PART ONE: BUSINESS AND PHILOSOPHY

CHAPTER TWO: ETHICAL THEORY AND THE FREE MARKET

self-evident by a rational concept, and, therefore, is specifically distinct from all feelings of the former kind, which may be referred either to inclination or fear. What I recognize immediately as a law for me, I recognize with respect... The object of respect is the law only, that is, the law which we impose on ourselves, and not which is necessary in itself... Respect for a person is properly only respect for the law (of honesty, etc.) of which he gives us an example.

The difficulty about this view is that contempt for persons seems, prima facie at any rate, quite compatible with meekness, in acting on principles. One could take careful account of a person’s interests, for instance, as a guardian might of his ward, and yet have and show contempt for him as a person. It does not look, therefore, as if the appraisal which goes with respect for law or principles necessarily either coincides with or implies that which is necessary for respect for persons.

Kant, however, had a distinctive concept of law, at least in the practical sphere, in that for him the thought of such laws was inseparable from the thought of the autonomous rational beings who created them. The principles of practical reason were not “out here” to discover; they were not, as in Plato’s system, principles per-secuting the nature of things which a rational being might discern; they were the creation of individuals possessed of reason and desire. Kant’s conception of law was therefore inseparable from his belief in the activity, dignity, and worth of rational individuals who created it. For him the existence of individual rational beings was not just a fact about the world; it was a fact of supreme ethical importance. The notion of “persons” picked out not simply the fact; it also bore witness to the ethical importance of the fact. And this fact was intimately connected with the activity of men as rational beings in deliberating about what they ought to do.

THE MEANING OF “RESPECT FOR PERSONS”

There is much to be said for this doctrine of Kant in that the notion of being a person is connected with “being on the inside” of those experiences which are characteristic of practical reason, of acting on principles, and of determining the future in the light of knowledge of the past and awareness of what may be. Choice, which is immediately connected with the exercise of practical reason, is too narrow a concept for it implies deliberation between alternatives. It does not cover such things as the grasp of rules, the formulation and statement of intentions, and the making of promises by means of which individual determines the future. Notions like that of “endeavor” used by Spinoza to characterize a general tendency to persist in a form of being are too general; for they apply also to plants and other homoeostatic systems which are not conscious of themselves or of the past and future. The notion is much more that of an assertive point of view; of judgments, appraisals, intentions, and decisions that shape events, their characteristic stamp being determined by previous ones that have given rise to permanent or semi-permanent dispositions. The shaping of a pattern of life in this way is constitutive of what we call an individual person. When it is said that a man who brainwashes others, or who sells their lives for them without consulting them shows lack of “respect for persons,” the implication is that he does not treat others seriously as agents or as determiners of their own destiny, and that he disregards their feelings and view of the world. He either refuses to let them be in a situation in which their intentions, decisions, appraisals, and choices can operate effectively, or he purposely interferes with or nullifies their capacity for self-direction. He ensures that for them the question “What ought I to do?” either scarcely arises or serves as a cork on a tide of events whose drift derives from elsewhere. He deprives them the dignity which is the core of a self-determining agent who is capable of volition and choice and who has a point of view of his own about his own future and interests.

The notion of a “person,” which is picked out by reference to such notions connected with being an assertive point of view, is narrower than the wider notion of being an “individual.” For instance, the individual’s awareness of pain, or his visual experience, is not necessarily a manifestation of his existence as a person; if it were so dogs and octopuses would be persons. Yet the principle of consideration of interests could be applied to dogs without ever treating them as persons. A policy would have to be pursued.
which took account of avoiding pain for them and maximizing their opportunities for satisfaction. This would be done without "respect for persons"; for the dog's point of view about his form of satisfaction would not be taken into account.

It is possible, too, for individual men and women to live together in society without any clear consciousness of themselves as persons. They might be thought of as having claims or interests, as occupying a certain status, but their view of such matters as individuals might be totally disregarded. Societies are really nothing more than groups of individuals who are initiated into and accept and maintain a public system of rules. Nevertheless it is quite possible for people to live in societies without any awareness of the determining role of individuals. Indeed they may not distinguish clearly between a social order and a natural order and may think that individual men are comparatively impotent in relation to both of them. Though we might say that they were potentially individual persons who had been conditioned to accept a rather word-like existence, they might nevertheless have no consciousness of themselves as persons.

