of opportunity in great detail (Zink, 2011, p. 337). But it is clear that it would serve to ensure that a wider range of activities, occupations, pursuits and plans will be open to citizens – particularly if we accept that the principle extends to positions of social advantage outside of the labour market, including prospects for culture and achievement in other fields (Rawls, 2001, p. 44).

In this sense then the principle of fair equality of opportunity is a vital counterpart to the first principle of justice in terms of self-respect. Through both legislation, and public services in areas such as health and education (Rawls, 1999, p. 243) it ensures that citizens are not just *formally* but *substantively* free to form and pursue plans which fit with their valued abilities and commitments (in the way that the AP demands). The principle ensures, Rawls argues, that none are to be 'debarred from experiencing the realization of self which comes from a skillful and devoted exercise of social duties' (Rawls, 1999, p. 73). In this sense it connects up with the account of self-respect in a much deeper way than Rawls highlights (R. Taylor, 2004, p. 346), and also serves to ensure that *all* citizens can meaningfully base their sense of self-respect on their own plans and endeavours.

4.5. CONCLUSIONS: THE SBSR AND THE BASIC STRUCTURE

The factoring of the social order that Rawls wishes to undertake, is thus far more extensive than simply elevating the status of the first principle of justice (and the basic liberties) as the primary source for citizens' sense of their worth. This process requires – at the least – that economic inequalities are modified so as to visibly work to benefit those who are least advantaged, and that citizens' interactions with one another are characterised by a sense of fraternity, and respect for each other's diverse ends. And further, it will

require that once the link between economic status and self-worth is broken, that citizens are empowered to pursue their own standards of value – through their plans and endeavours – within a social environment which offers them both the freedom, and the encouragement to do so. Then, and only then, will citizens be able to base their sense of self-respect on their status as free and equal citizens, in the way Rawls believes is optimal.

I wish to conclude by noting that this more expansive reading of the social circumstances which are necessary to support the development of self-respect has resonance with an ongoing and important debate regarding the scope of the 'basic structure' within Rawls's account of justice (and debates on justice more widely). And indeed, I believe that the example of self-respect may well be illustrative in this regard.

This is to say that the account of the SBSR I have offered may be thought to fall victim to what is sometimes called the 'basic structure objection' (G. A. Cohen, 2008). This is to say, in other words, that the account of the social bases that I have offered may fail to accord with Rawls's description of what the basic structure actually *is*, or what it can *achieve*. Rawls describes the basic structure of society as such:

> "…the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation" (Rawls, 1999, p. 6)

Rawls takes these 'major social institutions' to be things such as "the political constitution and the principal economic and social arrangements" (Rawls, 1999, p. 6). These, Rawls argues, are "the primary subject of justice" – they are, in other words, the locus at which the principles of justice he outlines must apply. The reason for their special significance in this regard, Rawls argues, is that these major social institutions are not only under the control of society, but that their effects are "so profound and present from the start." (1999, p.7).

This means that the principles of justice apply, at least in specific form, only to the basic structure conceived of in this way. Rawls implies as much when he states that:

> "The principles of justice for institutions must not be confused with the principles which apply to individuals and their actions in particular circumstances. These two kinds of principles apply to different subjects and must be discussed separately" (Rawls, 1999, p. 47)

Some authors take this to mean that Rawls makes a strict demarcation between the application of the principles of justice to the major social institutions – such that these principles apply only to 'coercive legal institutions', and a (potentially) quite different set of principles apply to individuals' personal conduct within these institutions. Specifically, on some of these readings the principles of justice are not understood to apply to individuals' everyday moral conduct and decision-making (Julius, 2003; Murphy, 1998, p. 258). Rather the role of the basic structure is to secure large-scale background justice in economic and legal terms, to create what Rawls calls a 'moral division of labour' such that:

> "…individuals and associations are then left free to advance their ends more effectively within the framework of the basic structure, secure in the knowledge that elsewhere in the social system the necessary corrections to preserve background justice are being made" (Rawls, 1993, p. 269)

This (apparent) privileging of 'coercive legal institutions' as the primary site of justice has been subject to sustained criticism by scholars who argue that it commits Rawls to an indefensibly restricted view of the extent to which the principles of justice can be operant in a given society. Cohen, for example, argues that a range of informal but discriminatory practices may be compatible with 'just' coercive legal institutions, but that it would surely be a mistake for us to view societies of this kind as 'just' in the proper sense. (G. A. Cohen, 1997)

In response to the 'basic structure objection' then, Cohen argues that in many cases it is the existence of particular just extra-institutional social 'ethoses' - which do the work in securing just circumstances for citizens (G. A. Cohen, 1997). And these kinds of ethos appear to be quite distinct from

the basic structure that Rawls describes. Cohen, for his part, believes that Rawls ought to widen his account of the basic structure as a result, but many other theorists, such as Thomas Nagel endorse both the divide that Rawls appears to draw, and the notion that "It is only the operation of such a system [a legal-coercive basic structure] that one can judge to be just or unjust." (Nagel, 2005, p. 116)

Either way, this kind of restricted interpretation of the basic structure (which has at least some basis in Rawls's writing) would appear to call into question the extent to which the principles of justice can properly apply to *some* of the SBSR that I have identified above. I take it to be relatively uncontroversial that elements such as citizens' equal political and legal standing, as well as their having equal legal and material opportunity to pursue their plans can be seen to be products of a 'legal-coercive structure' of the kind that Cohen (and Rawls) appear to identify. But many others – especially the kinds of 'supportive social environment' in which citizens' diverse endeavours would be respected and affirmed – seem far more similar to the kinds of ethos that many authors agree to be problematic from Rawls's perspective. Succinctly then, if we accept the 'restrictive' account of the basic structure as outlined above it is not clear that principles of justice could, or should, be understood as applying to many of the environmental, cultural or associative SBSR that I outlined above.

This is an important challenge to confront but there are reasons to suppose it does not succeed. In the first instance, it appears very doubtful that the reading of Rawls presented by, e.g. Cohen and Murphy is a fair or reasonable interpretation of his views. Samuel Scheffler in particular provides a compelling argument to suppose that Rawls would have been far more comfortable with the kind of wider reading of the basic structure that, for example, Cohen proposes (Scheffler, 2006). For example Scheffler notes that Rawls specifically states the need to consider how the basic structure:

> "…shapes the way the social system produces and reproduces over time a certain form of culture shared by persons with certain conceptions of their good" (Rawls, 1993, p. 269)

And furthermore Rawls says that the basic structure may legitimately aim at:

> "discouraging desires that conflict with the principles of justice" (Rawls, 1999, pp. 230–231)

In this sense then it does not seem that Rawls would have necessarily been hostile to bringing the kinds of associative support that I identified under the ambit of the basic structure. If the basic structure can legitimately shape the way that forms of culture are shared and reproduced, it is quite plausible that the kinds of cultures of associative support that I identified – whereby citizens have their diverse endeavours publicly supported and recognised – would be good examples. And if the basic structure may discourage desires that conflict with the principles of justice, then the kinds of cultural identification of, say wealth and status, or talent and worth that Rawls specifically seeks to undermine could surely be examples of such. On this reading then, there is not the same pressure to conclude that Rawls's concern with the basic structure could not encompass a concern with effecting the move towards specific justice supporting public cultures (Scheffler, 2006).

Secondly, it is quite possible that the basic structure problematic as presented by the likes of Cohen, Murphy and Nagel trades, or rests, on an unrecognised ambiguity over the notion of the 'extension' of the basic structure. Thus as Miriam Ronzoni argues there is an important difference between the question of what is a part *of* the basic structure, and of what is a *concern* of the basic structure (Ronzoni, 2008). This is to say the question of whether an aspect of society is a *part* of the basic structure itself may be quite unrelated to the question of whether the basic structure might properly seek to have influence over this aspect. And this will depend not on a pre-analytic conception of what the basic structure is, but rather upon the particular socio-political context vis-à-vis justice in the society in question (Ronzoni, 2008, pp. 210–213).

Thus for Ronzoni, the basic structure can also be understood as a device for producing particular effects. As such, the primary question of justice facing the basic structure is not what it 'covers' but rather the extent to which it can

bring 'just' social arrangements about (Ronzoni, 2008, pp. 216–217). In this sense also, the basic structure can be seen to legitimately seek to influence or bring about particular social outcomes (such as the pro-justice, or pro-respecting cultures necessitated by the account of the SBSR that I have attributed to Rawls) even if these are not 'part' of the basic structure themselves. Understood in this way, the force of the basic structure objection in this case is blunted substantially, so long as the basic structure can be expected to pursue these outcomes in accordance with the principles of justice.

This claim should lead us to consider a final objection, similar to that which we encountered earlier regarding the primary goods. It is really feasible, it might be said, to say that the basic structure – however conceived – can seek to cultivate or bring about particular social attitudes or cultural norms? Such an argument might originate from one of two stances – either from a kind of 'public choice' account which emphasises the limitations of state or institutional action, or from a standpoint which emphasised the salience of particular aspects of human nature – such that it were not amenable to such influence.

The efficacy of basic social institutions in norm-building is of course an empirical rather than normative question. But whilst the capacity of the major social institutions to act upon public culture is surely not unlimited, there is substantial evidence to suggest that basic social institutions retain a significant potential to support and cultivate the kinds of associative environment which would offer support to citizens' self-respect.[48]

In particular, there is a great deal of social and epidemiological research which suggests that the economic character of a society can have profound impacts, in turn, on the character of the kinds of social relationships Rawls saw as vital to the development of self-respect. For example, excessive material inequality has been found to be associated with lower levels of

[48] Evident examples include moves prohibit certain kinds of hate speech and prejudice on grounds of race, gender or sexuality in which institutional structures play major role. See for example Encarnación (2015).

'social support' and 'weaker social networks' (Kawachi, Kennedy, & Wilkinson, 1999, p. 493), lower 'social trust' (Kawachi, Kennedy, Lochner, & Prothrow-Stith, 1997), the hindrance of the development of 'civic community' and 'social cohesion' (Putnam, Leonardi, & Nanetti, 1994) and an increase in 'social hostility' (Richard G Wilkinson, 1999) and 'domestic conflict' (O. James, 1995). Inasmuch as these are products of economic inequality, they are products of the basic structure which permits it.

This is to say that despite appearances, the more informal and associative SBSR with which Rawls is concerned *can* be meaningfully interpreted as a concern of the basic structure in its pursuit of justice. And furthermore, it should be relatively uncontroversial that these associative changes are something that basic social institutions can influence in a meaningful way. Thus the social bases of self-respect – recognitional, opportunity, and associative – may well be broader than Rawls (in places) suggests – extending beyond distributive metrics. But despite this, they appear to be not only a desirable, but quite *feasible* aspect of a just society formed under "the conditions of our life as we know it".

5. CHAPTER 5 – A DISTRIBUTIVE STANDARD FOR SELF-RESPECT

5.1. INTRODUCTION

Hitherto I have focused on elucidating and reconstructing Rawls's account of self-respect, such that we can account for its significance within an account of justice, and defend it from some significant criticisms. In this section, I will move to tackle a related, and important normative question, which begins to bear more closely on the political implications of Rawls's work on self-respect. Specifically then: given Rawls's account of self-respect, and its moral importance, *what would it mean for a society to act in accordance with justice with regards to self-respect*?

This question is a sizeable one, and it will be helpful to break it down into more manageable parts. In this chapter I will address two related questions. The first will address what it is that we ought to count as the distribuendum of justice with regards to self-respect. What is the good or metric that we ought to focus on when we are concerned with when making judgments about whether a society 'does justice'[49] to self-respect? Establishing what the fundamental distribuendum for self-respect is will allow us to address the second question – namely what, if any, distributive standard we might apply to this good, or other related goods. If doing justice to self-respect requires us to focus on X, what kind of distribution of X ought we resolve to bring about?

I will argue that Rawls fails to offer us a detailed or unequivocal response to these questions. Furthermore, I will argue that there are tensions between the ways Rawls attempts to approach the distribution (qua pattern) of self-respect and that distribution (qua process). Despite this, I will claim that we can generate an adequate response to the distributive question based on Rawls's writings in *TJ* and on the conception of self-respect that we identified

[49] I use 'does justice to self-respect' as a less cumbersome way of saying 'acting in accordance with justice with regards to the good of self-respect'.

in chapter 1. With this in mind, I will put forward an account of how self-respect might be distributed in a just society which though general in nature, eschews many of the problems faced by a conventional reading of Rawls's account of justice.

5.2. SELF-RESPECT: A TALE OF TWO DISTRIBUENDA?

Self-respect, as I have noted, is a troublesome good in many ways. It is hard to define, harder to measure and harder to distribute than each of the other primary goods that Rawls identifies. And as I noted, Rawls himself was unclear – at least initially – as to what it was that we ought to treat as the primary good when discussing self-respect. Is it self-respect itself, or the social bases of self-respect?

As Rawls later clarified, it is – in distributive terms at least – the social bases of self-respect that ought to be treated as the *primary good*. This much is practically entailed by the definition of primary goods that Rawls is operating with, such that goods need to be both publicly quantifiable, and meaningfully distributable for them to count as such. Self-respect itself fails on both accounts, whereas the social bases of self-respect – in Rawls's view at least – adhere to both criteria.

Following on from Rawls, most theorists have tended to frame the question in much the same way (Doppelt, 1981; Eyal, 2005; Freeman, 2007). The question of the *just distribution of self-respect* has thus been treated as largely synonymous with the question of the *just distribution of the SBSR*. This, I argue, is a subtle but important error in focus.

To explain, we ought to begin by conceding that the social bases of self-respect quite plausibly provide us with an essential means for the process of distributing self-respect. Furthermore they offer us a more accessible metric for estimating existing distributions of self-respect. I do not deny then, that the social bases of self-respect ought to remain as the locus for the distribution of self-respect under any sensible reading of Rawls. But the question remains, however, whether it is these goods to which the primary distributive standard for self-respect *ought* to be applied.

The main reason to be suspicious of treating the social bases of self-respect as the key distribuenda for self-respect, is that unlike all other primary goods, the social bases of self-respect are, intentionally, *second-order* primary goods (Arnold, 2012, p. 97). They are a good developed in lieu of another good (self-respect) that cannot be distributed as a primary good. The thought process in the original position, thoroughly abridged, would run something like this:

> 'We all agree that self-respect is the most important primary good. As such we want to ensure that the basic structure of society enables all citizens to feel self-respect. But we recognise also that we cannot distribute self-respect itself. So instead what we ought to do is to identify sources of self-respect that can be distributed, and disburse these in its place.'

Thus the social bases of self-respect are, by design, a proxy for the good with which PIOP are really concerned – self-respect. And as such, the value of the social bases of self-respect is determined by their role in enabling citizens to feel the further good of self-respect. This fact complicates the question of the distributive standard for self-respect, in a way that doesn't occur with other primary goods. Put another way, even if we accept that the social bases of self-respect are the relevant primary good, the fact that these goods are designed in order to serve a further good creates an *ambiguity* over where the distributive standard for self-respect ought to be located.

To put the question more clearly, suppose that we were presented with evidence that a given distribution of the social bases of self-respect would – on the basis of the best available social and psychological theory – ensure that some members (or even groups) within society lacked self-respect in a relatively uncontroversial way. The question arises then as to whether we can say that this distribution of the social bases of self-respect is, in any meaningful sense, just. It would surely seem that from Rawls's perspective it would *not* be, regardless the pattern of the distribution (equal, maximin or the like). If a distribution of the SBSR came to conflict directly with the higher-order claim that justice requires PIOP to avoid 'social circumstances

which undermine self-respect' then this distribution would appear to be unjust, regardless of the pattern it followed.

As such, whilst the distribution of the SBSR will have to be stipulated independently of that of self-respect itself – it is inherently subject to the goals of the latter. It is clear, after all, that the justificatory flow runs in this direction. It is Rawls's initial invocation regarding *avoiding such social circumstances that jeopardize self-respect*, which justifies the existence of the class of the social bases of self-respect as a means for enabling the basic structure to achieve this. The parties, after all, 'invent' the latter in order to achieve the former.

The implication is that the distribution of the social bases of self-respect ought itself be designed so as to accord with a more fundamental distributive standard for self-respect itself. This is to say that what makes a distribution of the social bases of self-respect just is not any feature of the distribution *itself*, but whether or not it *brings about* a certain further distributive arrangement with regards to self-respect, or more as we argued in chapter 3, *access to* self-respect (see also McKinnon, 2000, p. 494).

Accordingly, we should think in terms of two distributive standards as relating to self-respect. The first of these will be a standard with regards to *who* should have access to *how much* self-respect (itself). And the second will be a standard with regards to what distribution of the social bases of self-respect will be required in order to bring the former about. As such there is also a natural hierarchy between the two standards, with the latter responding to the former.[50]

[50] There may also be prudent reasons for recognising the need for two distributive standards. It is likely, for example, that the SBSR will change over time in response to wider social change, at least in terms of significance. Thus in two eras an identical distribution of the SBSR may have two quite different consequences in terms of the distribution of self-respect which results. Without a conception of what this latter distribution ought to be, we may be unable to diagnose the problem with the how the SBSR themselves are distributed.

5.3. THE DISTRIBUTIONAL STANDARD FOR ACCESS TO SELF-RESPECT

Supposing that we accept the argument that access to self-respect ought to function as the primary distribuendum for self-respect, we can turn to address the second question we posed. What distributive standard would PIOP endorse for this good? What kind of access to self-respect, in other words, would PIOP direct the basic social institutions towards securing?

This too is an issue which Rawls does not address explicitly – instead offering hints that might be taken to support a number of different distributive standards for access to self-respect. For example, in *TJ*, Rawls indicates that the overall circumstances of self-respect can be bettered by adequate cooperation – and Rawls also accepted in later works that unequal distributions of the social bases of self-respect were permissible in terms of justice (Freeman, 1999, p. 363). Both of these facts might be taken to support the idea that unequal distributions of self-respect may not only be permissible, but even beneficial to citizens (Zink, 2011, p. 334).

On the other hand though, we might note that Rawls's key defence for the priority of liberties relies on the fact that such liberties 'entail equality in the SBSR'. If equality here is to matter so greatly, it might seem strange if it were not honoured with regards to self-respect in other regards. Hence Henry Shue 'suspects' that

> "…once Rawls concluded that self-respect is the supreme primary good he simply found it inconceivable that an inequality of self-respect would ever be justifiable in the proper manner, that is, as being to the advantage of those with least self-respect." (Shue, 1975, p. 198)

Once we recall that Rawls also hinted that self-respect may the only primary good that is equally useful for advancing all conceptions of the good (Rawls, 1975, p. 536), it seems there are reasons to suppose that equality and self-respect are deeply intertwined in Rawls's account of justice.

A third alternative is that neither a form of maximin nor equality is the desirable standard for access to self-respect. After all, Rawls's key

invocations regarding self-respect are focused on this good being 'secured' or 'insured' such that none *lack* it. Rawls's focus, in many ways, is on ensuring that no citizen is left without adequate self-respect, and in this regard it might also be thought the goal of justice is to ensure that self-respect is *sufficiently* widespread amongst citizens – rather than equal, or maximally beneficial.[51]

Given these possibilities, and the inability of scholars to reach a consensus over what kind of distribution of self-respect Rawls advocates, it is fruitful to move the issue back a stage, and think about how best to approach the *question* of how we might establish such a distributive standard.

I noted that much of the difficulty in establishing a definition of Rawlsian self-respect rested on a failure to appreciate the subtly different components that made up the account in question. As such we might wonder if something similar applies to our establishing a distributive standard for the good of self-respect. By looking at how each of the three aspects of self-respect might be distributed differently, we are able to shed light on the distributive standard for self-respect itself. Indeed, it is at least plausible that the three elements might require (or permit of) different distributive standards in order for 'self-respect itself to be properly constituted. Alternatively, if we can establish that each of the three elements ought to be distributed in the same manner, then this gives us stronger reason to suppose that the standard in question is also the correct one for the wider good of self-respect itself. Given that these components jointly make up Rawlsian self-respect, we can suppose that the distributions of the former can tell us something about the distributions of the latter.

5.3.1. Citizens' sense of equal moral worth

The first component of Rawlsian self-respect that I identified was citizens' sense of moral worth. This was cashed out in terms of their internalising, or *feeling*, the status of free and equal citizenship. This sense of status rested heavily on the substantial and *equal* basic political liberties that citizens are

[51] For a good account of sufficiency principles, particularly in a Rawlsian context, see (Casal, 2007)

afforded by the first principle of justice, as well as other aspects of justice as fairness – such as the difference principle – which operated to represent, and reinforce, the equal moral worth of all citizens.

If we take this component discretely then, two distributive conditions appear to result. Given that the appropriate conception of moral worth that Rawls expects citizens to feel is one of free and equal citizenship, it follows the first distributive standard would require that each citizen had equal access to equal moral status. Talking of access is important here because, as I noted, the basic structure cannot, of course, compel individuals to feel a certain sense of self-worth – as such it is limited to providing the means for them to do so. And talking of *equality* is significant also because it is the act of securing *equality* in access to self-worth (largely in terms of legal and political rights), that plays the major recognitional role in supporting the development of the appropriate sense of self-worth amongst citizens. Were citizens to have unequal access to the social bases of self-respect needed to develop a sense of their moral worth, this would immediately constitute a secondary political status for those so affected. This inferior status – as much as the lesser access itself, Rawls believes, would be "humiliating and destructive of self-esteem".

But equality simpliciter is only partially useful as a distributive standard for access to this sense of moral worth. Equality, after all, can exist at a range of levels of access to self-respect – but an equally low degree of access to a sense of moral worth would clearly not be desirable from a Rawlsian perspective. To what kind, or level, of moral worth do citizens require equal access from the perspective of justice? Here, it is fairly clear that the claim I established previously – that citizens ought to feel like free and equal citizens – can offer us guidance as to what degree of access to moral worth is required. It was this, after all which justified much of the importance of self-respect within the Rawlsian account of justice in the first place.

Thus we can say, at least, that equal access to equal moral worth will be required at a level which normally enables individuals to feel like free and equal citizens. This may appear tautological – but once we recognise that the conception of FEC with which Rawls is working is an active, or *functional* one

the definition becomes more useful. Feeling like a free and equal citizens is best understood, I argued, as not simply the sense that one is an equal (though this is clearly important), but rather that one is a citizen who is capable and worthy of acting in particular ways. The most notable of these, I said, was the formation and pursuit of a rational life plan, and the willingness of citizens to pursue their ends as fully cooperating members of society (Rawls, 1993, p. 319).

These aspects of free and equal citizenship help us to colour in what it would mean for citizens to feel equally morally worthy in this regard. Doing justice to the first aspect of self-respect would not only require that citizens feel equally entitled to form and pursue plans of their own – but also that they would feel equally entitled to take part in the social and political processes which underscored their continuing cooperation in pursuit of these ends. It may also require citizens to deliberate and legislate in ways which respect others by offering them reasons they can which are reasonably endorsable by free and equal agents (Owen & Tully, 2007, p. 280)

As such, citizens should feel an equal moral standing – but this moral standing should be one in which they are confident social and political actors within their societies. Rather than experiencing free and equal citizenship as some kind of formal, or practical status, Rawls believes that citizens ought to feel "a lively sense of their worth as persons". Individuals ought to value and cherish the liberties and opportunities they are granted as citizens (Rawls, 2001, p. 85), and they ought to feel willing and able "to express their nature as free and equal moral persons" (Rawls, 1999, p. 450). As such, they ought to feel a "secure status when they meet to conduct the common affairs of the wider society", such that citizens feel equally entitled to take part in political and economic life, and confident in their right to advance the ends that they take to be valuable and worthwhile (Rawls, 2001, p. 59)

Thus we can extract from Rawls's writings something like the following distributive standard for the first aspect of self-respect. Citizens ought to have equal access (through the SBSR) to a sense of equal moral worth (defined in terms of their feeling like free and equal citizens), such that they

feel equally entitled to form and pursue their own plans, and to do so as a fully cooperating member of a deliberative political community.

5.3.2. Confidence in one's abilities

The fact that Rawls so clearly favours citizens having equality in access to the sense of worth as citizens makes the identification of the distributive standard for this aspect of self-respect relatively straightforward. The same is not true however when it comes to our seeking to define the appropriate distributive standard for access to the other two aspects of self-respect - about which Rawls was less explicit. Let us begin with what I identified as the third aspect of self-respect – one's confidence in one's ability to pursue a worthy life plan.

We should start by noting once more that Rawls presupposes – at the very least – a kind of sufficiency principle for the distribution of access to confidence in one's plans (or 'plan confidence'). Thus as I noted in earlier chapters, Rawls believes that in a just society all citizens ought to have the opportunity to feel a sense of confidence in their plans and abilities. But I noted that Rawls also believed that this sense of confidence ought to be available at a *particular* level. This level of plan-confidence, I said, was such that citizens avoided a sense of hopelessness, or pessimism and felt both motivated and able to pursue their plans effectively (Rawls, 1999, p. 386). This can, I argue, be thought of as a kind of sufficiency standard. Thus when the basic structure sets out to offer all citizens equal access to a sufficient sense of plan-worth, it should do so with them aim of ensuring that all citizens were able to feel sufficient confidence in their plans and abilities *for them to pursue and exercise them effectively*.

This then, offers a minimal distributive standard for the second aspect of self-respect. But a question still remains as to what kind of distributions might be permissible *above* this line of sufficiency. Supposing, in other words, that the given social environment afforded all citizens equal access to a sufficient degree of plan-confidence, should it *also* seek to equalise the degree of plan-confidence they feel above this line? Does it matter from the perspective of justice, we might ask, if some citizens feel *more* confident in

their plans and abilities than others – so long as they *all* feel confident *enough* to pursue these plans?

In one sense this is a curious question. It is surely inevitable that, to some extent, individuals will be more and less confident of executing their plans, given their varying psychologies, capabilities and circumstances. Thus it can be argued that as much as social institutions ought to seek to enable this sense of confidence, it would be preposterous to suggest that all citizens 'ought' to be equally confident in their endeavours, such that any person or institution might be morally obligated to bring such a state of affairs about (Hunt, 2010, p. 164). This would go beyond the scope of the account of justice Rawls is seeking to offer.

As such, there are not any principled reasons as to why an unequal distribution of plan confidence would be something that Rawls would object to. However, it is important to place this distributive standard in the context of Rawls's expectations regarding the society he is envisaging – such that we do not appear unconcerned or blasé about the potential for substantial (and perhaps structural) differences in citizens' access to confidence in their plans (Teitelman, 1972, p. 554). This is to say that just because such inequalities were permissible in terms of justice does not mean that they should be a large or prominent *feature* of the fair society Rawls envisages.

This is because, as I noted, Rawls believes that the formation of one's plans should be based *in part* on an assessment of one's *particular* capabilities and circumstances (Rawls, 1999, pp. 377–378). In this sense then, once all citizens have formed their *personally* rational plans for life, there does not – as a matter of fact – appear to be much scope for inequalities in their feelings of plan-confidence to occur. Not, at least, at the outset, and not, at least, in large measure. The plans of free and equal citizens should, in practical terms, be all approximately similar in the degree to which they feel achievable, for *this is part of what it means to be plan which is rational for that individual.*

To put the point differently, Rawls would not expect those with greater capabilities or talents to be *more* confident that those less gifted. Rather he expects that they should be *similarly* confident in achieving *more challenging*

goals.[52] Individuals, he argues, ought not to form plans which are well beyond their capacities – for fear of facing failure and despondency.[53] But similarly they should not settle upon goals which they could satisfy too easily, and which do not demand self-development and endeavour on their behalf.[54] A life-plan in which we were *too* confident of pursuing, in other words, would be unlikely to satisfy us in the way Rawls believes such a plan should.

Once this is taken into account then, it is harder, as a matter of fact, to see how sizeable inequalities in access to confidence could come about above the line of sufficiency for plan-confidence that we have already established. If Rawlsian citizens are properly able to 'calibrate' their plans to their abilities and social position then – provided they are afforded the means by which to do so – all citizens ought, as a matter of fact, to have roughly equal potential to feel confident in pursuing their plans. Citizens might come to possess different senses of confidence in their plans at different junctures, perhaps due to accidents of fortune, the decisions they make, or their own personal psychologies. But so long as (once more) these differences are not structural – linked to say, class, race or gender – and so long as there exists the social and institutional support necessary for all citizens to recalibrate their plans in light of their experiences, these inequalities ought to be fleeting, and need not trouble us from the perspective of justice.

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[52] A crude analogy might be an individual selecting a 'difficulty setting' in a computer game. A skillful or experienced player may choose a harder level than a less able player, to ensure that their experience of the game remains challenging and satisfying. But in likelihood both players should find the game *similarly* challenging – even if they play it in different ways – and both should be *similarly* confident in their ability to succeed within the confines of the strategy they have chosen.

[53] "It is our plan of life that determines what we feel ashamed of, and so feelings of shame are relative to our aspirations, to what we try to do and with whom we wish to associate. Those with no musical ability do not strive to be musicians and feel no shame for this lack." (Rawls, 1999, p. 390)

[54] "A rational plan of life takes into account our special abilities, interests, and circumstances, and therefore it quite properly depends upon our social position and natural assets. There is no objection to fitting rational plans to these contingencies, since the principles of justice have already been chosen and constrain the content of these plans, the ends that they encourage and the means that they use." (Rawls, 1999, p. 449)

As such, the appropriate distributive standard for the second aspect of self-respect – the sense of plan-confidence, is one of sufficiency, whereby sufficiency is defined in terms of citizens being motivated and able to pursue the plans which are rational for them. Some inequalities above this line would appear to be permissible from the perspective of Rawlsian justice, but it is unlikely that such inequalities would be a pronounced feature of a society which followed the principles of justice Rawls endorses.

5.3.3. The sense that our plans are worthwhile

Let us now turn to look at the final aspect of Rawlsian self-respect as I defined it. This was the idea that citizens require the sense that their plans are valuable and worth pursuing. What distribution of this aspect of self-respect ought the basic structure be charged with working toward? Can citizens legitimately differ in this regard from the perspective of justice?

We should, once more, begin by recognising that Rawls can be seen to have a covert preference for a sufficiency standard for this aspect of self-respect too. Thus just as with the sense of plan-confidence above, the basic structure ought – Rawls believes – to ensure that all citizens should be able to develop and feel sufficient degree of worth and value in their plans. And once more this level of sufficiency can be cashed out in functional terms – such that each citizen is able to feel that their plans are sufficiently worthy such that they are motivated and able to pursue them. It is this feeling after all which plays such an important role as a functional primary good – enabling citizens to pursue the ends that they see fit.

We can also apply some of the considerations above to this standard. Firstly we should once more talk in terms of the basic structure providing access to this sufficient sense of plan worth – for this appears to be all that it can, or should do. And secondly, we can pose the question as to what, if any, inequalities might be permissible between citizens' senses that their plans are worthy, once all have access to a sufficient sense of plan-worth.

We can begin by recalling that this sense of worth itself had two main sources – firstly that citizens' plans accorded with what Rawls called the Aristotelian Principle, and secondly that their plans and endeavours be

affirmed and supported by others. What kinds of inequalities might come about with regards to both, and are these permissible within a Rawlsian framework?

With regards to citizens' plans meeting the Aristotelian principle, it is once again difficult to explain how inequalities might come about in the first place. To meet the Aristotelian principle, Rawls argues, our plans typically need to "call upon [our] natural capacities in an interesting fashion." More specifically, this means that our plans involve the development and mastery of our innate abilities, and their application to projects and activities which we take to be important or valuable. But crucially, the Aristotelian principle is a relative, rather than absolute standard. Thus the sense of worth we derive from applying and mastering our valued or innate capabilities is *unrelated* to the overall level of capability or achievement we reach. As Rawls says,

> "The application of the Aristotelian Principle is always relative to the individual and therefore to his natural assets and particular situation…The absolute level of achievement, even if it could be defined, is irrelevant." (Rawls, 1999, pp. 387–388)

Instead, it is the *process* of engagement and development of our abilities – from whatever level we start at – that Rawls takes to provide the sense of worthiness for our endeavours. In practical terms this radically reduces the scope for inequalities in citizens' feelings of plan-worth to emerge. So long as all citizens can, fairly consistently, continue to develop and apply their talents in ways that interest them, the relativism implicit in the Aristotelian principle ensures they will experience roughly *similar* access to plan-worthiness as a result. Thus the distribution of what might awkwardly be called Aristotelian-Principle-related-access-to-plan-worthiness looks likely to be roughly equal too, as a matter of fact. It is important once more that we are *sufficiently* able to develop and apply our abilities in our endeavours, but the sense of worth we derive from this should be roughly similar.

Are inequalities in terms of the second basis for plan-worthiness (namely, social esteem) easier to countenance? On the face of it, they are. In addition

to citizens' plans according with the Aristotelian principle, Rawls also sought to emphasise the importance that social support and recognition of our endeavours could have for our own sense that they were worth pursuing. This is to say that the reflected appraisals of others contribute importantly to our own sense of value in what we are striving for.

However, it is inevitable that these kinds of social esteem and appraisal would – under any imaginable social schema – be distributed unequally. Rawls recognizes as much when he notes that it is our manifestations of *complex* talents and endeavors which inspire wonder and praise in others. Some individuals, achievements and abilities seem destined to be appreciated more than others – not least as authentic esteem for different talents and endeavours is something that it is well outside the power of the basic structure to compel, or redistribute (Yanal, 1987).

Thus, whilst individuals could judge their own achievements in terms of their *relative* capabilities, Rawls believes that other citizens would surely use more *absolute* standards in apportioning praise. For example, I may well feel a sense of pride and worth in my development as a sportsman (despite my relatively low aptitude in this regard) as I tackle what are – for me – increasingly complex athletic achievements. But (regrettably) it has become evident that my sporting achievements will never be esteemed equally with those of a top athlete – even if I were to work equally hard in developing these capabilities.

Thus the most talented artists, sportspeople or inventors would surely, even in a Rawlsian society, receive greater social esteem and recognition for the efforts than those whose achievements are smaller in scale or less unique. This indeed is part of the justification for tolerating inequalities in income and wealth and social status. For as much as these goods are desirable (for individuals) in terms of their use value in allowing individuals to pursue their projects, they also act as a kind of social reward or esteem which Rawls also expects people to wish for.

But if Rawls is prepared to countenance what are likely to be quite sizeable inequalities in terms of the social esteem afforded to citizens, then by

implication, defending equality of access to the sense of plan-worthiness is a non-starter. If social esteem can affect how we feel about our endeavours, and if social esteem is legitimately distributed unequally, it seems to stand that our ability to see worth in our plans will legitimately be unequal too. This in turn would imply that Rawlsian citizens might have differential access to self-respect in at least one way.

However, even if it is the case that inequalities in social esteem were unavoidable, this need not necessarily mean that inequalities in self-respect, or even the component of plan-worthiness would necessarily be the result. This would only be the case if inequalities in social esteem were to translate simply into inequalities in these other types of self-assessment. There are reasons to suppose that Rawls doubts that this will be the case.

The first of these is that Rawls believes that the degree of social esteem that citizens require in order to feel that their plans are worthy is quite modest. For example, Rawls writes that "unless our endeavors are appreciated by our associates it is impossible for us to maintain the conviction that they are worthwhile" (Rawls, 1999, p. 387). And elsewhere he argues that what we really need is for our plans and pursuits to be 'confirmed' by our peers. Both terms ('confirmed', and 'appreciated') are suggestive of the idea that it is not necessarily the *scale* of the esteem that matters for our feeling our plans are worthy, but rather that they are adequately approved, or recognized in some way by our peers. In this sense then it is at least possible for us to think of social esteem as a kind of binary variable for the sense that our plans are worthy. Some such encouragement is needed, but above a certain threshold, inequalities in esteem will not directly translate into inequalities in access to plan-worthiness.[55]

In support of this idea, we might note also that Rawls's favored solution to the problem of social esteem is quite modest. In Rawls's view, it

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[55] Similarly, Rawls argues elsewhere that "[citizens] self-respect and their confidence in the value of their own system of ends cannot withstand the *indifference* much less the *contempt* of others" (Rawls, 1999, p. 297 my emphasis). This also implies that it is a lack of affirmation for our plans that poses the risk to self-respect, rather than our endeavors being merely *less* affirmed than others.

> "…normally suffices that for each person there is some association (one or more) to which he belongs and within which the activities that are rational for him are publicly affirmed by others" (Rawls, 1999, p. 387).

Thus whilst some social affirmation of our endeavors is vital for our feeling that they are worthy, the degree of this affirmation might be quite modest in enabling access to self-respect. What matters is that we "acquire a sense that what we do in everyday life is *worthwhile*" (emphasis mine), rather than exceptional, or outstanding. If this is the case, we might suppose that once we are confident of this, 'additional' esteem on top of this basic affirmation will not be so significant in terms of our self-respect.

These claims only takes us so far however. It might be objected that even if Rawls believes that it only a modicum of social esteem is necessary for us to feel our plans are worthy – this itself gives us no reason to suppose that the *degree* of esteem we receive would not affect the *degree* of worth we see in our plans. In this sense then, it might be thought that those who receive minimal social esteem simply feel minimal self-respect, whereas those who are socially recognized for their endeavors have stronger or greater self-respect.

This argument is hard to refute in full, but there are reasons to suppose that it is a poor reflection of Rawls's views. Firstly, Rawls's general account of how citizens in a just society ought to approach differences in capability or achievement relies heavily on assumptions of non-envy, and relative indifference (Rawls, 1999, pp. 477–478). For example, citizens ought to be largely unaffected, Rawls argues, by the fact that others are better rewarded or remunerated than them (1999, pp. 477–478). Provided that they are free to form and pursue their own conceptions of the good, and that society is arranged so that such differences reflect their mutual esteem and fraternity with one another, these inequalities should not make them doubt the worth of their own endeavors.[56] If this is true with regards to financial rewards for our different accomplishments, it is not too great a leap to suppose that

[56] I will shortly set out how Rawls expects these conditions to be secured also.

something similar applies to non-monetary forms of social esteem. Provided, once again, that differences in esteem take place within a context of mutually advantageous respect and fraternity, they will have only limited effects on citizens' own sense that their plans are worthy.

Another final consideration would be to note that there are reasons to suppose there is a natural hierarchy between the personal sources of plan-worthiness, and the social sources, such that the former dominates over the latter. Whilst Rawls recognizes that one of the aspects we ought to factor in to our plans is what our "associates appreciate and are likely to encourage" it is hard to imagine that any degree of social esteem could compensate for our privately feeling that our plans were not stimulating or engaging for us. Social esteem then, appears to be more of an affirmation that the private sense of worth we feel in our plans is *justified.*[57]

From this then we can conclude that the distributive standard for equal access to the plan-worth element of self-respect will be very similar to that of the plan-confidence aspect. PIOP would want to ensure that every citizen had access to a sufficient degree of the social bases of self-respect necessary for them to feel their plans were valuable – where sufficiency (once more) is defined in terms of them feeling motivated to pursue their plans with vigour. There does not appear to be any formal reason to suppose that citizens seeing unequal worth in these plans (above this level of sufficiency) is objectionable from the perspective of justice, provided, once more that any

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[57] This idea, it should be noted, fits well with broader conceptions of what self-respect is, as I noted in Chapter 1. Here we recognized that that as much as reinforcement of our actions might support our sense that they were worthy, it would seem characteristic of a *lack* of self-respect for us to apply *too much* significance to the views of others when assessing the worthiness of our pursuits. Individuals who strongly crave the validation or adoration of others, and whose self-respect depends heavily on such external recognition, I noted, do not seem to be exhibiting a strong sense of *self*-respect. Self-respect qua *self*-respect surely implies that it is the standards we set for ourselves that take precedence in our self-evaluations. This claim then can be given voice in Rawlsian terms by recognizing that whilst an individual who depended so heavily on the views of others might have – at any given moment – the sense that their plans are valuable – they would not have the *confident* sense that their plans were worth pursuing. They would lack the "firm conviction" of their value that comes from having a genuinely personal and well configured conception of the good.

such inequalities are not systematic in their attachment to particular social groups.

But once more, this ought not to be read as either an endorsement of such inequalities per se, nor an obliviousness towards any potential consequences that may result. Rather, this principle must be again understood within a context in which it is unlikely that sizeable inequalities would ensue within the kind of society Rawls envisages. This is because the personal basis for our feeling a sense of worth in our plans is highly subjective – and therefore equally attainable for all, whilst social support is more significant in *reinforcing* our own sense of worth, rather than being a scalar basis for us to judge ourselves across a social hierarchy. Doing justice in terms of ensuring equal access to the sense of plan-worthiness, will require the basic structure to focus primarily on ensuring that all citizens are sufficiently enabled in this regard – rather than seeking to equalise or standardise such dispositions.

5.4. CONCLUSIONS

I believe that the approach above is a useful way of addressing the question of what the distributive standard for self-respect ought to be. However, the conclusions which I have drawn are somewhat convoluted. By way of conclusion, I will summarise them more succinctly here, whilst also saying a little about what these standards imply in terms of practically doing justice to self-respect.

We have said that in functional terms, the good of self-respect is a primary good – in that it enables the formation and pursuit of various life-plans in an especially profound way. However, I noted with Rawls that this 'attitude towards one's self' cannot be distributed. As such, it is the 'social bases of self-respect' that the basic structure ought to seek to influence to effect the appropriate access to self-respect for all citizens.

To this we can now add the broad standards to which the basic structure ought to be oriented when addressing the distribution (as pattern) of self-

respect across society. Such a distribution, we claimed, is made up of aspects, each of which has its own distributive standard:

- The sense of moral worth: Citizens ought to be equally able to develop the sense that they are a free and equal citizen.
- The sense of plan-worth: Citizens ought to be able to develop a sufficient sense that their plans are worthy, such that they feel motivated to pursue it.
- The sense of plan-confidence: Citizens ought to be able to develop a sufficient sense that their plans are worthy, such that they feel motivated and *able* to pursue it.