They might be conscious only of their particular social roles and of their general kinship with other members of the society. They might have neither respect for persons, no consciousness of either themselves or others as persons in any important sense. People only begin to think of themselves as persons, centers of valuation, decision, and choice, in so far as the consciousness is individuated into distinct clusters, linked with distinct physical bodies and with distinctive points of view, is taken to be a matter of importance in a society, and they will only really develop as persons in so far as they learn to think of themselves as such. The concept of being a person, in other words, is derivative from the valuation placed in a society upon the determining role of individual points of view. Individuals will only tend to assert their rights as individuals, to take pride in their achievements, to deliberate carefully and choose "for themselves" what they ought to do, and to develop their own individual style of emotional reaction, other words they will only tend to manifest all the various propensities which we associate with being "persons"—if they are encouraged to do so. They would be persons only in the sense that, if such rights were true in virtue of which they had such rights; but if such rights were not recognized they would not be treated as persons, would not think of themselves as such. Even in a society which, because of the importance we attach to individual points of view, is permeated by the concept of a person, an individual who was systematically discouraged and sat on might have such a low opinion of himself that we might be inclined to say of him that he did not get the concept of himself as "a person." What we might mean is that he had the concept of a person but that, because of special circumstances, he was incapable of applying it to himself. Presumably, at certain periods, slaves have been in just this predicament.

In our society being a person matters very much. Individuals are encouraged to judge and choose things "for themselves" and shoulder responsibility for the consequences of their actions as individuals and are praised and blamed accordingly; they feel pride for things well done and guilt and remorse for things badly done. They are encouraged to determine their own destiny and, to a certain extent, they are so because our society encourages this form of individual assertion. This consciousness of being as an individual person rather than just a member of a group is therefore of the utmost importance to the purpose of other men, and to have his feelings completely disregarded is intolerable for a man who is conscious of his own potentialities as self-determining agent. It may not be so, of course, for a man who has always been of the and who has no consciousness of what he might achieve as an agent; there is no reason to suppose that slaves were discontented with their lot as long as they viewed their situation as part of the order of things.

**The Question of Justification**

It has been argued that it is so far as a man has the concept of himself and others as persons, they must have been initiated into a society in which there is a general norm which attaches importance to the assertive points of view emanating from individual centers of consciousness. A man develops as a person in this concept of himself and of others develops. He also comes to value what is involved in being a person for what there is in, as distinct from the importance attached to it by the social norm. To ask him, therefore, whether he would be regarded as a person like asking a man whether he ought to be afraid of a dangerous situation; for the concept of respect is necessary to explain what is meant by a person. He has the concept of person and understands it fully from the beginning, just as an anthropologist might understand, or fail to understand, a concept purely on the basis of external observation, then he must also have the notion of person and this notion is not a distinct assertion point of view.

The explication of a concept, however, never settles a question of policy. The problem is to produce an argument to establish that any rational being must have the concept of a person and therefore respect others and himself as such. The procedure must therefore be to return to the situation of practical reason and to show that respect for persons is a presupposition that any participant in such a situation must accept. An argument must be advanced to show that it would be impossible for a man to take part seriously in the situation of practical reason who lacked this basic attitude to his fellow participants. Such an argument is not far to seek. Indeed it has been implicit, as would be expected, if the lines of the analysis of "person" are correct, in the various characterizations of what it means to be a person. The concept of person is connected with the individual being the determiner of his own destiny, and with representing an assertive point of view. These phrases are attempts to intimate the sort of presuppositions that any man must have about himself and about others if he is to enter into any rational discussion with them about what ought to be done.... Any man entering such a discussion seriously must claim from internal evidence for doing what there are reasons for doing and must assume that consideration must be accorded to him in so far as he has interests whose
nature he wants to determine. If he was going to be subject to arbitrary interference, and if no prima facie action was going to be paid to his assessment of his interests, a discussion would lack any point. He must presume, too, that what holds for himself holds also for any other man who seriously joins him in trying to answer such questions.

Within such a discussion, too, the principle of impartiality requires that he listen to what people say and attempt to or disent from their contributions according to relevant criteria, e.g., the quality of arguments adduced, and ignore irrelevant considerations such as the color of the eyes or hair of the contributors.

These general principles governing the situation of practice, reason are precisely those which safeguard the experiences which we most intimately associate with a person, i.e., not being arbitrarily interfered with respect for the execution of our wants and decisions and not having our claims and interests ignored or treated in a partial or prejudiced manner.

It may be found, of course, that particular people are inarticulate or stupid, or that they are dishonest in the manner in which they advance claims. All such factors are relevant in the attention paid to particular people on particular occasions. But the argument is not meant to show that anyone must do anything particular on any particular occasions. Rather it relates to prima facie principles which a man must in general accept if he is determined to settle things, in so far as he can, by...