Aside from the first of these distributive standards then, I argued that inequalities in self-respect will be permissible from the perspective of justice, so long as a point of sufficiency in this regard were reached for those who were least advantaged, such that citizens can feel and act in accordance with the desires and dispositions characteristic of the free and equal citizens that Rawls hypothesises. However, I noted that – as a matter of fact – Rawls also expected a 'division of responsibility' (Rawls, 1993, p. 189) between citizens' own psychologies and the basic structure to work such that large inequalities between their senses of plan-confidence and plan-worth did not come about. The upshot of which is that in combination with the first aspect of self-respect, in which equality is to be aimed at formally, the overall distribution of self-respect in a Rawlsian society should, in addition to being above a level of sufficiency, be broadly equal too.

Supposing that we take 'sufficient and broadly equal' to be a very rough approximation of the distribution of self-respect that Rawls would expect to characterise a just society, what kinds of demands is this likely to place on the basic structure? One response (and perhaps concern) would be that it may demand very little indeed. Whilst social institutions may have to be fastidious in ensuring that the moral and political status of citizens is recognised and respected, the goal of enabling all citizens to develop a 'sufficient' sense that their plans were worthy and achievable may be thought to be rather easily satisfied.

This objection might come in two forms. In the first instance the focus on citizens' subjective judgments of the worth or achievability of their plans might be plagued by concerns about what is sometimes called 'adaptive preference formation' (Mason, 2004). Adaptive preference formation can be understood as "the adjustment of wants to the possibilities—not the deliberate adaptation favoured by planners, but a causal process occurring non-consciously." (Elster, 1985, p. 25) This process is often supposed to have potentially pernicious consequences, such that the "Quiet acceptance of deprivation and bad fate" comes to reduce both the personal and social urgency by which injustices or situations of material want might be addressed (Sen, 1984, p. 309).

Applied to the case of citizens' plans and endeavours, there is the risk that citizens could be led to continually compromise on the scope and ambition of their plans and projects, such that these remained achievable in difficult or challenging circumstances. Thus, after reflection on their talents, commitments and opportunities, an individual might come to wish to pursue, say, a sporting career alongside contributing to the household of which they are a part. However, suppose that this household came to face great financial pressures, and that the individual in question found themselves shunned or excluded from serious local sports clubs as a result. Lacking the means and opportunity to pursue their plans they might – bit by bit – weaken their objectives such that they were ultimately content to play sport recreationally every couple of weeks, focusing their efforts instead on a job which didn't allow much space for them to apply or develop their particular talents, but which paid the bills.

In such as case then, it might be true (in some sense) that such an individual maintained a constant sense of confidence in their ability to pursue their given plans. And as such, it may be thought that their Rawlsian self-respect was not inhibited by their challenging conditions. Writ large then, it might appear that there is not the need for a basic structure to do much in the way of supporting citizens' confident pursuit of their plans, given the propensity for these kids of adjustment in preference to occur.

This judgement would be premature in two ways. In the first instance, as I have set out, it is clear that the kind of confidence Rawls is concerned with is not merely an arithmetic calculation of the probability of one's succeeding in one's plans. Rather the self-confidence that Rawls thinks of as constitutive of self-respect is a more dispositional good – and as such runs much deeper. I noted for example how this sense of confidence applied to both one's self-command and mastery of one's talents, and a confidence in one's ability to exercise – even in adversity – not merely one's plans, but one's status as a free and equal moral agent. The kind of self-confidence that a self-respecting citizen ought to have then, is not one that is easily compatible with the kinds of adaptive preference formation set out above.

Secondly, and perhaps more importantly, it is important to note that whilst each aspect of Rawlsian self-respect is necessary for citizens to have that good, it is only collectively that they are sufficient for citizens to be self-respecting. Thus in cases such as the above, the compromising of one's plans in order to remain confident in them cannot be analysed in isolation from the effects this might have on a citizens' sense that they, or their plans were *worthy* or *valuable*. This idea applies to situations in which an individual might compromise on what they see as being a worthwhile plan by lowering their estimation of themselves such that the plan befits "someone like them". For here, the need for them to also feel a confident sense of their equal moral worth would act as a kind of backstop, such that they could not lower their sense of moral entitlement without also being said to lack self-respect in Rawlsian terms.[58]

Rawlsians can thus account for cases of adaptive preference formation and explain why these can be opposed in terms of the Rawlsian conception of self-respect. However, this cannot directly address a second objection to the standard of sufficient self-confidence and sufficient plan-worth – namely that even without cases of adaptive preference formation, the standard might be

[58] For example, an individual who was denied the chance to pursue her conception of the good because of her race or gender should not be seen to increase, or maintain, her self-respect by limiting her plans accordingly, for to do so would appear to jeopardise her sense of self-*worth*.

met too easily. Thus, it may be said, it would hardly be adequate for the basic structure of society to be oriented towards bringing about a Parfitian-style situation in which citizens were to have plans that *only just* felt worth pursuing o*r* plans that they were *only just* confident of pursuing – i.e. such that in both cases the plans were at the extremes of what a citizen could psychologically commit to. A society in which a great many citizens pursued life-plans which felt *just about* worth pursuing would be troubling given what Rawls believed about the importance of self-respect – and all the more so if these citizens tended to be part of particular social groups or classes – such as those who were least advantaged otherwise.

This objection, at least in strong form, need not trouble the sufficiency standards I have proposed. Whilst I said that 'sufficiency of plan-worthiness' can be cashed out in terms of citizens feeling motivated to pursue their conceptions of the good life, the way that Rawls defines this kind of plan demands something more than citizens being grudgingly content, or tolerant of the value of their endeavours. Citizens, Rawls argues, ought to be able to "pursue their conception of the good with zest and to delight in its fulfillment" (Rawls, 1971, p. 178). To feel sufficient worth in our plan then, is to do more than have a plan which does not feel *unworthy.* It is rather to have plans and endeavors which matter to us in a deep and significant way, and in which we take pleasure in pursuing. Doing justice to self-respect in this regard would mean enabling citizens 'express their nature' in union with others, in pursuit of ends which were genuinely self-chosen, and which individuals felt to be genuinely rewarding (Rawls, 1999, p. 386).

To conclude, when we take access to self-respect as our distributive standard for the good of self-respect, justice directs us towards three distinct but similar distributive standards for each of the components of self-respect that Rawls identifies. To do justice to self-respect then, is to provide all citizens with equal access to:

1) an equal and sufficient sense of moral-worth, and
2) a roughly equal and sufficient sense of plan-worthiness, and plan-confidence.

Thus individuals with Rawlsian self-respect ought to feel confident in their status as free and equal citizens, and keen to use and defend the freedoms and opportunities they are afforded. And in forming, revising and pursuing their plans, they not only ought to feel a strong sense of self-confidence, but also a strong sense that their plans are worthwhile, that their endeavors matter, and that their achievements are invigorating. A sufficient distribution of access to self-respect then, must be understood as an active and demanding fulfillment of the status of equal citizenship that Rawls endorses.

5.5. SHIFTING FOCUS: CONTEMPORARY DEBATES ON SELF-RESPECT IN THE JUST SOCIETY

We have now completed the reconstruction and defence of a Rawlsian account of self-respect. I have sought to develop a fuller account of what Rawls means by the term self-respect, which both captures the full breadth of its elements, and relates these back to the conception of persons with which Rawls is working. I then clarified and justified the significant position that this good has within Rawls's account of justice – such that it functions as a freestanding constraint on the development of acceptable principles of justice. And in the previous two chapters, I have responded to objections that the good of self-respect cannot be meaningfully distributed in the way necessary for it to be a 'justice good'. Each element of Rawlsian self-respect, I have argued, has the potential to be influenced and supported by the basic structure of society – and once we develop Rawls's arguments as to how justice as fairness will achieve this, we see that Rawls has a sophisticated and elegant account of how the principles he proposes can factor the social order in such a way as to offer a reasonable prospect of self-respect for all citizens, even under conditions of inequality. Finally, I have set out precisely what this 'reasonable prospect' would entail in terms of the distribution of self-respect – as 'sufficient, and broadly equal' – which parties in the original position would be prepared to countenance.

With this task completed, I will seek, in the final three chapters, to apply the conclusions I have drawn more widely. Specifically then, I will bring the analysis I have conducted so far to bear on three highly significant contemporary engagements with Rawls's theory. These are, in turn, G.A Cohen's egalitarian critique of Rawls, John Tomasi's 'market democratic' interpretation of Rawls, and finally the recent moves to elucidate Rawls's later belief that this principles of justice would be best satisfied by a social and economic model he called a 'property-owning democracy'.

In all three of these cases, I shall argue, the good of self-respect does, or *should*, play a central role in both our assessment of the merits of each engagement – and the potential replies that Rawlsians could offer. And to this end the process of clarification and exposition of Rawls's account of self-respect that I have undertaken thus far offers us an informative and important way to analyse these three contemporary developments from an original and significant perspective.

6. CHAPTER 6 – SELF-RESPECT AND G.A. COHEN'S INCENTIVES CRITIQUE

6.1. INTRODUCTION

In the remaining chapters I will turn to address three important contemporary debates over the legacy of Rawls's work. In each case I will argue that the issue of self-respect bears importantly upon these questions – and I will set out the implications for these debates which stem from the reconstructive project I have undertaken so far.

The first of these positions which I will consider is the multi-faceted critique of Rawls's work on justice which was made by G.A. Cohen towards the end of his career. In a series of articles, culminating in the book Recuing Justice and Equality (2008), Cohen raised a number of significant challenges to both Rawls's approach to the formulation of principles of justice, and to the content of these principles themselves.

I will focus on the latter of these two challenges in this chapter, engaging with what might be termed Cohen's 'egalitarian critique' of Rawls. In the simplest terms, Cohen argues that even if we were to accept the Rawlsian position on how principles of justice *ought* to be formulated (and Cohen doubts that we should), the account of justice Rawls ends up defending suffers from a number of important internal conflicts between the values Rawls claims to uphold, and those actually advanced by the principles he advocates. As such, Cohen's argument in this regard primarily takes the form of an immanent critique.

Cohen focuses most keenly on the difference principle. The crux of his claim is that this principle – at least in the way that Rawls interprets it – is far too permissive of what Cohen calls 'unequalising incentives' – the additional (and unequal) pay that Rawls believes talented individuals may demand in return for applying their special and particular abilities.

Cohen believes that there is a fatal incongruence between Rawls's commitment to such unequalising incentives, and a number of *prior*

commitments that Rawls relies upon in the formation of the principles of justice he endorses. Interestingly however, despite the substantial breadth of Cohen's assault on Rawls's position, he makes almost no mention of the good of self-respect, or its social bases.[59] This, I argue, is an oversight on Cohen's part – and I also argue that his critique can be, and should be, extended so as to address Rawls's valorisation of self-respect too. In structural terms, the form of critique Cohen utilises in this stage of his argument is tailor-made for adaptation to the case of self-respect.

This is because the force of the 'prior commitments' objection that Cohen raises depends on two factors. The first is the strength of Rawls's commitment to the ideal in question. The claim that a good is incompatible with unequalising incentives will be more troubling where this good is more central to the Rawlsian account of justice, or less amenable to being traded-off for other justice-goods. The second factor of relevance is the degree to which an ideal really *is* jeopardised by the existence of unequalising incentives and the social inequalities which may result. If the potential harms posed to the ideal are small, improbable or mitigable, then the prior commitments objection will fail to pose much of a dilemma.

In both of these regards then, Rawls's commitment to the maintenance of citizens' self-respect is a far stronger candidate for the prior commitments objection than Cohen recognises. Self-respect is – as we have seen – a good to which justice as fairness is intimately attached, but it is also a good which, *prima facie*, seems acutely vulnerable to the effects of unequalising incentives and the social inequality and stratification which these incentives give rise to. Focusing on self-respect, I will claim, allows us to place Cohen's concerns about such values as fraternity and respect into their proper context – and we identify a further and more fundamental good which is

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[59] Cohen makes only passing references to Rawls's views on self-respect in the main body of *Rescuing Justice and Equality* (G. A. Cohen, 2008, p. 390) with regards to anti-racism, and (G. A. Cohen, 2008, p. 392) with regards to difficulties in its measurement). In a response to David Brink (G. A. Cohen, 2008, pp. 381–387) Cohen appears to accept that unequalising incentives may erode the self-respect of those worst-off, but does not discuss how this may occur, or its significance for Rawls's theory.

jeopardised by unequalising incentives. This provides a serious challenge to the Rawlsian account of justice which is not emphasised sufficiently by Cohen in his writings.

I will begin by very briefly re-capping the relationship between self-respect and the difference principle. With this completed, I move to develop Cohen's prior commitments objection to include the good of self-respect. I draw upon Cohen's distinction between 'strict' and 'lax' interpretations of the difference principle to show that the presence of unequalising incentives weakens both the direct and indirect methods of support that the difference principle can offer to citizens' self-respect. As such, a particularly troubling variant of the prior commitments objection can be raised regarding citizens' self-respect and the presence of substantial unequalising incentives. Rawls, I conclude, must either moderate his endorsement of such incentives and distributive inequalities, or substantially weaken the emphasis he places on self-respect in his theory.

6.2. RAWLSIAN SELF-RESPECT AND JUSTICE AS FAIRNESS

Let us briefly recall one of Rawls's most important claims about self-respect:

> '…the parties in the original position would wish to avoid at almost any cost the social conditions that undermine self-respect. The fact that justice as fairness gives more support to self-esteem than other principles is a strong reason for them to adopt it.' (1999, p. 386)

This specific claim is significant two ways. Firstly, the notion that citizens' self-respect should be protected at 'almost any cost' underscores the importance that Rawls believes self-respect should have for parties in the original position. But secondly, Rawls indicates that the preservation of self-respect is not simply a desirable *outcome* of principles of justice, but, apparently, a *constraint* on the adequacy of principles of justice themselves. If parties in the original position really were to seek to *avoid* the 'social conditions' which undermine self-respect, they would surely be compelled to consider the principles of justice which underlie the basic institutions of society. Principles which either *directly* undermined citizens' self-respect (by, for example, incorporating disrespectful premises or imperatives), or

did so *indirectly* (by, for example, endorsing institutions that generated social conditions which jeopardised citizens' self-respect) should be disavowed by parties in the original position.[60]

For our purposes then, it would appear that if parties in the original position were to conclude that self-respect were undermined by substantial unequalising incentives (or principles of justice which endorsed them) then they would have strong reasons to reject them. It is this which opens up the potential of extending the prior commitments objection to include the good of self-respect. But should these parties reach such a conclusion?

I noted previously that self-respecting citizens should have a sense of their own value ('self-worth'), a sense that their life-plan is itself worthwhile ('plan-worth'), and that they are capable of pursuing their chosen goals ('plan-confidence'). Accordingly, when we come to ask whether the presence of unequalising incentives might come to undermine citizens' self-respect – we might expect any such effects to be manifested through one or more of these aspects. Let us quickly rehearse how the difference principle might be thought to accomplish this.

6.3. THE ROLE OF THE DIFFERENCE PRINCIPLE IN FACILITATING SELF-RESPECT

In chapter 4 I noted that one of the most direct ways in which the difference principle facilitates the development of citizens' self-respect stems from its providing those least advantaged with the greatest possible quantity of material resources. To reiterate, Rawls is clear that citizens in a just society should not base their self-respect on their share of material resources *per se*. However, by linking citizens' self-respect to the sense that their life-plans are both worthy and feasible, Rawls allows for material resources to play an important instrumental role in the development of both of these senses.

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[60] See also: "With these objectives in mind, *as well as that of securing the primary good of self-respect…* they evaluate the conceptions of justice available to them in the original position." (Rawls, 1999, p. 380 Emphasis mine)

For example, suppose that for one's plan of life to feel worthy, it must, in most cases, be the product of some meaningful choice on one's part. A life-plan which was foisted upon individuals, or chosen as a 'lesser of evils' from a constrained or undesirable set of options would appear unlikely to imbue the feeling of worth and zest which Rawls believes self-respecting citizens should feel. One apparent corollary of this claim then, is that increasing the options available to individuals will tend to increase the likelihood of their choosing a life-plan which is genuinely personal, and which inspires a feeling of worth. Offering a greater and more varied set of social and communal activities is, after all, one of the key ways in which Rawls saw liberties operating as a basis for self-respect (1999, pp. 476–477). But material resources, I noted, also open up options in the same way, and as such, individuals' self-respect could be *instrumentally* affected by their absolute *quantity* of goods to the extent that it limits or increases their ability to settle upon a plan of life which feels worthwhile.[61]

Similarly, I also noted that Rawls expected citizens to form their life-plans by reflecting upon their commitments, abilities, and circumstances – and that this process is itself dependent, to some extent, on material goods. It requires resources to both uncover and develop one's own unique capacities – and more still to assess how these fit with various opportunities that we have to apply them in the society around us. The formulation of our life-plans in which we can feel a real sense of confidence then, surely presupposes – and benefits from – access to resources by which we might come to know our particularly circumstances better. Furthermore, these resources will also aid citizens' self-confidence once they come to *execute* their plans. For here too, individuals' *absolute* quantity of resources is likely to affect the confidence that they have in the achievability of their plan. If, as Rawls claims, social support can 'reduce the likelihood of failure and...

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[61] Of course, the purchasing power of one's goods will be affected to some extent by the quantity of goods possessed by others. As such distributional questions will remain relevant when we consider how individuals translate goods into opportunities for their life-plans.

provide support against the sense of self-doubt when mishaps occur' (1999, p. 387), then material resources can most certainly do the same.

Finally, I noted that material resources enabled citizens to develop their talents and abilities in a way that allows their endeavours to meet with what Rawls called the Aristotelian principle. Resources mattered here as a way of ensuring that citizens' self-development did not plateau or stagnate in the face of the costs of training or opening up opportunities for them to develop their skills and capacities further. As such, the quantity of resources possessed by citizens is (once more) instrumentally important in support of their self-respect.

If material resources support the development of citizens' self-respect, then parties in the original position have a discrete reason of self-respect to favour a principle of distributive justice which maximises the bundle of material resources enjoyed by those who are least advantaged.

The difference principle, as I noted, performs just such a role. In guaranteeing that the least advantaged are materially better off than they would be under *any other* distributive scheme, it ensures that these individuals would also enjoy a greater degree of material support for developing their self-respect than they would under *any other* distributive scheme. And importantly, by facilitating individuals' development of their self-respect through their own personal projects and goals, it also allows them to fully utilise the use-value of the liberties afforded to them by the first principle of justice – offering them a robust basis for their sense of self-worth which is independent of their share of economic advantage.

6.4. THE ROLE OF THE DIFFERENCE PRINCIPLE IN REFRAMING INEQUALITIES

In addition to its role in distributing material resources, I also argued (in Chapter 4) that the difference principle sought to reframe the context or 'social meaning' of inequalities within society. Rawls, I said, also views the difference principle as transforming the *character* of the society it applies to in ways which support citizens' self-respect. In particular I noted that it can

be seen to manifest values of fraternity and reciprocity in society, and work to (positively) modify the social perception of material inequalities. In so doing, it further aids citizens in insulating their sense of self-worth from their share of economic advantage, allowing, as I noted, for the basic liberties to operate more effectively as a basis for self-respect.

We identified three subtly different elements to this claim. Firstly the 'arrangement of inequalities for reciprocal advantage' might be said to support citizens' self-respect in two ways. The mutually beneficial status of the agreement underlying the difference principle can be said to support citizens' senses of self-worth directly, in that the least advantaged can view themselves as equal parties to a social agreement which works to their advantage.[62] Inequalities, where they existed, would less represent facts of nature or circumstance, but rather a socially sanctioned tool by which those worst-off chose seek to improve *their own* position. This, Rawls believes, ought to reduce the threat such inequalities pose to the feelings of self-worth of those least advantaged.

Secondly, I also pointed to the form of social relations it sets up amongst its adherents. Here, I said, it is not merely that those least advantaged can look upon their own assent to the difference principle as a source of dignity, but that they can also view the assent of *others* to the principle as a respectful, other-regarding and other-esteeming act.[63] In Rawls's view, being respected and esteemed by others is a precondition for one's respecting one's self (1999, pp. 155–156). By publicly endorsing the difference principle, Rawls believes that 'persons express their respect for one another in the very constitution of their society', and instantiate a sense of *fraternity* across it (1999, p. 90). In this way too then, the difference principle supports the self-worth of individuals directly, and also serves to insulate their self-respect from their degree of economic advantage.

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[62] Rawls also emphasises that one of the social bases of self-respect is "the public recognition… that everyone endorses the difference principle…" (2001, p. 60)
[63] Cohen makes such an observation, but limits his discussion to the failure to manifest respect, and not to its implications for citizens' self-respect. (G. A. Cohen, 2008, p. 75)

Finally, I noted also that the difference principle might offer support for citizens' self-respect through ensuring that citizens 'abstain from exploiting natural and social circumstance'. Failing to treat the benefits which accrue from one's natural talents as a common asset, I noted, detracts importantly both from the other-regardingness of the difference principle, and from the separation between individual talent and moral worth which the difference principle institutionalises (Rawls, 1999, pp. 86–89). These features also act to bolster the self-respect of individuals outright, and aid them in separating their economic advantage from their sense of worth. From this perspective then, the public rejection of this kind of exploitation of social and natural contingency for personal advantage strengthens the efficacy of the difference principle as a basis for citizens' self-respect.

It might be supposed then, that Rawls escapes the prior commitments objection with regards to self-respect. A Rawlsian can – it seems – maintain a commitment to both self-respect and the existence of unequalising incentives. In the remainder of the chapter I will cast doubt on this view. I will claim that whilst Rawls's expectations for how the difference principle could support citizens' self-respect are sound, they compel us to accept an interpretation of the difference principle which seeks to minimise unequalising incentives to a much greater degree than the interpretation commonly ascribed to Rawls. I will draw out this claim by using Cohen's differentiation between 'strict' and 'lax' readings of the difference principle, and the subsequent distributions of material goods which ensue from these interpretations, to show that parties in the original position have reasons of self-respect to reject an interpretation of the difference principle which permitted substantial unequalising incentives. In doing so I will show that self-respect is an example *par excellence* of a good which is subject to the prior commitments objection Cohen raises against Rawls's incentives argument.

6.5. UNEQUALISING INCENTIVES AS AN IMPEDIMENT

The difference principle can be interpreted in many ways, but given that we are primarily concerned with the role of unequalising incentives I will draw upon G.A. Cohen's contrast between so-called 'lax' and 'strict' readings of the

difference principle, which takes Rawls's endorsement of such incentives as its focal point. In so doing I will claim that one (the strict) reading is able to avoid the prior commitments objection regarding self-respect in a way that the other (the lax) reading is not.

The possibility of strict and lax interpretations of the difference principle comes about, Cohen claims, because the difference principle is, by itself, ambiguous. The principle may be read as endorsing only those unequalising incentives *strictly* necessary for talented individuals to apply their skills, or alternatively, it may be read as permitting unequalising incentives which were *rendered* necessary by the self-interested demands of those with valuable talents (G. A. Cohen, 2008, p. 69).

As an illustration, consider two Doctors applying for two equally burdensome medical positions. The first Doctor's egalitarian views mean that she would be willing to accept a salary of £25,000 – enough to cover any costs in her training and labour, and to secure rough equality of condition with other workers. If we assume that her working as a Doctor would benefit the worst-off, then even if this salary were above that of the average worker, the (ambiguous) difference principle would appear to endorse it. Next, consider a second Doctor, similarly situated save for being more self-interested. This individual becomes aware that due to the shortage of fellow applicants, she could successfully negotiate a wage of £50,000 by threatening, in effect, to withhold her labour. If we assume that her working would still benefit the worst-off, even at such a rate of pay, then it also seems – in a sense – 'necessary' that she be paid this amount, so that the least advantaged will benefit. As such, even if this salary were far above that of the average worker, the (ambiguous) difference principle might also appear to endorse it.

In these cases a strict reading of the difference principle would only endorse the receipt of the first £25,000 for both Doctors, for this is all that is 'strictly' necessary to engender the social product which is beneficial to those worst-off. The payment of a higher salary to the second Doctor would be necessitated only by her self-interested demands, which, Cohen believes, she can be said to have control over (G. A. Cohen, 2008, pp. 68–69). As such, the

payment of the unequalising incentives that this Doctor demands would be endorsed only by a lax reading of the difference principle which viewed the satisfaction of individuals' self-interested demands as 'necessary' to benefit those least advantaged (G. A. Cohen, 2008, pp. 70–71).

Writ large, Cohen expects these two interpretations of the difference principle to lead to two quite different distributions of the primary social goods. Recall that a lax reading of the difference principle allowed for self-interested agents to demand remuneration for their talents *above* the level which was strictly necessary for them to apply their labour. In extremis, this model might permit talented individuals to satisfy this lax reading provided that they demanded remuneration *up to the point* where it no longer benefitted the least advantaged for them to be paid any more. So if a uniquely talented individual creates 100x of social product annually then, *ceteris paribus*, the worst-off in society would still benefit were this individual to receive a salary of up to 99x. That is to say that this talented individual could, through their choice, make a salary of up to 99x 'necessary' to benefit the worst-off, but no more.[64]

Such a marginal case would be unlikely to arise quite so starkly in a properly Rawlsian society. However, it remains the case that the extent of what *is*, and what *can be*, considered as necessary, or justified, in terms of remuneration is much greater under a lax reading of the difference principle, and is much more sensitive to individuals' self-interested demands. So even if it were not the case that all talented individuals were to claim as 'necessary' the greatest possible portion of the social product they create – it is likely that substantially *more* talented individuals would demand a substantially *greater* share of the social product they created under conditions of laxity compared to strictness. Under a lax reading of the difference principle then, we should expect to see substantial unequalising incentives, and substantial inequality.

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[64] When the labour of a 'talented' individual is applied in this manner, their own goods are at b+99, whilst the worst-off are at b+1, where b is a baseline amount.

In contrast, on a strict reading, departures from equality of resources would be justified only to ensure rough equality of condition (G. A. Cohen, 2008, pp. 55–56). This is significant then, because if a strict reading of the difference principle were properly in operation – for example, as a product of a robust egalitarian ethos – then the same *quantity* of social product would be created as under a lax reading of the difference principle, *but* it would be distributed more equally, improving the material position of those least advantaged in both relative, and *absolute* terms. To speak metaphorically, were a strict reading of the difference principle fully operative, the least advantaged would benefit from a *larger slice* of an *equally large* pie.

If the analysis above holds though, we see the first substantial problem faced by a lax reading of the difference principle in terms of supporting citizens' self-respect. I claimed above that one important way in which the difference principle can be said to support citizens' self-respect is through providing individuals with the material resources necessary for them to develop a life-plan which they felt was worth pursuing, and within their powers to do so. These 'mechanisms of support' for self-respect, I noted, were all sensitive to *absolute* quantities of goods, such that greater quantities of goods would equate to a better basis for their self-respect.

But if it is true that that the presence of substantial unequalising incentives (under a lax reading of the difference principle) has the effect I hypothesised of shifting a greater proportion of the total social product towards those with scarce productive skills, it inevitably leaves those who are least advantaged with a smaller absolute bundle of resources with which to form and pursue their plan for life. Put another way, a *strict* interpretation of the difference principle, eschewing such unequalising incentives, would offer the least advantaged a stronger material basis for their self-respect.

How forceful is this claim? The support that material resources give to individuals' life-plans is important, but as I noted, Rawls believes that it is individuals' possession of equal basic liberties which ought to play the greatest role in securing their self-respect. Similarly, it may be argued that even if a strict reading of the difference principle does offer those least advantaged a better material basis for their self-respect, this point has little

force so long as such citizens are *adequately* materially endowed under a lax reading of the difference principle. Rawls's directive, after all, is that parties in the original position should seek to avoid those social circumstances which *undermine* citizens' self-respect. A lax reading of the difference principle may have a lower *efficacy* as a material basis for self-respect, but it seems excessive to treat this on a par with, say, racist or sexist principles of justice which might directly undermine the self-respect of those they marginalise.

Nonetheless, I believe the material question is important. As I noted in the contrast with utilitarianism, parties in the original position appear committed to favouring principles of justice which *better* support citizens' self-respect, rather than simply avoiding those which undermine it. However, it is clear that for Rawls the primary sources of self-respect ought not be resource-based, and as such the fact that unequalising incentives appear to offer the least advantaged a weaker material basis for their self-respect is not, by itself, enough for us to conclude that such incentives are incompatible with Rawls's commitment to preserving self-respect.

But can the presence of substantial unequalising incentives also affect the support the difference principle offers to citizens' self-respect in other ways? I believe it can. Recall that I identified three mechanisms through which the difference principle supported citizens' self-respect by modifying the character of the society it is applied to. Let us see how well these mechanisms operate in the presence of substantial unequalising incentives.

Firstly, I noted that simply being party to a mutually beneficial social compact should imbue those least advantaged with a sense of self-worth, reinforced by the compact being a founding principle for their future social interactions. The public and deliberative natures of this compact are certainty important, but note that from Rawls's perspective it was the fact of its *mutual beneficence* that was most salient in its supporting the self-respect of those worst-off. However, the extent to which a contract is mutually beneficial must surely admit of degrees – at least from any given perspective. An individual would surely not be ambivalent between a mutually beneficial agreement in which they received 1 to another's 10, and one in which they

received 5 to another's 6. And in whichever way Rawls supposes the mutual beneficence of an agreement to bolster citizens' self-worth (perhaps through imbuing feelings of reciprocity, satisfaction or worthy status), a more equitable distribution of a fixed product would appear to offer stronger grounds for these feelings (of, say, reciprocal gain, satisfaction with one's bargaining, or assertion of one's worthy status).[65]

From the point of view of those worst-off then, unequalising incentives serve to *reduce* the share of the social product which they receive, and as a result, to reduce the sense of mutual benefit which they should see in such a compact. As a consequence then, if it is the mutually beneficial character of the social compact which both bolsters citizens' self-respect, and allows them to disregard their level of economic advantage in their self-estimation, then substantial unequalising incentives appear to inhibit this process – on Rawls's account at least.

Something similar can be said regarding the difference principle as a manifestation of fraternal respect. For if we take Rawls's definition of fraternity – as the notion that individuals do not wish to gain advantages without generating compensating benefits for those less well off (Rawls, 1999, p. 90) – then it simply seems that there is a lot *more* fraternity present under a strict reading of the difference principle.[66] Talented individuals, *ex hypothesi*, seek substantially less advantage for themselves, and also offer greater compensating benefits to those less well off. Cohen observes as much (G. A. Cohen, 2008, pp. 79–80), but he fails to note that for Rawls, the good of fraternity is not simply an important value in itself (though it surely is) but that by manifesting social esteem and respect, it serves to *directly* bolster the self-respect of citizens, and *mitigate* any rancorous feelings citizens might feel regarding their share of economic advantage. To the extent that such fraternity is lacking under a lax reading of the difference principle,

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[65] To state otherwise would be to treat the mutual beneficence of a contract as binary – such that were a contract mutually beneficial in *any* minimal degree, it would offer up the same degree of support for the participants' self-worth. I find such a view implausible.

[66] As with the mutual beneficence of a contract, I find it unlikely that the *presence*, rather than the *degree* of fraternity, is what offers support for citizens' self-respect.

unequalising incentives appear to stifle another way in which Rawls expects citizens' self-respect to be supported.[67]

Finally, we should take note of Rawls's claim that the difference principle should support citizens' self-respect by publicly representing citizens' abstention from the exploitation of natural and social circumstance. For if this too is a means by which the difference principle should support citizens' self-respect, then it will be hampered by the existence of substantial unequalising incentives. This is for the simple reason that under a lax reading of the difference principle where self-interested demands are both endorsed and common, the exploitation of natural talents and social circumstances becomes not the exception, but the *rule*. The level of remuneration due to a self-interested producer would be *precisely* a function of natural and social contingency, as they weighed up the scarcity and productive ability of their talents, against levels of social demand and the benefits they should afford to those least advantaged.[68]

But if such exploitation of talents and circumstance weakens the other-regardingness manifested by the difference principle, and blurs the separation between individual talent and moral worth which this principle institutionalises, then the fact that such exploitation is greater in the presence of unequalising incentives jeopardises precisely the kinds of support for self-respect that Rawls hopes to secure. Such incentives would also inhibit the ability of the difference principle to directly support citizens' self-respect *and* to allow these citizens to insulate their sense of self-worth from their level of economic advantage – safe in the knowledge that the

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[67] I suspect that empirical evidence regarding the practical harms to social respect and fraternity which stem from inequalities only serve to bolster this argument, see O'Neill (2010). For brevity though I limit myself to Rawls's reasoning at the point.
[68] Of course, under a strict reading of the difference principle, the productive decisions of individuals may still be based on natural and social contingencies (such as in the calculations of fair labour burdens, see Cohen (G. A. Cohen, 2008, pp. 98–100) but this would not be coupled with the aim of exploiting them for private advantage. Indeed, in 'Why Not Socialism', Cohen notes the importance of preserving this kind of market information alongside a more egalitarian social ethos Cohen (2010, pp. 62–63)

latter were the product of a respectful, fraternal and mutually beneficial social compact.

6.6. CONCLUSIONS

I have argued that in each and every way that Rawls expects the difference principle to offer support to citizens' self-respect – through facilitating their formation of life-plans in which individuals feel worth and confidence, through the public manifestation of respect and fraternity and through modifying the character of inequalities so that those worst-off can insulate their self-worth from their level of economic advantage – the endorsement of unequalising incentives runs – to some extent – counter to these mechanisms. Unequalising incentives, by their nature, work against the very means by which the difference principle is supposed render such inequalities compatible with the self-respect of those least advantaged. If the difference principle *can* operate as a robust basis of self-respect for citizens in the way Rawls describes, it must do so with the minimum of unequalising incentives, under the kind of strict interpretation of the principle that Cohen suggests.

As such, Rawls's account of self-respect is a ready basis for a 'prior commitments objection' to be made against Rawls's perceived endorsement of unequalising incentives. Rawls, it seems, must abandon a commitment to one, or the other. But, as I have set out in some detail, self-respect, even more so than fraternity or dignity by themselves, is a value which Rawls (and the parties in the original position) would not be willing to sacrifice on the altar of such incentives. If these parties were to seek to 'avoid at almost any cost the social conditions that undermine self-respect' then it seems that substantial unequalising incentives are one of these conditions.[69]

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[69] Some degree of unequalising incentives may, of course, be necessary, or inescapable, and thus rather than the strict and lax interpretations of the difference principle being binary outcomes – a continuum of more and less strict distributive arrangements lies between them. In this sense then, the prior commitments argument, when applied to self-respect, directs us towards securing greater strictness, rather than the 'pure' strictness Cohen describes.

Such a conclusion might be opposed on the grounds even if the incentives endorsed by a lax reading of the difference principle greatly weaken the support it offers to the self-respect of those worst-off, the overall effect of the principle may nonetheless be positive. This may be true, though we should remember that if the separation between self-worth and economic advantage is not effectively performed by the difference principle, the efficacy of the other sources of self-respect that Rawls outlines (such as the basic liberties) will be compromised as a result. But even if it were true that a lax reading of the difference principle offered weak but positive support for citizens' self-respect I do not believe that this is enough to save the Rawlsian from the dilemma. If self-respect really is a fundamental good – the most important of the primary goods – it simply does not seem amenable to the kinds of trading off which the claim above advocates.

Rawls tells us that without self-respect nothing may seem worth doing, and things will lack any value for us (Rawls, 1999, p. 386). And if so, then it seems correct to assume that parties in the original position would demand that their chosen principles do more than simply supporting citizens' self-respect minimally. It is no solution, therefore, to suggest that substantial unequalising incentives are compatible with the difference principle offering weak support for self-respect, for this is not the position that Rawls advocates. Self-respect then, provides a particularly hard case of the prior commitments objection.

None of this is to say, however, that there are not other reasons for Rawlsians to offer in favour of unequalising incentives, or a lax reading of the difference principle. As many authors have argued, a strict reading of the difference principle may be simply unimplementable – imposing too great an illiberal or psychological burden on individuals' productive choices (Estlund, 1998; Narveson, 2010). Its machinations may also be insufficiently public for it to function as a (sub)principle of justice (Williams, 1998, 2008), and in necessitating an egalitarian ethos, it may misidentify the site of justice altogether (Pogge, 2000; Scheffler, 2006). However, if the analysis here is compelling, then we may nonetheless have strong reasons to reconsider such a reading given the importance of citizens' self-respect within Rawls's

account of justice. At the very least, in cases where the objections to a strict reading of the difference principle are viewed as a balance of competing goods, a fuller understanding of the implications for self-respect will well affect that balance.

7. CHAPTER 7 – SELF-RESPECT AND THE MARKET DEMOCRATIC CHALLENGE

7.1. INTRODUCTION

Cohen's critique of Rawls's permissiveness of inequality can be read – in a big picture sense – as an attempt to redescribe the Rawlsian project in more egalitarian terms. In contrast another important contemporary engagement with the Rawlsian legacy seeks to appropriate much of Rawls's justificatory framework for more market-friendly, or libertarian ends. These scholars, in essence, seek to defend what are conventionally libertarian positions on free markets, property rights and the role of the state, by utilising left-liberal, or particularly Rawlsian forms of argument.

Perhaps the most definitive example of this movement is John Tomasi's book *Free Market Fairness*, published in 2012, and prompting a great deal of debate amongst both libertarian, and egalitarian scholars.[70] Tomasi pursues the ambitious goal of setting out an approach to deliberative justice which is both new, and interpretable within the broadly Rawlsian tradition that Tomasi sees as dominant in the field of political philosophy. Tomasi's work is the most developed account within a developing group of political theorists who colloquially self-identify as a 'bleeding heart libertarians'.

Tomasi's work follows precisely this kind of model. The centrepiece of his favoured account of justice – 'market democracy' – is the marriage of libertarian ideals of robust property rights ('economic liberties') with the 'left-liberal' claims that we should assess the 'social justice' of institutions as a whole, whilst defending our principles of justice in a public and deliberative manner (Tomasi, 2012, pp. xiv–xxii)

Tomasi argues that market democracy gives voice to a distinctive (and neglected) account of the status of economic liberties. Libertarians, Tomasi argues, mischaracterise economic liberties as more important than, and

[70] See for example the Special Issue in *Critical Review,* Vol 26, Issues 3-4 (2014)

prior to, other basic liberties; whereas left-liberals err in the opposite direction by treating economic liberties as subordinate to, for example, political liberties. Classical liberals and 'market democrats' on the other hand, get the balance 'just right'. Economic liberties, Tomasi argues, should be seen as on a par with (and part of) the class of 'basic' liberties (Tomasi, 2012, pp. xvi–xvii)

Tomasi believes then, that left-liberals cannot coherently exclude 'economic liberties' from the class of basic liberties. But he believes also that we should have nothing to fear from cementing such liberties as a constitutional, rather than legislative provision. Market democracy (in a number of institutional forms) can provide a plausible, and desirable approach to realising an interpretation of justice as fairness. Indeed for Tomasi, market democracy is nothing less than "the most highly evolved form of liberalism".(Tomasi, 2012, p. 266)

In pressing this claim, Tomasi takes direct issue with the account of justice offered by Rawls. As I noted in Chapter 4, Rawls affords a privileged position to political liberties within his theory of justice – but this does not extend economic liberties[71] – at least not beyond a very basic level. In Tomasi's view, Rawls's attempt to distinguish political from economic liberties in this way is mistaken. The very reasons that Rawls offers for our treating political liberties as special apply just as strongly, Tomasi argues, to 'thick' economic liberties. (Tomasi, 2012, p. 76)

It is here then that arguments from self-respect take on a great deal of importance. I noted in Chapter 2 that the good of self-respect played a significant role in Rawls's justification for the priority of citizens' basic political liberties, and accordingly, Tomasi focuses heavily on this good too. Indeed it is primarily through an appeal to self-respect that Tomasi seeks to engage within the Rawlsian or left-liberal tradition. Tomasi, like Rawls, believes that accounts of justice ought to offer the prospect of support for the self-respect of the citizens they address. Unlike Rawls however, Tomasi

[71] By economic liberties Tomasi means, broadly, liberties regarding how one chooses to *labour*, *transact*, and *hold* and *use* goods. (Tomasi, 2012, pp. 22–24)

argues that citizens' self-respect is best secured, not by the wider state involvement in economic affairs that accompanies Rawls's favoured model of a 'property-owning democracy', but rather by treating a broader set of economic liberties as basic liberties. These basic economic liberties, on Tomasi's account, would carve out a wider space in which individuals might develop and exercise their capacities as responsible self-authors – a process which risks being stunted by the more interventionist model that Rawls proposes.

In this chapter I will seek to set out Tomasi's argument, and his subtly different account of what self-respect is, and what implications this ought to have for principles of justice. I will then move to raise a number of concerns about Tomasi's account of self-respect, and the work he expects it to do in his account of market democracy. The chapter can be thought of as offering a weak and a strong claim along the way. The weak claim will be that Tomasi presents an account of self-respect which bears only superficial similarity to that of Rawls's. A deeper engagement with Rawls's account of self-respect, I will argue, will throw light on a number of ways in which Tomasi's account diverges from that of Rawls. The likely effect of these differences, I will argue, will be to limit the force that Tomasi's claims have on the Rawlsian position.

Secondly, the strong claim will be that Tomasi's account of self-respect is problematic in and of itself. Or more precisely, that the account of self-respect which Tomasi offers us does not appear able to sustain the conclusions he wishes to draw regarding the desirability of market democracy. Not at least without relying upon the kinds of libertarian conceptions of natural or procedural justice that I take Tomasi to be trying to transcend. I conclude that this poses a serious problem for Tomasi's justification of market democracy, given the importance he attributes to self-respect.

7.2. TOMASI AND RAWLS ON SELF-RESPECT

Rawls saw the development and maintenance of citizens' self-respect as a fundamental question that accounts of justice must grapple with (1999, p.

386). I do not think it is an exaggeration to say that self-respect plays a similarly important role in Tomasi's defence of market democracy. Thus whilst Tomasi's discussion of self-respect is considerably (and thankfully) more straightforward than that of Rawls, the role he affords to self-respect at what I take to be some of the most critical junctures of FMF is significant nonetheless.

In particular, self-respect acts as an important 'Trojan-horse' by which Tomasi is able to smuggle the wider economic liberties that he favours into the more restricted class of basic liberties which Rawls is concerned with. In order to perform this manoeuvre, Tomasi asks us to consider Rawls's defence of a narrower class of basic liberties – which eschews the kinds of strong freedom of contract and rights to productive property that Tomasi favours. Rawls's justification for doing so turns on whether or not various kinds of economic rights support our development of "a sense of personal independence and self-respect, both of which are essential for the development and exercise of the two moral powers" (Rawls, 1993, p. 298). This is to say that those rights and liberties which do support our sense of self-respect or self-authorship[72] in this way appear to be candidates for being treated as basic liberties. It is for this reason that Rawls is happy to accept that a restricted right to own (non-productive) property might be understood as a basic liberty, given that he expects this kind of property to act as an important basis of self-respect (2001, p. 114).

Tomasi's response is to accept the standard that Rawls proposes – that basic liberties ought to be identified by their role in supporting citizens' development of their sense of self-respect or self-authorship – but to question whether Rawls applies this standard fairly. Tomasi's key claim (indeed, perhaps *the* key claim in FMF), is that a wide range of economic

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[72] Tomasi's distinction between self-respect and self-authorship is rather fluid and ill defined, and the two are used somewhat interchangeably at various points in FMF. Whilst Tomasi clearly intends his account of self-authorship to supplant Rawls's account of the two moral powers, my feeling is that Tomasi – fairly – takes both concepts to be heavily concerned with the idea that citizens' are genuinely self-directed, and that threats to this self-direction threaten both the sense of self-authorship and self-respect.

liberties – such as full freedom of contract, ownership of the means of the production and rights to the transfer and disbursement of property – plausibly support citizens' feeling a sense of self-respect and self-authorship, in ways that are similar to those provided by the more restrictive property rights Rawls advocates (Tomasi, 2012, p. 76). As such, the justification for treating them differently looks weak.

The problem that Tomasi raises here is real – such that the standard Rawls offers of 'providing support for self-respect/self-authorship' *is* both too weak, and too vague to be of much use to us in identifying the basic liberties – especially when we consider how important such a task would be within the Rawlsian schema. Nonetheless, Tomasi ends up drawing rather more from this observation than he is able to sustain. Or rather, a Rawlsian can offer some grounds for saying that the restricted ownership of private property (as embodied in a property-owning democracy) can support citizens' self-respect in ways which justify it being treated as a basic liberty – whilst refusing to treat Tomasi's broader set of economic liberties as similarly basic.

Tomasi argues that "Rawls seems unable to imagine how the self-respect of people could be tied directly to the exercise of general economic liberty." (2012, p. 43) But this is surely too strong. Nowhere does Rawls say that the general exercise of the rights of ownership, negotiation and transfer cannot support people's development of their self-respect, or their sense of self-authorship.[73] Rather, Rawls's claim is that the restricted right to private property is necessary to allow "a *sufficient* material basis for a sense of personal independence and self-respect…"[74] (2001, p. 114 emphasis mine). This is a very different claim to the one that Tomasi considers. And contra Tomasi, a Rawlsian could quite easily say that the kinds of economic rights

[73] Indeed it is surely this kind of concern that underlies the role of private (non-productive) property as a basis for self-respect.
[74] See also "These wider conceptions of property are not used because they are not necessary for the *adequate* development and full exercise of the moral powers, and so are not an essential social basis of self-respect." (Rawls, 2001, p. 114 emphasis mine). I accept that Rawls's claim regarding the *full* exercise of the moral powers here also gives support to Tomasi's reading.

which are necessary for the *adequate* or *sufficient* development of one's self-respect or self-authorship could be very different to those which support the development of these senses in *general*. This is to say Rawls could accept that *all* economic liberties offer support for self-respect and self-authorship, whilst not treating all economic liberties as *equal*. This, it appears, is what he does.[75]

Of course, this move itself requires a number of justifications that Rawls does not provide – and this is why this area is such fertile ground for both Tomasi, and left-liberals. But this is not to say that plausible Rawlsian justifications cannot be offered. In the first instance we ought to note that Rawls's account of self-respect lends itself more naturally to a more sufficientarian reading of the kind needed to underlie the claims above. This is to say that Rawls – unlike Tomasi (Tomasi, 2012, p. 82) – does not appear to treat self-respect (at least) as something which should be maximised, rather than simply secured at some acceptable level. Rawls's account of self-respect emphasises its importance in ensuring that each citizen feels suitably motivated to enter into cooperation with others and pursue their chosen plan of life with confidence and a lively sense of its worth (Rawls, 1999, p. 386). It is towards this goal that much of justice as fairness is arguably oriented. But it is quite plausible that the sense of self-respect that citizens need to pursue such plans could be relatively modest. This is to say that once Rawlsian citizens have the confident sense that their plans are worth pursuing, *and* that they are up to the task, it is not clear that there is any great pressure to make them feel ever *increasingly certain* that their plans are worth pursuing, and that they are *increasingly certain* of being up to the task. The additional economic liberties which Tomasi favours then, might simply appear less pressing from the Rawlsian perspective.

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[75] It is here that a defender of FMF might want to draw a sharper distinction between the idea of self-respect, and self-authorship, such that the latter should be understood more squarely as the development of the moral powers Rawls is concerned with. This move seems fair (and Tomasi arguably makes it: pp.40-41). However, given that Rawls explicitly names self-*respect* as one ground for identifying the basic liberties, the shift of the argumentative burden onto self-authorship only appears to leave this unaddressed.

An advocate of market democracy might respond (fairly) at this point, that the mere fact that these economic liberties are not strictly necessary for the development of self-respect is a rather weak reason to exclude them from the class of basic liberties. After all, if we are to value self-direction in the way that both Rawls and Tomasi want us to, then there would seem to be a more general presumption in favour of those liberties which helped to secure it. However, there are other reasons that a Rawlsian should be sceptical of affording all such liberties the status of basic liberties. The first of these relates simply to the kind of project Rawls was engaged in. In Rawls's specification of the basic liberties in *Justice as Fairness*, he takes care to note that the kinds of economic liberties that Tomasi advocates for may still be justified by particular historical and social circumstances (Rawls, 2001, p. 114). It is likely that much of Rawls's desire to limit the class of basic liberties stems from his hopes that justice as fairness can be accepted as a reasonable starting point for parties with differing normative convictions. The justification for excluding Tomasi's favoured economic liberties then, may well be rather more methodological than normative.

Whilst there may be some truth in this claim, there are more substantive (and more interesting) reasons for Rawlsians to reject Tomasi's argument that the wider economic liberties he proposes ought to be treated as basic in the name of self-respect. In particular, we should also recognise that the wider economic liberties that Tomasi proposes appear to pose ancillary risks to some citizens' self-respect that are not so present or pronounced with regards to the more restricted property rights that Rawls proposes. Thus even if both sets of rights offer similar support for citizens' senses of self-respect/self-authorship, we might distinguish between them if they caused other harms to (perhaps other) citizens' self-respect in different ways.

On this score, Rawls is clear that he expects citizens' self-respect to be supported by, at least, the fair values of political liberties (Rawls, 1993, p. 318), fair equality of opportunity (Zink, 2011, p. 337) and also the sense of fraternity which arises when citizens agree to refrain from exploiting their natural and social circumstances to their own private benefit (Rawls, 1999, p. 156). In my view at least (though defenders of market democracy might

disagree) it is likely that the substantially greater inequality which would accompany Tomasi's wider economic liberties would jeopardise the ability of the basic structure to secure these other forms of support for citizens' self-respect (Penny, 2013). And if so, then even if such liberties did offer *one kind of support* to the sense of independence and self-respect that some individuals experienced, Rawlsians might have further reasons for not treating these wider economic liberties as basic – if they threatened other, or more important sources of support for self-respect more generally.

These observations clearly do not offer a full or adequate reconstruction of the Rawlsian justification behind the constitution of the basic liberties. But I believe they serve to show that the widening of these liberties in the name of self-respect is not quite as straightforward as Tomasi supposes. I will now turn to address Tomasi's account of self-respect, and the role it plays in FMF more directly.

7.3. SELF-RESPECT AS A BALANCE OF HARMS

We might understand Tomasi's arguments thus far as a 'positive' claim about the wider economic liberties he supports. This claim would be positive in the sense that Tomasi wants to offer us positive reasons for supposing they can support self-respect effectively (and should be treated as basic liberties in this regard). But Tomasi also makes a number of interesting 'negative' claims about the effects that might stem from *excluding* these wider forms of liberties from the class of basic liberties. In other words, claims as to why it might be *harmful* to citizens' self-respect if we were to fail to secure these wider economic liberties as basic.

The most forceful of these claims is that the failure to protect these kinds of liberties acts as a kind of paternalistic or disrespectful harm to citizens' self-respect more widely. Tomasi asks us:

> "…how can individuals have self-respect if their fellow citizens deny them the right to decide for themselves how many hours they will work each week and under what precise terms and conditions? How can they think of themselves as esteemed by their fellow citizens if those citizens call on the coercive force of the law to impede them in

> deciding for themselves how much (or little) to save for retirement, the minimum wage they may find acceptable for various forms of work, or to dictate the parameters of the medical care that will be available to them?" (Tomasi, 2012, pp. 83–84)

Tomasi is quite correct to identify these kinds of social esteem and recognition as being vitally important to Rawls's understanding of how citizens' develop self-respect. But despite the rhetorical force of these claims, these kinds of limitation of citizens' agency do not *necessarily*, or *on balance*, represent harms for citizens' self-respect. Let us take for example the question of minimum wage laws. On Tomasi's account, these pose a harm to self-respect that runs something like this: Some mass of citizens, or associations (most likely labour-unions) cooperate to apply pressure to the state, such that it moves to legislate a certain minimum wage at which citizens and employers may contract to buy and sell labour.[76] But these laws curtail the ability of individuals to negotiate contracts freely, and enter into employment relationships of their own choosing. This truncates these individuals' ability to exercise their powers of self-authorship, and be fully self-directed. And further, it represents a form of contempt or disrespect on the part of their fellow citizens that they do not trust one another to exercise these powers responsibly. Both of these effects have plausible (negative) implications for citizens' self-respect.

I do not think there is anything mechanically at fault with Tomasi's reasoning here, and I can quite believe that some individuals might view or experience such workplace legislation as disrespectful and stifling. However, there is an equally (if not more) compelling way of re-describing this process which points in quite the other direction regarding citizens' self-respect.

For starters, we should note that once these kinds of liberties – of contract and workplace rights – are shifted out of the constitutional level of Rawls's schema and into the legislative sphere, they take on a more, rather than less,

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[76] In the US and the UK, this is typically a minimum wage applying to all or most jobs – whereas in other areas, notably Scandinavia, different minimum wages might be collectively negotiated with trade unions in different sectors of the economy.

deliberative character. As such, Tomasi's characterisation of citizens' 'calling on the coercive force of the law to impede one another' is uncharitable. Instead, any such laws will be the product of a critical mass of citizens engaging one another in a process of political deliberation and exercising their political liberties in order to pursue their preferred legislative outcomes. The formation of these laws then, is not only born of the kinds of political engagement which are important for citizens' self-respect – but further, only infringes on people's sense of self-authorship only in the way that *any* piece of regulation does so. Almost any law worth passing will limit what some individuals are able to choose, or contract to do. But a great deal of these are surely very mundane and unavoidable – such as regulations on noise pollution, or where public utilities such as to be located. Tomasi may well feel that such regulations are problematic too, but in this case then barring complete political paralysis, citizens will simply have to accept that some minimal loss of self-authorship baked into the idea of a community which resolved questions of competing interests through democratic processes.[77]

Of course, market democrats will be itching to reply that these (or many) forms of regulation are not *unavoidable*, and that some legislation could surely impinge severely on our sense of self-authorship despite being democratic in character. But this is not my claim. I certainly agree that were a majority of our peers to freely vote to, say, impose a uniform dress code on society, this would certainly curtail our self-authorship and self-respect in a problematic way. The claim I want to make instead though is that *some* residual degree of regulation is inevitable in a deliberative community, and this fact, when coupled with some (hitherto undefined) standard of public justifiability *might* serve to render such restrictions on self-authorship as self-respect compatible. I do not have space to explore this point fully. But it

[77] Tomasi would surely agree with Rawls that citizens' exercising their political rights and deliberative powers is *itself* a basis for their feeling self-respect. But note that these kinds of benefits *only* occur in a context where citizens are able to 'call on the coercive force of the law to impede one another'. If political activity were merely window dressing, it is not clear how it could operate as the important basis for self-respect that Rawls (at least) expects it to.

is evident that some forms of restriction on trade need not excessively harm our sense of self-authorship. For example, bans on pyramid selling schemes or loan-sharking hardly appear to be disrespectful, or stifling on the part of our peers. In fact, quite the contrary seems true. The most compelling justification for these kinds of restrictions are based upon our respect for the deep personal plans of others, which we do not want to see curtailed or limited by mistakes on their part, or bad faith on the part of others.

More significantly though, Tomasi fails to engage with the fact that questions over issues such as employment rights involve a balance of harms – including towards self-respect, and self-authorship. Thus whilst laws which set the minimum wage at $5 might restrict the ability of one individual who desires to sell their labour for $4, such laws also – by design – might allow another individual who wishes to sell their labour at *no less* than $5 (but due to market forces, was previously unable to do so) to form such a contract. This is to say that minimum wage laws plausibly enable just as many individuals to sell their labour at a *chosen* price, as they prevent from doing so. It is not clear why Tomasi thinks that latter gain in self-authorship (such that an individual can sell their labour at a price they choose, less restricted by market forces) would be inherently less important than the loss of self-respect of the individual who cannot sell their labour at the price they choose, thanks to minimum wage legislation.[78]

The same argument applies, *mutatis mutandis*, with regards to other labour rights such as workplace safety laws, or parental leave legislation.[79] As such, whilst a society with robust minimum wage laws, workplace regulation and employment rights might well prevent many individuals from selling their labour in ways that the state does not permit, it also *enables* many others to

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[78] There may well be ancillary economic reasons for such avoiding minimum wages of this kind. My focus here is simply on the claim that such policies are necessarily stifling of self-authorship.

[79] Take for example the issue of compulsory union membership. On the one hand, 'right to work' laws allow anti-union workers greater potential for self-authorship. But on the other hand, they also *effectively* preclude other workers from forming a reasonably powerful trade union. We need not take sides here to recognise there is no policy in such cases that does not affect *some* individuals' potential for self-authorship.

sell their labour in ways that the *market* would not permit, absent state intervention. Tomasi is surely correct that some individuals will have their self-authorship truncated as a result – but many others (and particularly those *most* at risk of exploitation) will have their ability to self-author massively increased by these kinds of interventions. This is true both in the sense that such they are able to negotiate with the bulwark of such legislation behind them, and in the sense that they can act in accordance with others to author this legislative framework itself.

As such, it is at least contestable that some restrictions on freedom of contract might be justified in terms of supporting citizens' self-respect – either because these restrictions are (in terms of being unavoidable, and/or justifiable) not problematic in themselves, or because they contribute to a much larger degree of self-authorship overall. Tomasi's account of self-respect does not offer us the tools which allow him to draw the dividing lines that he does.

7.4. SELF-RESPECT AS BEING A 'CENTRAL CAUSE'

A defender of market democracy is unlikely to accept much of the above – on economic grounds at the very least. And certainly, the strength of both sets of claims about, say, minimum wage laws will depend heavily on just how stifling or emancipatory such legislation really is in practice. I have neither the space nor expertise to engage in such analysis here, though I would note that for all the classical economic literature on the 'job-killing' nature of minimum wage laws, the European experience has shown that such legislation can be compatible with quite moderate levels of unemployment. But aside from this Tomasi has one final challenge for left-liberals who are notionally committed to the idea that the socio-economic structure of society ought to act so as to support citizens' self-respect. This argument is interesting because, I believe, Tomasi sees it as providing the strongest support for his claim that market democracy is a superior guarantor of citizens' self-respect. I will argue, however, that it is the weakest and most problematic of the claims that Tomasi presents.

Tomasi asks us to consider what it is that makes our lives, and particularly our labour, feel worthwhile (the parallels with Rawls's account of self-respect should be clear at this point). What it is, in other words, that allows us to look at ourselves in the mirror with a sense of pride or respect. In response, Tomasi offers a fairly distinctive account of the conditions under which individuals might properly, or really, respect themselves. On Tomasi's account our having self-respect is dependent, at least in part, on our having a sense that we ourselves are the '*central causes*' of the life we are leading[80] (Tomasi, 2012, p. 83). This is to say then that what matters in terms of our self-respect is not just the situation we find ourselves in, but the extent to which this situation is of our own making.

By way of illustration, Tomasi draws approvingly upon claims made by Charles Murray who argues variously that welfare and social systems which seek to insulate individuals from economic risk "take the trouble out of life" and "drains too much of the life from life." (Murray, 2006, p. 82; Tomasi, 2012, p. 80). For both Murray and Tomasi, it appears that individuals' achievements, their success in pursuing their plans, and upholding their commitments, cannot add (much) to their sense of self-respect if they themselves are not the central cause of these outcomes. Thus Tomasi sees fit to argue that

> "… a person's self-respect is diminished if one is not (and so cannot think of oneself as) the central cause of the life one is leading. Having others secure them with "material means" could not provide liberal citizens with that form of self-respect." (Tomasi, 2012, p. 83)

The implication that Tomasi draws from this is that the programs of wealth redistribution, public services and, perhaps, equalities legislation which are favoured by left-liberals are simply incompatible with ensuring that citizens derive a sense of self-respect from the achievements that these goods (may) facilitate. In accepting such support, citizens lose the sense that they are the causes of their lives – and in so doing, they lose the sense of value in these

[80] Here in particular the overlap between Tomasi's accounts of self-respect and self-authorship is evident.

pursuits which underlies their self-respect (Tomasi, 2012, p. 83). Indeed Tomasi goes as far as to claim that:

"By insulating people from economic risks, the European model denies ordinary citizens opportunities to feel the special sense that they have done something genuinely important with their lives." (Tomasi, 2012, p. 80)

Tomasi apparently views this as something of a knock-down argument against the left-liberal position. But this assertion – which is clearly of some magnitude – stands entirely undefended in empirical terms, and, in fact, runs entirely counter to the available evidence on Europeans' experiences.[81]

Similarly, Tomasi also makes much of the observation that under conditions of rising affluence, citizens apparently tend towards favouring greater economic liberty, and care less and less for public services, workplace rights, collective bargaining and the like (Tomasi, 2012, p. 61). I strongly doubt that this is the case, even in the cases that Tomasi[82] cites, but even if it were, then, once more, the actually-existing support for the European model (inasmuch as such a thing exists) would challenge this thesis.

More substantially, there are a great many examples in which one's being a 'central cause' of their life does not appear be a necessary condition of one's having self-respect in the way that Tomasi's claims. Consider a disabled individual, for example, who is able to lead an active life, to engage in employment and participate fully in their local community, but *only* because the state mandates (or provides resources) such that all local buildings are wheelchair accessible. Would this individual really feel that their self-respect

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[81] Taking the best approximation of Tomasi's claim as contained in the European Social Survey ('I Feel what I do in life is valuable and worthwhile') shows an extremely strong positive relationship between this variable, and the extensiveness of welfare provision present in 29 European countries (Jeffrey, Abdallah, & Quick, 2015, pp. 6–8).

[82] My understanding is that even in the US, support for (notionally) left-liberal parties is still strongly correlated with income (see for example: Gelman, 2009). And further, it is a rather large leap of faith to attribute the shifts in public attitudes towards the welfare state in the West over the last 30 years to this kind of deep psychological preference for liberty, rather than the manifold other causal candidates (at the very least the role of globalisation, the increased political power of capital, and the inability of many states to respond adequately to many aspects of the modern and post-modern order.)

was diminished as a result? That their achievements, and plans were not really their own? Or that – worse – too much of the 'trouble' had been taken out of life? Would they really respect themselves more if they were limited to engaging in public life only when they could do so on their own terms?[83]

Proponents of market democracy might wish to make exceptions for those with disabilities – (though I am not sure that this works to salvage the point regarding self-respect). But just in case, let us also consider another example. Suppose that an individual has spent much of their youth caring for a sick relative, and as such they have developed a very specific and limited set of skills, such that they make an excellent carer for those in need. They are, say, extremely empathetic, patient, level headed and reliable. And let us suppose also that they identified very strongly indeed with these skills and their status as a carer. And suppose also that hitherto, their ability to care has been enabled by a carers allowance from the state, such that they did not have to seek income from elsewhere. Are we really to say that this individual should relish the liberating idea of this grant being withdrawn such that they either have to give up on their caring role, or secure their own sources of funding for it (perhaps through charity, or worse, asking for payment from those they care for)? This is highly dubious.

Here then we can see a substantial difference between Rawls and Tomasi with regards to what makes people's plans feel worthwhile, and what affords them self-respect. For Rawls it is the planning, revision and pursuit of plans *per se*, that has value. Thus individuals treat sources of social support as *foundations* upon which to build their plans, rather than obstacles, or elements that detract from them. Rawls's account here is preferable to Tomasi's for at least three reasons.

Firstly, Rawls is surely correct when he says that individuals can, and ought to, revise their plans in accordance with their varying social and economic positions. For Rawls then, it is not that individuals form only one set of desires and commitments, and then having had these goals facilitated by

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[83] This is supposing that we could even make these kinds of judgements about what individuals are 'central causes' of in the first place.

sources of social support, are unable to glean any sense of purpose from pursuing them. Rather, increased social support affords citizens the ability to pursue more and increasingly complex and rewarding commitments and pursuits, and such citizens can moderate and develop their plans in kind.[84] Liberating individuals from want and need does not, on Rawls's account, rob their lives of meaning, but rather opens up *additional areas* in which they might become self-authors. And further it is highly likely that individuals are more meaningfully able to manifest their individuality and agency in a position of relative economic security, in way that people typically cannot when they are wrestling with the stress or drudgery of subsistence (A point commonly made by advocates of a basic income, cf Van Parijs, 1991).

Secondly, Tomasi's argument regarding one's being a central cause focuses far too heavily on the 'agent-centred'[85] aspects of self-respect. Tomasi is surely correct to say that individuals ought to have some stake in their achievements – and some sense that they brought them about. Lottery wins and accidents of fortune, for example, do not appear to be good grounds for individuals to feel a sense of self-respect. However, it is not clear that we need to go as far as Tomasi – towards full 'central causality' in response. It is surely the case – as I noted in Chapter 3 – that individuals' self-respect can be influenced by both their own actions and motivations, and also supported by, for example, social support in the forms of resources, opportunities and training – as well as general social esteem and encouragement. This is something that Rawls recognises explicitly (1999, p. 387), and this balance of 'agent-centred' and social sources of support for self-respect looks far more plausible than the account Tomasi offers in which all social support is to be treated with suspicion.

Finally, a vital aspect of Rawls's account of self-respect is the *recognitional* role played by sources of social support which enable all citizens to pursue meaningful plans for their lives. Thus, for example, distributions of wealth, or public services which are intended to bring about equality of opportunity

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[84] This truth is, of course, what Rawls hopes to capture with the notion of the Aristotelian principle.
[85] See Zink (Zink, 2011) for an interesting discussion of these aspects.

have, on Rawls's view, a quite discreet and quite powerful recognitional effect – publicly establishing the equal standing of each citizen, and publicly affirming their status as free and equal persons. This is an aspect of Rawls's account of self-respect which is often overlooked, but it is an important one. Thus whilst the support for citizens' life-plans has one effect in facilitating them – it also serves as a kind of social recognition of the value of each person's plans – such that every citizen is entitled to pursue them in a *meaningful*, rather than merely formal manner. Market democracy of the kind that Tomasi describes – which offers the formal recognition of citizens' freedoms only – cannot therefore offer as much and as good recognitional affirmation of citizens' plans, and, as such, their Rawlsian self-respect.

7.5. THE 'GREATER WEALTH THESIS', SELF-RESPECT AND SELF-DEFEAT

These points indicate that the gap between Tomasi's and Rawls's accounts of self-respect is greater than it appeared at first sight, and further, that there are reasons as to why Rawlsians will not find Tomasi's account of self-respect very desirable. And, as I noted, this limits the force of Tomasi's claims on the Rawlsian position. However, a larger problem still looms, and I will conclude by setting this out. This claim is essentially that not only is Tomasi's account of self-respect not persuasive, but there is a major tension between this account, and the wider market democratic project which Tomasi is advocating.

To bring this out, let us recapitulate the major, and most challenging point in favour of market democracy. This is what Tomasi terms the 'greater wealth thesis' (Tomasi, 2012, p. 187). In its most basic terms, this is essentially the claim that adopting the wider class of economic liberties as basic liberties would, amongst other things, bring about a more laissez-faire economic system that would in turn drastically increase the rate at which the economy in question grew. Citizens would, in effect, agree to sacrifice many of their social and employment rights in return for a more open and dynamic economy, which afforded them a far greater quantity of wealth and income than they could receive under a more 'sluggish' left-liberal model. Tomasi

believes that this greater share of wealth means that this kind of distributive model fits well with the ethos of the difference principle (Tomasi, 2012, pp. 186–190). It would serve to maximise the position of those least advantaged, and further that it can play an important role in securing de facto rights and opportunities for individuals, by liberating them – though their fantastic wealth – from the kinds of economic hardship and vulnerability and the frustrations of poverty that may otherwise plague those at the bottom of society (Tomasi, 2012, pp. 188–189)

These are obviously heady claims – but I do not wish to address the plausibility of this claim specifically, other than to register my concerns about its optimism. Rather, let us suppose though that things did pan out in the way that Tomasi hopes – such that a citizenry did adopt the market democratic model, and after some period of time – let us say 50 years, found themselves in a position of quite fantastic social wealth of the kind that Tomasi describes. (Tomasi, 2012, pp. 234–235) As a result, we might suppose that even those who were least advantaged really could enjoy a very substantial quality of life, whilst being very selective about the conditions under which they chose to labour and toil.

The question I want to pose here is whether this outcome is at all reconcilable with the account of self-respect that Tomasi directed against the social provisions supported by *left liberals*? Or more bluntly, if it really *is* the case that insulating individuals from economic risk "takes the trouble out of life" and "drains too much of the life from life", then why should we suppose this problem is not just as applicable to the process of economic growth, and social enrichment as it is to the policies favoured by left-liberals? Why is it that we would not also have to say, a la Murray, that

> *"By insulating people from economic risks, the [market democratic] model denies ordinary citizens opportunities to feel the special sense that they have done something genuinely important with their lives."?*

If Tomasi cannot give us a compelling answer to this question, it strikes me as being a major problem for his account more widely. To renege on the value of the greater wealth thesis would be unthinkable. But if Tomasi is

instead to water down the importance of self-respect as a justification, or to move his account of self-respect closer to Rawls's, then he also loses much of the justification for rejecting the left-liberal position in the first place.

It is very hard to see how Tomasi can reconcile these two positions. How, in other words, economic and social security born of wealth redistribution or public services can be said to smother and harm citizens' self-respect, whilst the *same* economic and social security born of the general productive capacity of the economy would not.

The obvious move for a market democrat is to fall back on the claim that individuals need to feel themselves to be the central causes of their position of economic security, and as such, money *earned* in a market democratic economy would offer them a greater sense of self-authorship, and self-respect than money *received* in welfare benefits or the like, in left-liberal economy. But the issue with this response is that it is surely just *a fiction* on the part of the individual. After all, this individual is simply not a 'central cause' of their position of comfort. This, of course, is a result of the overall economic capacity of the market democratic society, and this is something which has come about quite independently of, and often prior to, any efforts on their behalf. As such they are not a central cause of their economic *security*, even if they are the cause of their economic *income.*[86]

By way of illustration, compare a shop worker who worked 30 hours a week in the 1950s, and who, as a result, could barely feed and accommodate themselves and their family – let alone deal with any unexpected shocks such as illness or injury. Now consider the same individual doing exactly the same work today. It is likely that – given technological advances, changes in the costs of living and the overall growth of the economy, *this* individual could live quite an economically secure (though by no means decadent) lifestyle on the same 30 hours of shop work a week. But it would seem very

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[86] There may of course be social norms (such as those which valorise work or labour) which make citizens *feel* like they are the central causes of their economic security or affluence when they labour. But, as should be clear, in casual terms this is a fiction, and thus something which Rawls, at least, would not support being propounded. (Rawls, 1999, p. 480)

odd – would it not? – for this individual to say they were the 'central cause' of their economic security in the year 2013, any more than they were the central cause of their economic insecurity in 1950. They certainly have *some* responsibility for their economic situation in both periods, but it would seem to be rather grandiose for them to ignore the more general economic development which had led to their comfort in the present day, and attribute this security solely to their own efforts, or to act like they were a 'central cause' of such conditions.

But if it is the case that citizens cannot credibly view themselves as the central causes of their economic security in times of great affluence, then Tomasi rather risks being hoist by his own (or perhaps Murray's) petard. It is not clear how, without deluding themselves about the degree to which they are causally responsible for their position, citizens in an affluent market democratic utopia could maintain a sense of self-respect when general economic security is *so profound*, and yet *so minimally* a product of their agency. At the very least, the benefits of this model in terms of self-respect are far less clear. Either the independent socio-economic structure can support our plans without compromising our self-respect, or it cannot. And if it can, then I do not see why *well designed* welfare-states and redistributive policies – of the kinds which are implied by Rawls's account of justice – cannot do the same.

The key problem for Tomasi is that dining at the table of left-liberalism means swallowing something of a poison pill along the way. Namely, that in accepting the left-liberal idea that economic distribution ought to be – at some minimal level – socially directed, we are required to reject both the notion of there being an Archimedean or 'natural' economic point of comparison against which citizens might compare their standing, *and* the idea that citizens are anywhere near in full control over their position of economic advantage. This 'concession' of course is one of the key elements of Rawls's account of justice and, indeed, one of the very reasons he supposes such that such distributions can work to support citizens' self-respect. But Tomasi cannot concede the same whilst maintaining the account of self-respect as self-authorship that he wishes to press.

7.6. CONCLUSIONS

The market democratic interpretation of Rawls approach to justice rests heavily upon arguments pertaining to self-respect. However, the account of Rawlsian self-respect that I have developed and defended in earlier chapters gives us good reason to suppose that it fails in this regard. Firstly, the market democratic account does not appear to be Rawlsian in the way that authors such as Tomasi suppose. The definition of self-respect with which he works differs in important ways from that which I have attributed to Rawls. And similarly, the market democrat account of the relationship between justice and self-respect is importantly different from the Rawlsian understanding I have set out. In both cases then, Rawlsians have reasons to reject the claim that they ought to endorse the starting points of the market democratic critique. Self-respect cannot act as the bridge between Rawlsian and classical liberal though in the way that Tomasi (at least) supposes.

Secondly, I have argued that even accounting for these differing starting points, Rawlsians have good reasons to reject Tomasi's accounts of self-respect and justice as a viable alternative. If self-respect is compatible with the assistance of others, then we have no reason to suppose market democracy will be superior to the Rawlsian reading I have set out in terms of offering support to citizens' self-respect. And furthermore, even if we were to endorse the market democratic claim that self-respect consists in large part in citizens' sense that they are the 'central causes' of their social and economic security – it is clear that this position can only be reconciled with the primary defence of the market democratic economic model at the cost of an elective self-delusion regarding the causal powers of citizens. Rawlsians in particular – given their opposition to achieving social consensus "by promulgating false or unfounded beliefs" (Rawls, 1999, p. 480) – have good reasons to reject this also.

8. CHAPTER 8 – SELF-RESPECT AND PROPERTY-OWNING DEMOCRACY

8.1. INTRODUCTION

The previous two chapters have addressed the implications for self-respect which stem from two recent interpretations of Rawls's work. In chapter 5 I showed how G.A. Cohen's critique of a lax reading of the difference principle can be extended to include the good of self-respect. As a consequence, I argued that there are good reasons to suppose that a strict (or strict*er*) reading of the difference principle would be demanded by parties in the original position. And in chapter 6 I addressed John Tomasi's account of market democracy – as an interpretation of Rawls which is notionally grounded in terms of citizens' self-respect. As I noted however, there are also good reasons to suppose that the market democratic interpretation appeals to a conception of self-respect that would not be endorsed by Rawls, not least given that it requires a kind of self-delusion on the part of citizens.

If this is the case then, it is also important to answer the question of whether there is an interpretation of Rawls's work which can offer prospects for self-respect that would appear likely to satisfy the (not-insubstantial) demands that Rawls attributes to those in the original position. If offering adequate support is, as I claimed in chapter 2, a constraint on an acceptable account of justice, is there an acceptable Rawlsian account to be had?

In this final chapter I will address this question, and answer affirmatively. I will focus on the strand of Rawlsian theory which interprets justice as fairness as being met most effectively through a particular regime-type: namely a 'property-owning democracy' (henceforth 'POD'). This interpretation of the practical demands of Rawls's account of justice, I will argue, offers the 'best' prima facie support for self-respect as Rawls describes it, and, with *suitable revision*, we can expect this kind of institutional arrangement to offer support for self-respect which would meet

the demands of those reasoning within the original position in a particularly effective way.

8.2. THE MOVE TO REGIME TYPES

In his later works Rawls argues that specifying the regime type that would embody particular principles of justice is a *necessary* step in ensuring that our assessments of the justice of these principles are themselves valid (Rawls, 2001, p. 136). This claim stems from the particular justificatory model with which Rawls is working, such that parties reasoning about justice are to proceed via what Rawls calls a process of reflective equilibrium. Here, our attachment to our preferred principles of justice is tested against our intuitions in cases in which they are applied (2001, pp. 29–32).

With regards to the principles of justice, Rawls argues that we cannot "tell solely from the content of a political conception—from its principles and ideals—whether it is reasonable for us." (2001, p. 135) Instead, it is essential that parties in the original position are able, in a 'rough and ready way', to assess the implications of potential principles of justice in 'particular cases as they arise' (2001, p. 135). This process, in turn, requires that at the very least, they are working with a basic knowledge of the *kinds* of institutional arrangements which would embody and accompany such principles.

Rawls's attempt to address this challenge is to set out "…the main features of a well-ordered democratic regime that realizes [the principles of justice] in its basic institutions…" and to "…outline a family of policies aimed at securing, background justice over time". (2001, p. 135)

This regime, which Rawls calls a 'property-owning democracy', stands (for Rawls) as the most defensible (though not *only*) institutional reflection of the principles of justice which underlie the conception justice as fairness which he defends (2001, p. 138).

Rawls's distinguishes the characteristics of a POD by contrasting it with another regime type which he terms 'Welfare-State Capitalism' ('WSC')

(2001, p. 136). This latter institutional model, Rawls argues, may at first sight appear to be an acceptable representation of the principles of justice he advocates. Upon reflection though, Rawls believes that it fails in this regard, such that the POD emerges as the preferred interpretation of justice as fairness (2001, pp. 139–140).

A WSC model would permit both substantial inequalities in the earned income of citizens, such that the pre-tax economic distribution of both income and wealth would be substantially unequal. However, this inequality would be tempered by large scale redistribution on the part of the basic structure of society – both in direct terms (such as cash transfers), and in terms of the provision of goods and services to those less fortunate (through a 'welfare state' infrastructure). This would serve to ensure that no citizen should "fall below a decent minimum standard of life, one in which their basic needs are met" (Rawls, 2001, pp. 139–140).

However, over time, Rawls argues, the inequalities present under this institutional model would be likely to become cemented, such that even were redistribution to ensure that the concentration of wealth and income were moderated – the concentration of *productive property* would be likely to occur.[87] As such, the WSC would move towards an equilibrium in which private property and productive assets were likely to become concentrated within a small, and potentially monopolistic class (Rawls, 2001, p. 139). This, even in the context of material redistribution, would be likely to result in two pernicious consequences.

Firstly, the concentration of productive assets would serve to ensure that economic influence was communicated from generation to generation. As such, whilst a WSC may strive for (and achieve) formal equality of opportunity in terms of "careers open to talents" it could not achieve the more stringent (and for Rawls, necessary) standard of fair equality of opportunity as ensuring that citizens with similar abilities and drive ought to have roughly similar life-chances (2001, pp. 137–138). Secondly, Rawls

[87] A fact apparently confirmed by Thomas Piketty's recent *Capital in the Twenty-First Century* (2014)

argues that the WSC model risks permitting "the control of the economy and much of political life" to rest within a small group of capital-holders (2001, p. 138), such that "a few, in virtue of their control over the machinery of state, [could] enact a system of law and property that ensures their dominant position in the economy as a whole" (2001, pp. 130–131). In such a case it is likely that some citizens would not enjoy a meaningfully equal or fair value of the political liberties they possess, perhaps to the extent that "a discouraged and depressed underclass" may emerge and eschew the public political culture as a result" (2001, p. 140).

Rawls's view then, is that the WSC model serves as a poor reflection of (at least) the spirit of the principles of justice he sets out – if not the letter of them too (2001, pp. 137–138). In contrast he sets out the POD model which – by seeking to prevent pervasive inequalities from developing – begins from quite the opposite starting point and represents the character of justice as fairness more authentically as a result (2001, p. 138).

Fundamentally, the institutions which comprise a POD would not tolerate the concentration of wealth and income, *or* productive property and assets. Thus a POD would both seek to limit this concentration and, through social and economic policy, actively work to ensure that productive assets and capital were distributed more widely. This, it is argued is the 'sine qua non' of the property-owning democracy model (O'Neill & Williamson, 2012, p. 80)

But it is not only the pattern of the distribution which would differ under POD – but, importantly, the 'goal' of the distribution. Thus whilst the 'Welfare-State Capitalist' model oriented its redistributive institutions around a largely sufficientarian standard, the goal within a POD would be more demanding. Thus the standard by which the basic structure was judged would not relate to lifting those who were least advantaged above some line of adequacy or decency, but rather its putting "…all citizens in a position to manage their own affairs on a footing of a suitable degree of social and economic equality" (Rawls, 2001, p. 139). The goal, in other words, would be to enable citizens to *secure* their longer term economy security, rather than *compensating* their inability to do so. Accordingly, much of the distribution that took place within a POD would be of an 'ex ante', predistributive kind,

such that the economic system would place greater emphasis on preventing large and pervasive inequalities from emerging, rather than addressing them through transfers when they did (O'Neill & Williamson, 2012, p. 80).

This broadening of access to productive property would also serve to ensure, Rawls argues, that a POD would avoid each of the two pernicious effects that the WSC faces in this regard. Firstly, in acting to break up concentrations of economic power, and working to increase the productive holdings of those least advantaged citizens, Rawls believes that a POD would be able to secure the kinds of substantive fair equality of opportunity which the second principle of justice demands (2001, p. 140). And secondly, Rawls believes that the same compression of inequalities in productive assets (within and across generations) would prevent the class-based political capture of the democratic process, and (working in accordance with other political reforms) would serve to ensure that citizens enjoyed a more equal value of their political liberties (Rawls, 2001, pp. 149–150).

8.3. RELATING POD TO SUPPORT FOR SELF-RESPECT

In what way does the institutional model of a property-owning democracy interact with the account of self-respect that I have developed from Rawls's work? The core features of a property-owning democracy, I will argue, respond to precisely the kinds of concerns that I have raised over self-respect in this thesis – and its advantage over competing interpretations of justice as fairness is especially clear in this regard. That POD has implications for self-respect is not, of course, a new idea (O'Neill & Williamson, 2012, pp. 87–89) but I believe that the depth of the affinity between the two is not fully acknowledged. In particular, whilst most recent scholarship on POD has focused on the ways in which it avoids *harms* to citizens' self-respect, the true value of POD, I will argue, is in terms of its supporting (positively) citizens' self-respect. The analysis I have developed hitherto will allow us to bring this out.

8.3.1. The formation and pursuit of the sense of plan-worth

In the first instance, it is clear that the POD model provides citizens (and particularly those who are least advantaged) a strong degree of support for

what I called the second and third aspects of Rawlsian self-respect – the confident development (and pursuit) of worthy-feeling life-plans.

In particular, the institutional structure of POD provides citizens with a large degree of what I called 'opportunity' bases for self-respect which support citizens in both the development and exercise of their agency and plans. Indeed, the claim that property operates in this way serves as one of the most significant justifications for the POD commitment to broadening its distribution across society.

This idea can be traced back to the economist James Meade (one of the key theorists in the development of property-owning democracy as a concept) who argued:

> "A man with much property has great bargaining strength and a great sense of security, independence, and freedom… He can snap his fingers at those on whom he must rely for an income; for he can always live for a time on his capital." (Meade in O'Neill & Williamson, 2012, p. 45)

Property in this sense is viewed as having a number of characteristics which we might call 'agency-supporting' - that is to say, supportive of both the exercise, and development of citizens' agency and autonomy. Firstly property acts, not unlike other resources such as income, as a basis upon which citizens might form and execute particular projects or broader plans for their life (Rawls, 2001, p. 114). In the case of a home for instance, it may act in some cases as a resource (a citizen may for example, use it as a place of business, or borrow against it as an asset), as a site for planning (in which an individual can take time to reflect on the kind of life they wish to leave without the threat of destitution looming so severely), and in other cases still a home might act as a kind of safety net (enabling citizens to undertake risks they may otherwise feel daunted by).

In addition to 'fixed property' such as housing, proponents of POD focus on 'productive assets' as well. This form of property not only grants much of the security that goes with 'fixed' assets, but, through facilitating productive activity and economic participation, affords citizens a greater scope to

influence the economy around them in ways that support their particular plans, desires and ideals. In historical terms, land and natural resources, premises, machinery or equipment often served to facilitate individuals in deeper and more direct interaction with the economy around them. Whilst these goods are still important in a contemporary setting, it is important to note that today much 'productive property' is perhaps better understood in terms of '*human capital*' (Sodha in O'Neill & Williamson, 2012, p. 253). This is to say that, particularly with technological development in advanced economies, it is increasingly citizens' skills and aptitudes which serve as the gateway to their participation in the economy. As such, the distribution of productive capital must also be understood to include educational resources, training and the like.

As such, the institutional structure of a POD would ensure that the ownership and control of both personal property and productive assets were broadened substantially – particularly amongst those citizens who under non-Rawlsian regimes, or regimes such as a WSC, would otherwise lack such ownership and control. This can be read as a move to broaden the opportunity bases for citizens' self-respect.

8.3.2. The sense of moral worth

In addition to providing a broad distribution of the opportunity bases for self-respect, the institutional structure of a POD can also be seen to provide substantial support for the first aspect of Rawlsian self-respect – citizens' sense of their equal moral worth. As I noted above, one of the defining features of POD is the importance it places on citizens' free and equal status being secured not only in law, but substantively too, such that.

> "…the worth of the political liberties to all citizens, whatever their economic or social position, must be sufficiency equal in the sense that all have a fair opportunity to hold public office and to affect the outcome of elections, and the like." (Rawls, 2001, p. 149)

As Rawls argues, the institutional structure of POD takes seriously the ideal of fair value of the political liberties in a way other interpretations of justice as fairness (such as the WSC model) cannot (Rawls, 2001, p. 138). Citizens

within a POD are not merely to have roughly equal *access* to the political system, but roughly equal power to *influence* it – from both within (in formal political roles) and without (as part of the electorate). This is to be secured by a range of institutional and policy tool aiming to:

> "…limit the effects of private and corporate wealth on politics, through campaign finance reform, public funding of political parties, public provisions of forums for political debate, and other measures to block the influence of wealth on politics (perhaps including publicly funded elections)." (Williamson and O'Neill, 2009, p. 5)

Our account of both the nature and development of Rawlsian self-respect allows us to say why this ought to serve as a particularly strong recognitional basis for self-respect. A legal system which granted citizens *formal* equal status may still retain some recognitional support for citizens' sense of moral worth in 'ideational' terms – as an aspiration or ideal. But this sense of equal moral worth would be unlikely to run very deeply were it the case that all (or some) citizens understood that in reality, this equal status were a facade. Living in a society in which the political system were heavily (and unequally) influenced by particular corporate, dynastic or socio-economic concentrations of power may not be *as* "humiliating and destructive of self-esteem" (1999, p. 477) as formal legislative inequality – but it would be a decidedly sub-optimal environment for individuals to develop a robust sense of their equal worth as citizens (DeLuca, 1995).

In addition to securing the recognitional bases of the first aspect of Rawlsian self-respect, the institutional structure of POD can also be seen to offer both 'opportunity' and 'associative' support for this sense of free and equal citizenship in two particularly important ways. Firstly, in terms of the opportunity to participate politically - it is important to note that the wide dispersal of property and productive assets plausibly addresses some of the most significant obstacles to citizens' participation in political life such as poverty, lack of control over time and insufficient education (Verba, Schlozman, Brady, & Brady, 1995).

Secondly, POD plausibly provides a much a stronger 'associative' basis, in which individuals' sense of free and equal citizenship might be nurtured. In particular then, POD can be seen to incorporate a kind of 'democratic mainstreaming', by which democratic processes come to be more widely and deeply embedded in social life.

Of particular relevance here is the way in which a POD would place a greater swathe of economic life at the subject of democratic decision-making. This much, authors note, would result from both the wider ownership of productive property POD would enact, and the greater control citizens (and particularly workers) could exercise over productive assets, both in terms of the organization of their workplace, and the decommodifying effects of their own property – which served to rebalance the power dynamic between labour and capital (Hsieh, 2009, p. 406).

Thus within a POD there would be greater opportunities, and greater associative support for citizens to develop the kinds of democratic competences – of say, judgement and the sense of efficacy – which are likely to bolster their sense of free and equal citizenship (O'Neill, 2008, p. 39). This is likely to act as a direct support for the first aspect of Rawlsian self-respect. And further, this expanded democratic control over a greater proportion of the economic sphere will also serve to further reinforce the mechanisms by which – in Rawls's view – citizens' status as a political equal can translate into a robust sense of self-respect.

This, I noted, was the requirement for a social context in which economic cooperation and inequalities are perceived to function in a genuinely mutually advantageous and fraternal manner – such that citizens' sense of citizenship were insulated from their positions of economic advantage. Through the distribution of productive property, and measures to equalize citizens' ability to participate fairly in economic and social life, POD has a plausible claim to bring about just such conditions. POD, unlike the WSC model, upholds a principle of reciprocity which serves to activate the political liberties as the primary basis for citizens' sense of self-respect.

8.3.3. Property-owning democracy and self-respect: An Illustration

The POD model then, closely tracks the account of self-respect I have reconstructed. I noted in Chapter 4 that the aspirations of justice as fairness in terms of supporting citizens' self-respect rested in large part on the guarantee of a society in which citizens genuinely experienced equal citizenship, in which they had the resources and opportunity to pursue their own good, such that they could look beyond their economic success and material wealth for affirmation of their status. These were the conditions Rawls saw as working to support citizens' development of self-respect – and they are in large part, the defining conditions of the POD model.

Let us summarise the claims above by way of an illustration. Let us imagine two citizens: Mary and Jane, who live in a POD style regime, and a WSC style regime respectively. Jane, let us suppose, is born into a very modest background. Her upbringing is supported by a mixture of her parents' wages and generous state benefits to address childhood poverty. The family lacks much in the way of quality time, but Jane grows up with most of the possessions children need or want. She receives a basic education, and shows a great talent for art - but leaves school well aware that her prospects of employment are limited. The society in which she lives permits her to enter whatever kind of career she likes, but she knows that in reality, many doors (particularly those involving high culture) simply aren't open for people like her. She accepts this with barely a flicker of injustice for, after all, the political system is not set up to favour people like her – and there is no meaningful prospect for her to influence it anyway. Life, Jane believes, is about making the best of the hand you are dealt, and looking after your own interests. And anyway, so long as she plays by the rules she should never want for an adequate income. Jane is content to take up a job as a waitress at a local restaurant, and whilst her hours are long and unsocial, she should be financially secure so long as she works.

Mary is also born into a relatively modest family – though in her case this means that her family own their own home through a social housing program, and a share in the businesses her parents work for. Whilst Mary's

parents work hard, they have the latitude to juggle their hours to ensure they can be around for the important moments in Mary's life, and from an early age they encourage Mary in her pursuits and in discussing how they might plan for her future. Mary also displays an aptitude for art, which is developed greatly at her successful local school – in which she mixes with aspirational students from a range of backgrounds. Mary leaves school determined to make her mark as an artist, and moves to study art at university. She graduates all the more confident in her creative abilities, and with a strong sense that she could contribute to the vibrant and accessible culture of her community. Mary's parents agree to remortgage their home in order to lend her the capital to start up a studio, and she begins producing art. The going is difficult at first, but Mary is buoyed by the security she has from the citizenship grant she received upon turning 18, which she is using to pay herself a modest salary until her business becomes profitable. She takes heart also from the creative community in which she finds herself, where both her work and her potential as an artist are supported by her peers, many of who are also benefitting from the grants they have received upon entering adulthood. Mary knows that her studio may well fail – but she is heartened by the fact that if it does so it will be because of her, and because she chooses to take her life in a different direction. There is no question that she has as much right and capability to succeed as any other similarly talented entrepreneur – and Mary would vigorously (and confidently) demand as much from the political and institutional structure around her.

What if anything differs about the cases of Jane and Mary? In some regards – particularly those I considered in chapter 1 – it may seem excessive to say that either lacked 'self-respect'. Jane's position is doubtless less desirable than Mary's – but by and large she remains a determined, self-directed individual with a sense of self-worth. She is, in many ways, a prime example of the kind of 'Tomasian' self-respect I described in Chapter 7. Her life does not lack purpose as such, and she may take great pride in, for example, providing for herself and her family, despite her inauspicious background.

But nonetheless when we look at the picture in terms of *Rawlsian* self-respect we are working with, the differences between the two cases become clearer. Jane may well have a sense of self-worth, but it does not appear that she has a meaningful sense that really is free and *equal* citizen along with her peers. Her acceptance of a secondary political status – as not really counting as a citizen – may well be understandable given her position – but is not something (crucially) that parties in the original position would be prepared to accept.

Nor would they be likely to accept that Jane has really had the opportunity to form a genuinely personal plan for her life. This is not to judge the choices Jane has made, nor to deny that she might rightly feel proud of what she has achieved in ways of pursuing them. But rather to say that given the opportunity, Jane may well have been able to pursue plans (perhaps, like Mary, involving artistry) which more directly drew upon her skills and interests, such that she could feel a deeper sense of confidence in her ability to pursue them, and a deeper sense that they were really *hers*.

For Mary on the other hand, the fulfilment of the conditions of Rawlsian self-respect seems clear enough. She has a strong sense that she is a free and equal member of her community – and of what this standing entitles her to. She can say with sincerity that the plans she has chosen are hers, and that she feels confident in pursuing them to the best of her abilities. Along with the openness of her society to people like her, both the personal resources, and the social support that she needs are available to her.

Thus parties in the original position, knowing nothing other than they wanted to feel a sense of equal citizenship, and confidently form and pursue genuinely personal plans, would I claim, have multiple reasons to choose a POD as the instantiation of the principles of justice they agree upon. As such POD provides us with a promising way to respond to the question of whether we can describe a basic structure of society which ought to support self-respect in a way that would satisfy parties in the original position. If the provision of adequate support for self-respect is to be a condition of acceptable principles (and institutions) of justice, then POD would appear to satisfy this test.

8.4. POD AND SELF-RESPECT: ONE AREA OF CONCERN

Is a POD the most effective institutional structure for ensuring the appropriate support for Rawlsian self-respect? In this final section I intend to answer it is not – or at least, not *quite*. One element of POD, as it is generally characterised should, I believe, be troubling for those with a concern for Rawlsian self-respect – just as it would trouble parties in the original position. This is the emphasis placed upon the value of 'productive economic engagement' by many proponents of POD (O'Neill & Williamson, 2012). I will point to a number of ways in which this particular aspect ought to be tempered – at least in terms of the account of self-respect I have developed.

As I noted, the POD model is concerned with not only the distribution of property per se, but – in particular – of *productive* property. And this stems in large part from a particular view about the relationship between productive engagement with the economy, and the development of self-respect, whereby the former is integral to the latter. The inability to engage in this way, Rawls argues

> "…is not only destructive of citizens' self-respect but also of their sense that they are members of society and not simply caught in it. This leads to self-hatred, bitterness, and resentment" (Rawls, 2005, p. lvii)."

Accordingly, Rawls and others (Moriarty, 2009; Hsieh in O'Neill & Williamson, 2012) argue that the basic structure ought to guarantee opportunities for 'meaningful' or 'fulfilling' work for all citizens.[88] This guarantee – alongside the more general facilitation of citizens' participation in economic life – is viewed as one of the major ways in which POD serves to support the development of self-respect (O'Neill & Williamson, 2012, p. 87). Importantly, it is assumed that this process of productive economic engagement performs a service (in terms of self-respect) that cannot be replaced by other forms of material support (O'Neill & Williamson, 2012, p.

[88] For a useful discussion of what 'meaningful work' may entail see Arneson (1987).

89). Thus proponents of POD view both welfare benefits and income supplements that are tied to *non*-productive characteristics of citizens with scepticism – and the suspicion that these are inferior bases for self-respect (Freeman, 2007, p. 229).

There is, I believe, a prima facie concern we should raise about this move based upon the analysis of Rawls's account of self-respect that I have set out. Inasmuch as exploitative work, or involuntary unemployment do constitute plausible harms to citizens' self-conceptions – there are two problems, I argue, with the analysis above. The first is that the treatment of 'productive economic engagement' as a necessary basis for self-respect appears to be either mistaken, or incoherent. The second, and more consequential, is that treating it in this way threatens to limit the efficacy of POD to distribute the social bases of self-respect in an acceptable way.

8.4.1. The problem with the productive engagement model

The claim that citizens' self-respect is best supported through enabling their productive economic engagement is supported by three arguments. The first of these we can reject quite quickly. This is the claim that one's own earnings from productive engagement confer a "degree of independence and security" which is lacking from income which stems from other sources most notably state benefits (Hsieh in O'Neill & Williamson, 2012, p. 156). On this reading state grants and benefits cannot offer the same security and independence to citizens as income derived from their private and productive property. This may be true in both absolute terms – in the sense that such income streams genuinely are more insecure – or in 'republican' terms, such that such income streams create the potential for insecurity and domination (Thomas in O'Neill & Williamson, 2012, p. 122). Either way such insecurity would limit the extent to which citizens could feel confident in their plans (or perhaps limit the ambition of the plans that they form). As such, state support of this kind might be thought to be a weaker basis for the development of self-respect.

This claim quite clearly rests upon an assumption regarding the security of private property which is dubious. For whilst it may be true than in contemporary society, property rights have a de facto robustness that is

lacked by state benefits subject to political discretion, this is surely a contingent, rather than necessary state of affairs. In a very real sense one's ability to engage productively with the economy, as well as the viability of, say, the business in which one owns a share (as well as the viability of that share itself) are equally dependent on not only the approval, but the good functioning of the state in question. Political policy can, for example, quite straightforwardly render a sector of the economy unproductive, limit access to various markets, or modify the terms on which capital holders can own or extract profit from private companies. That liberal states tend not to do these things is squarely a function of the given political climate, rather than their inability to do so.

As such, whilst productive and private property might offer a more secure basis for life-plans in society as we know it, there is no reason to suppose this is a deep or essential feature of a well-ordered society. Any means by which the features of a POD (such as, for example, a commitment to full employment) could be 'fixed in place' (whether by constitutional means, institutional inertia or citizens' deep identification with them as constitutive of justice) apply just as equally to state benefits and other forms of non-productive income.[89]

There is thus no compelling reason to suppose that income earned from productive engagement must offer citizens a greater sense of confidence in their endeavours. But might it offer greater support for their self-respect in other ways? A claim of this kind is made with regards to citizens' own relationship with the income that they earn, rather than that which they are 'granted' from other sources. This is to draw upon the kind of argument I addressed in chapter 6 such that citizens who earn income through their own productive economic engagement might tell themselves that they are the 'central causes' of their financial security – whilst those who do not 'provide for themselves' may feel like 'passive beneficiaries' and find their status 'diminished' as a result (O'Neill & Williamson, 2012, pp. 88–89).

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[89] Indeed this is surely the case with a range of state benefits that are extremely secure given their wide uptake. Pensions are perhaps the clearest example.

This claim though, is vulnerable to the same argument that I brought to bear upon Tomasi's claim. This is to say that the notion of one's being a decisive cause of one's material security – from which citizens might derive their sense of self-worth is (for all its rhetorical power) surely illusory. Any given citizens' ability to be 'self-sufficient' within a complex economic marketplace is deeply contingent on historical and social factors, and patterns of social cooperation which are in no meaningful sense under their control.[90] Thus this self-conception risks being mythological, and its reification in social policy would appear to constitute the "[promulgation of] false or unfounded beliefs" which Rawls warned against (Rawls, 1999, p. 480).

Nonetheless, such claims abound[91] – and as such, it might be argued that the idea that one's productive engagement simply *is* a basis for one's sense of dignity is some kind of 'hard moral fact' which parties in the original position must accept. In support of this, it may be said that from a citizen's own perspective, productive engagement and self-respect are intimately linked, with substantial psychosocial evidence that unemployment and economic exclusion can be highly damaging to citizens' senses of confidence, self-worth and self-esteem (Karren & Sherman, 2012; Knabe, Rätzel, Schöb, & Weimann, 2010).[92] These harms, it might be supposed, justify the claim that 'productive engagement' is vital for citizens to avoid feelings of shame and purposelessness.

The problem faced by this claim is that, of course, such research is conducted within societies in which substantial de facto stigma surrounds those who are out of work (Jahoda, 1981). It is thus unsurprising that harms to self-respect and unemployment should be related in this way – and this tells us little about the degree to which it is unemployment *itself*, as opposed to the

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[90] For example, a physically frail computer programmer may be 'self-sufficient' in the 21st century, in a way that a physically strong but cognitively limited individual may not be. But in other historical epochs, when physical labour made up the bulk of the labour market, quite the opposite may have been true.

[91] Indeed they are a staple of the present Conservative approach to welfare and employment. (Duncan Smith, 2010)

[92] Whilst such measures typically focus upon citizens' sense of self-esteem, worth or mental health – these findings bear enough resemblance *mutatis mutandis* to the elements of Rawlsian self-respect as to be compelling.

social perception of unemployment, which produces harms to individuals' self-respect. And indeed, there are good reasons to suppose that it is the latter which is the true threat to self-respect. For example, research by Hetschko et al shows that upon exiting the labour market through retirement, individuals suffer a far lesser set of harms to their wellbeing than those who exit the labour market due to unemployment (Hetschko, Knabe, & Schöb, 2013). The mechanism for this, the authors claim is that:

> "Upon retirement, people change their social category and face a new set of social norms in which working does not play a role. The former unemployed are not expected to work anymore and they no longer aspire to be employed." (Hetschko et al., 2013, p. 16)

Their findings indicate that the primary means by which unemployment impacts on individuals is by placing them in a situation where they fail to conform to social norms regarding gainful employment (Hetschko et al., 2013, p. 2). This is to say then, that is the social and self-expectation that one 'ought' to be productively engaged, that lies behind much of the harms to the self-conception of those who are unemployed. And when these social (and self) expectations are removed – such that the shame of not working is no longer present, many of these harms abate.[93]

It appears then that this hard moral fact, if it exists, is not one which is intrinsic to the individual, but rather a product of the social norms that surround them. But it a hard *social* moral fact nonetheless? Rawls and others appear to believe that it is – arguing that it is part of the fabric of a well-ordered society that citizens would expect one another to work, and

[93] It may be objected that individuals' sense of dignity in their retirement stems from the fact that they *had* been productively engaged previously – and as such the hard moral fact remains. The research in question indicates the opposite however, such that individuals who had themselves suffered long-term unemployment and who were forced into early retirement experienced not a weaker, but a *stronger* positive effect in terms of their self-conception (Hetschko et al., 2013, p. 16). This offers support for the hypothesis that it is the change in social status (rather than past productive economic engagement) which is the decisive variable for self-conception.

disfavour those who choose not to (Freeman, 2007, p. 229). Thus Hsieh for example sees it as a positive feature of POD that:

> "In ensuring there is no class of individuals who can afford not to work, property-owning democracy expresses a certain ideal of equality with regard to the nature of contribution expected from each individual." (Hsieh in O'Neill & Williamson, 2012, p. 156)

This sentiment is directed 'upwards' in society, such that none should be 'above' working through, for example, hoarding capital. But by resting on an assumption that each member of society should be contributing economically it clearly applies more widely. Productive economic engagement, on this reading, fulfils the condition of reciprocity that Rawls expects to guide a just society.

But what ought to be clear is that there is an elision between 'productive economic engagement' and 'contribution' here, which is difficult to justify. Citizens, of course, can contribute in a great many ways that are not economically priced. Domestic labour, carers, and volunteers are obvious examples – and, as feminist theorists have demonstrated repeatedly – the structures of what are classed as work are not only open for contestation – but typically gendered in their prevailing interpretation (C Pateman, 1988). It is far from clear as to why *from a Rawlsian perspective*, a parent who volunteers at a local soup kitchen ought to be viewed as contributing less to society than, for example, a hedge fund manager whose economic contribution – though highly rewarded – is of dubious merit to society. Speaking more generally it is far from clear as to why *from a Rawlsian perspective* it is the market that is to decide which kinds of labour are 'socially contributive' and which are not.

As such, proponents of POD offer us no reasons to suppose that the 'hard social esteem' applied to productive economic engagement can be conceptually or factually separated from observations applying to 'social contribution' more widely. And further, given that social evaluations of who is contributing do not – even in existing societies – track 'productive economic behaviour' (Musick & Wilson, 2007, p. 460) or remain stable over

time[94] the claim that productive economic engagement is an essential social basis for self-respect look hard to sustain.

To reiterate, there are surely very good reasons (particularly of self-respect) to ensure that economic engagement is widely available for all who desire it – and proponents of POD are surely correct to say that it would have major (negative) implications for citizens' self-respect were they unable to choose to meaningfully take part in economic life in a secure and self-directed way. But the question at hand is as to whether POD is justified (in terms of supporting self-respect) by making productive engagement 'the only game in town'. The arguments offered for such a move cannot sustain this claim.

8.4.2. The harms of the productive engagement model

Supposing that productive economic engagement need not be an irreplaceable social basis for self-respect, is it nonetheless problematic for POD to treat it as such? I wish to conclude by arguing that it is – in terms of self-respect in particular. We should, I argue, consider how the social privileging of productive economic engagement will affect those for who it is not a good fit with their personal characteristics or abilities. The most obvious examples include those who are ill or disabled such that they are simply unable to partake in, for example, paid labour. These citizens, who in addition to being excluded from a key sphere of economic advantage, are now also denied access to the privileged social status which POD holds up as constitutive of a dignified life – with obvious implications for their sense that their own endeavours are worthy.

Proponents of POD face two choices at this point. They may firstly respond that such individuals ought to be catered for by other aspects of the institutional structure of society – such as a system of disability benefits or medical support. However, it is not clear how this addresses the prospective harms to the self-conception of these individuals for who the privileged social status of 'worker' is unavailable. Not least if, as proponents of POD

[94] One supposes that few children today are viewed as 'not contributing' by attending school rather than labouring. Historically though, such a view would have been common (Kirby, 2003, pp. 30–36).

claim, sources of non-productive income are inherently diminishing to status.

Alternatively, proponents of POD may wish to point to policies such as the opportunity for meaningful work, and argue that ill or disabled people may still be brought into the labour market – albeit in deliberately non-competitive sectors, or organisations – such that they too can achieve the status of 'worker'. But here the incoherence of the focus on productive economic engagement becomes clear. For if the work in question does not – on its own terms – have a market value, and would not exist absent state subsidy, then it is not clear how it is a meaningful form of productive economic engagement, rather than a thinly veiled form of social assistance the like of which POD is suspicious of.

This is not to diminish the importance of projects which support the entry/re-entry of disabled people who wish to work into the labour market.[95] Rather, it is to say that what is significant in such cases is not the *economic* engagement, but the *social* engagement. What matters is not the productivity or economic engagement of the individual per se – but rather their (and their peers') sense that they are, to use Rawls's words: 'doing their share'. But if 'doing one's share' can be cashed out in non-economic terms here, it can surely be done so elsewhere too.

It may be objected here that the example of disabled people stands, once more, outside of bounds of a theory of justice such as Rawls's. There are many reasons to be sceptical of this point.[96] But for our purposes it is sufficient to note that disabled people should be seen as part of a continuum which also includes individuals who, whilst they are not severely sick or disabled, simply do not possess the skills or capacities which would allow them to not only participate, but *thrive,* in the labour market. This is to say that there will – in any imaginable labour market – be many 'normally functioning' citizens for who the benefits of labour are to be highly limited,

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[95] For a good example see the Remploy scheme which ran until recently in the UK (Yates & Roulstone, 2012)
[96] In particular see Stark (2007)

such that the marketplace does not demand the skills which they have, and which they take to be of value.

Labour markets at any given time reward and encourage quite particular and quite limited sets of skills. As such, the rewards that different citizens can derive from work will vary also. 'Work' will give some the sense of exercising and developing their cherished skills and capacities in the way Rawls describes as significant in terms of self-respect. But such individuals are likely to be the exception, rather than the rule (Goos & Manning, 2007). Even with a commitment to making work meaningful – it is highly unlikely that labour market demands will fit neatly with many citizens' cherished skills, commitments and characteristics. Worse still, we should also note that for the most part, individuals who are in some sense unsuited to 'work' are already likely to be amongst those who would – under a Rawlsian schema – be counted as those least advantaged in terms of the possession of *other* primary goods. Thus their inability to derive a sense of worth and value from the dominant respect-worthy status of that society is doubly troubling.

Rawls's apparent solution to this issue is to point to the wide range of non-labour public spaces and organisations in which individuals can pursue the skills and interests that they may not get to develop in their workplaces (Rawls, 1999, pp. 476–477). But this response serves only to underline the serious inequality in access to the social bases of self-respect which would be introduced by, for example, the requirement that "all able-bodied persons should be encouraged to work in a well-ordered democracy" (Freeman, 2007, p. 229). The idea that workers whose skills and interests are not valued by the market should pursue their interests and exercise their valued skills only *outside* of working hours highlights, rather than compensates, the disadvantage this group faces in accessing the opportunities to pursue their plans, in contrast to those workers whose jobs are harmonious with their plans and abilities.

It may be responded that this argument fails to appreciate the kind of project Rawls was engaged in. Rawls's concern to stipulate the conditions for pure procedural justice can be used here to argue that he would not expect all citizens to have identical ability to pursue their plans, or to derive equal

satisfaction from work (Rawls, 1999, pp. 73–76). As such, the argument might go, these kinds of concerns regarding the inequality in day-to-day access to the social bases of self-respect lie outside of the scope of (at least) Rawlsian justice, and would be permitted by the distributive standards of sufficiency I set out in chapter 5.

What this claim fails to address though is the extent to which the inequalities in access to the SBSR that stem from *privileging* work within citizens' conceptions of the good are likely to be systematic and deep in nature. This is to reiterate that those citizens who find their interests and abilities as widely valued by the society and the market around them are – in a strong sense – advantaged once already. Not only are they free to pursue their conception of the good in (perhaps) one of the central spheres of their life, but given the value applied to it by others, they are likely to receive substantial material and associative support along the way.

However, those whose skills and interests are not valued by the market are – in proportion with the strength of the focus on productive economic engagement – doubly disadvantaged. Not only are their abilities and interests less likely to be rewarded and esteemed – but they are also to be denied (for a substantial proportion of their time) even the subjective satisfaction they will glean from pursuing these interests themselves. They must bear not only less esteem for their personal plans and capabilities – but worse, lesser time and space in which to pursue them. In addition to the likely financial cost of eschewing productive economic engagement, they must, under POD, face the social stigma of standing outside of the dominant esteem-worthy activity. In this sense it is quite plausible that the prospects for these citizens – doubly afflicted – to develop a sense of robust self-respect would not reach the level of sufficiency that I set out.

Thus if we wish to say – as Rawls does – that the pursuit of our *personal* plans and capacities is at the heart of the development of our self-respect, then it is hard to see how we can demand that these be fulfilled (in large part) within labour markets without drastically, and *systematically*, truncating and unequalising citizens' ability to form and pursue these plans. Whilst proponents of POD have very good reasons for making sure work is

available to all those for who it *is* central to their self-conception – the move to reify productive economic engagement as central to citizens' self-conception is in many cases as likely to inhibit – as to support – the development of the self-respect of those least advantaged.

8.4.3. A modification: Pursuing a basic income within POD

My claim then, is that not that POD needs to abandon its focus on the workplace (which remains a vital forum in which self-respect can be nurtured), but that this focus ought to be supplemented by a wider range of policies. These would address the needs of those for who the workplace is not a suitable site for them to develop and pursue their plans, but who can nonetheless contribute to and participate in society in other ways. Thus for example, moves to recognise volunteer work, domestic labour and caring duties on a par with that of formalised labour would be essential (McKay, 2001). This requires a shift in the emphasis placed on work within a POD, with its moving from a role that is expected from every citizen, to one that will be open to every citizen. And it will likely involve some steps to ensure that non-work participation in society be (at the least) economically viable (Fraser 1997).

In Rawlsian terms this might be achieved through the provision of a 'social minimum' to citizens who do not work (Rawls, 1999, pp. 251–253). But this would risk contributions outside of the workplace remaining stigmatised – as a poor imitation of 'proper work', and not due the benefits of full reciprocal advantage. As such a more promising policy might be to draw upon the strands of thought within the history of POD (and elsewhere[97]) which advocate the introduction of a basic income to all citizens, predicated upon the contribution each member of society makes qua citizen (Jackson in O'Neill & Williamson, 2012; Van Parijs, 1991).

I do not have space to explore this idea in full[98] – and a number of concerns may be raised, particularly regarding the effects on women's entry into the

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[97] For an excellent overview see Widerquist, Noguera, Vanderborght, & De Wispelaere, (2013)

[98] For a more developed account of what a Rawlsian basic income may entail, see McKinnon (2003)

labour market (Robeyns, 2001). However, supposing that these can be overcome (Baker, 2008; Carole Pateman, 2004) the advantages of exploring such a policy as a means of further supporting citizens in the development of their self-respect are substantial. Such an income would provide the resources and space for citizens to engage in meaningful reflection and planning I discussed in chapters 3 and 4 (Haagh, 2011). It ensures that those citizens who are not 'conventionally productive' need to have their options truncated within economic roles which do not permit their fulfilment of an 'Aristotelian Principle' style life-plan (McKinnon, 2003, p. 148). And should they wish to engage productively with the economy, a basic income offers a further source of security (alongside the other elements of POD) upon which they can do so (E. O. Wright, 2006).

Perhaps most importantly though, by shifting the social basis for self-respect away from work, and onto a far broader range of ways in which individuals can contribute, a basic income (appropriately designed) would both *broaden and equalise* the distribution of key social bases for self-respect. More citizens would be afforded more platforms on which to develop their plans and sense of worth. In this sense then, it brings POD much closer to meeting the appropriate distributive standards I laid out for self-respect in Chapter 5.

Much would need to be stipulated clearly. But what of potential Rawlsian responses, not least Rawls's own view that "We are not to gain from the cooperative efforts of others without doing our fair share" (Rawls, 1999, p. 301). It is worth noting that whilst scholars typically read 'fair share' as 'paid work' in this context[99] (Freeman, 2007) it applies equally to the kinds of non-economic contribution I have described above, and which nearly all citizens – in some mode or other – take part in.

[99] Freeman (2007, p. 230) argues in this vein that "if people – whether more advantaged or less advantaged – choose not to work, then they cannot reasonably complain when they are not provided with income supplements designed for those who do work but are still least advantaged." This claim is deeply unconvincing, given that what is under question is precisely the *design* of said income supplements. A similar point applies also to White (1997, pp. 321–322)

Furthermore it is worth pausing to consider just how likely it would be to find citizens who really did not take part in the social and economic life of their community in some significant way. Inasmuch as examples of 'selfish' surfers and the like abound (Van Parijs, 1991; White, 1997) there are good reasons to suppose such individuals would be few and far between in the *Rawlsian* society I am discussing. The account of self-respect upon which I am resting so much of this account of justice is, after all, predicated on Rawls's belief that citizens desire to pursue their good in cooperation with others. It is – as I noted in chapter 3 – the recognition of others, and the participation in one another's plans that (for Rawls) enables us to feel a sense of worth in our plans, and confidence in our ability to pursue them with ever greater depth and command.

Likewise, we should also heed Rawls's claim that it is an element of an appropriate account of justice that it ought to generate its own support in citizens, such that they identify with its content, and desire to uphold it (Rawls, 1999, p. 154). As such, it is not clear why and how many citizens would arrive at lifestyles which excluded themselves from society, and eschewed contribution in favour of selfish pursuits. Not least in a POD, in which the social and political determinants of social exclusion are so thoroughly addressed.

And should there still be some citizens who really do not 'contribute', it is still far from clear that instituting a social expectation regarding productive engagement – with its known harms for self-respect of those for who work is not advantageous – would be a proportionate response. It may satisfy reciprocity in one sense to ensure that all contribute in a socially identifiable way. But if this kind of required contribution comes at the cost of other citizens' ability to define and pursue their own good in reciprocal, contributive relationships with their peers, then in Rawlsian terms, it is far from clear that this is a price worth paying (McKinnon, 2003, p. 145).

8.5. CONCLUSIONS

Our work in identifying, clarifying and reconstructing the Rawlsian account of self-respect left us with the question of what, if any, institutional

realisation of the principles of justice could offer the support for this good that Rawls demands. In this chapter I have argued that the key aspects of Rawlsian self-respect – and the social conditions which Rawls supposes would support their development – match closely with the key advantages of Rawls's favoured institutional structure: the property-owning democracy.

A POD would – in terms of both preserving fair equality of opportunity and the fair value of political liberties – serve to mitigate two major threats to citizens' development of the plans and sense of moral worth that underlie self-respect. But perhaps more significantly, through the wide dispersal of both property and productive assets – particularly forms of human capital – a POD would offer precisely the kind of security, and sphere of action in which citizens could undertake the (not insubstantial) kinds of planning, reflection and experiencing necessary for them to form the kinds of genuinely personal, worthy-feeling plans which they could confidently pursue.

In this sense then the policies and institutional design which characterise a POD appear to offer a broad and substantial distribution of the social bases of self-respect. However, I noted that the emphasis of POD on one of these in particular – the ideal of 'productive economic engagement' – appeared to be both unnecessary, and potentially harmful. By privileging one particular basis for self-respect, I claimed, it risks excluding many citizens who were already disadvantaged in other ways.

Instead, I argued, proponents of POD can offer greater support for self-respect were they to incorporate a basic income style element into their proposals. Such a policy would serve to broaden and deepen the support for citizens' development of self-respect in at least two ways. Firstly, by increasing the degree to which individuals may securely plan and pursue their life plans unencumbered by economic concerns. And secondly, and most crucially, by shifting social patterns of esteem away from productive economic engagement, and on to the broader and more plural set of socially contributive actions in which almost all citizens can, and do, engage. Such a move, I argued, greatly increases the degree to which a POD can support the self-respect of all citizens. And it does so, I argued, whilst remaining true to

the values of expanding opportunity, citizens' self-direction, and the sense of reciprocity and fraternity to which POD is (rightly) committed.

9. CONCLUDING REMARKS

Over the course of this thesis I have pressed three claims. The first of these is that for all the expositional difficulty Rawls has with the good of self-respect, there is a usable account of Rawlsian self-respect to be had. It is an account which is more sophisticated than many critics have claimed, and one which neatly straddles both philosophical and psychological accounts of self-conception. Furthermore, it is an account which marries up neatly with Rawls's wider project. It reinforces the role Rawls affords to the conception of free and equal citizenship. It serves to account for the factoring of the social order that stands at the heart of the principles of justice Rawls sets out. And it justifies his claims that self-respect is the most important primary good.

The second claim which I have argued for is that this reconstructed account of self-respect serves to shine new and interesting light on Rawls's theory of justice. It does so in the sense that it allows us to elucidate the moving parts of Rawls's theory, such that we can account for how, where and why self-respect features. But it also does so, I claimed, by allowing us to revisit a number of areas where Rawls's approach to justice is commonly questioned.

In particular, the account of self-respect I have offered suggests that two common claims about Rawls ought to be rejected. The first of these is that Rawls stands as a kind of crude distributivist, who fails to take into account the significance of the relationships between citizens, and social patterns of respect and esteem. This characterisation, I showed, is incompatible with the role Rawls affords to the processes of recognition and associative support for self-respect—which Rawls views as an essential part of a just basic structure.

Secondly, the account of self-respect I have set out requires us to reject the characterisation of Rawls as an apologist for inequality, for whom the permission of great economic disparity was a matter of small or secondary concern. On the contrary, I showed that once we take Rawls's commitment to self-respect into account, a number of egalitarian concerns are triggered. These include the extent to which all citizens must be afforded not only the

resources to get by, but also those needed to lead lively, fulfilling lives in which each is meaningfully author of their own destiny. And further, the focus on self-respect gives us reasons to suppose that material inequalities—particularly when they betray non-fraternal social sentiments—would interdict the processes by which the principles of justice as fairness work to support self-respect.

Thirdly, and finally, I have pressed the claim that a fuller understanding of Rawlsian self-respect allows us to see its resonance in contemporary scholarship on Rawls's work. As such, we are offered an additional (and important) perspective by which to assess prospective claims to the Rawlsian legacy. The examples I considered showed that the account of self-respect we developed leads us away from more market-friendly interpretations of Rawls's work, and towards the more thoroughgoing egalitarian models such as the property-owning democracy which Rawls himself favoured. If anything, the considerations of self-respect I have raised give us reason to push such models even further in terms of their egalitarian character.

These three claims, I believe, offer a valuable and original perspective on a crucial question within scholarship on Rawls. By way of conclusion, I would like to raise and address a fourth such claim—one which lies outside of the scope of the reconstructive project I have undertaken but which is relevant by way of summary.

This is to address the idea that – particularly in the face of other kinds of injustice, poverty or hardship – a focus on self-respect (perhaps within political theory) is something of a distraction, or perhaps a platitude. Who in good conscience, it may be asked, would deny that citizens' having a sense of self-respect were desirable? But are such considerations so prosaic as to be irrelevant to real-life questions of justice?

Such a view would need to be addressed in greater detail than I can offer here, but a preliminary response is possible. The first point to make would be that the account I have defended supports the view that questions of respect and recognition are inevitably entangled with questions of resources

and power.[100] This is to say that the dichotomy between 'material' or 'tangible' distributive questions, and those relating to citizens' status and self-conception is a false one. Injustices in both regards are inherently related and neither can be addressed without reference to the other. Normative inquiry in this area is likely to be aided by the recent growth in research into the relationship between individuals' status and their socioeconomic prospects.[101]

Secondly, it would be complacent to suppose that any of the aspects of self-respect we have identified can be taken for granted. Although citizens' equal political status *may* be taken as read in some existing liberal democratic states it is important to recognise that even the notion of such equality—both politically and legally—is a relatively recent historical occurrence. Indeed, the sentiment that some citizens are inherently *unequal* has been explicitly cultivated by many States, through structures of feudal, colonial, racist and patriarchal oppression (Fraser, 2009; Young, 1990). The echoes of these acts still reverberate around us. Race, gender, inequality and class structures *not only still* determine citizens' participation, but even condition their *sense* that they are valid participants in the first place (Jennings, 1983; Solt, 2008; Verba et al., 1995). And trends in most liberal democracies run towards citizens feeling less able, and less willing to meaningfully raise their voice in the political arena.[102]

Something similar can also be said with regards to citizens feeling that their lives and plans are worthwhile. Once more, it is only in relatively recent history that the notion that all citizens—regardless of race, gender, sexuality or class—were entitled to lead lives more or less as they pleased. Only relatively recently too, has it been the case that most social positions were—even in principle—open to all citizens. And of course even where formal

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[100] See Fraser and Honneth (2003) for an extended discussion of this point.
[101] See O'Neill (2010) for a discussion of how the kinds of research summarised by Richard Wilkinson and Kate Pickett's *The Spirit Level* (2009) may be integrated into normative theory.
[102] For a good example, see the report '*Voter engagement in the UK*' by the House of Commons Political and Constitutional Reform Committee (2014).

equality of opportunity is enshrined, most societies fall dismally short of this ideal in practice (Kopczuk, Saez, & Song, 2010).

Furthermore, in many developed states, senses of purposelessness, hopelessness and alienation dominate the lives of millions (Rait et al., 2009). So much so that every year, thousands of these citizens take the step to end their lives (ONS, 2015) not, most commonly, for reasons of want or poverty but because they cannot find meaning or value in the world which surrounds them. Societies are, in a very real way, only just beginning to confront the true scale of depression, stress and other mental illnesses—each of which have sociological components (World Health Organization and Calouste Gulbenkian Foundation, 2014). In this sense, questions over what kinds of social, economic and political structures enable citizens to develop the sense that they (and their life plans) have value are becoming ever more pressing questions for normative and empirical social researchers.

And amongst those lucky enough to live in developed economies—to feel their lives are valuable, their plans worthwhile, their actions purposeful—how many of these are also aware of how fragile and precarious this state of affairs is? How many millions are one redundancy, one accident at work or one illness away from seeing the lives and the plans they have made become unsustainable (Himmelstein, Thorne, Warren, & Woolhandler, 2009)? How many millions must chip away at their commitments, their hopes and their ambitions, bit by bit, each time the price of fuel, food or accommodation rises?[103] How many millions, for that matter, are living the lives they would choose to lead if they were even as affluent as the average person in their community?

Thus what may seem like platitudinous commitments to citizens having a robust sense of their equal worth, or a lively sense that their lives and their plans are of value, instead stand as pervasive and serious questions for

[103] For example, the most recent year for which records are available (2012) an estimated 2.28 million *households* in Britain were living in what is termed 'fuel poverty', i.e. required to spend more than 10% of their income on fuel to maintain an 'adequate' standard of warmth (Department of Energy & Climate Change, 2014, pp. 5–9).

societies as we know them. Not all of these problems may be solvable. And there may be other ancillary reasons for us to tolerate them. But what is undeniable – on the analysis I have provided – is that there are *questions* of justice to be posed in such cases, and that the idea of self-respect provides us with a distinctive and important lens through which to view them. In this regard (as in many others) I submit that Rawls saw further.

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