

Justice as a Self-Regarding Virtue

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1. Justice has long stood out among the virtues as being an “other-regarding” virtue. As Michael Thompson writes, “The mark of this special virtue of human agents [justice], as Aristotle says, is that it is “toward another”, *pros heteron* or *pros allon*; it is, as St. Thomas says, *ad alterum*, or as Kant says, *gegen einen Anderen*.”¹ Justice is conceived as being beneficial to others, as compared to courage, temperance, and wisdom, which are commonly thought of as “self-regarding”. It is easy to see how the so-called self-regarding virtues can be other-regarding: courageous heroes snatch others from the jaws of death, temperate parents raise well-tempered children, and wise people give the best advice. It is, of course, quite easy to see why justice is considered as other-regarding, for it is only the character trait of being a just person which reliably keeps us from taking advantage of others when we can get away with it. But seeing how being just benefits the just person has caused the greatest philosophical consternation: Simon Blackburn once wrote that resolving this set of issues is “the holy grail of moral philosophy”.² Going back at least to Plato’s *Republic*, much of morality’s driving concern is if and how dealing fairly with others (*dikaiosyne*)

¹ “What is it to Wrong Someone? A Puzzle about Justice” in *Reason and Value*, R. Wallace, P. Pettit, S. Scheffler, and M. Smith (eds.), (Oxford: Oxford University Press) 2004, p. 337. For a different treatment of why justice is different than other virtues, see Christopher Morris’s “The Trouble With Justice” in P. Bloomfield (ed.) *Morality and Self-Interest* (New York: Oxford University Press) 2008.

² *Spreading the Word* (New York: Oxford University Press) 1984, p. 222.

can be in a person's self-interest.³ More recently, but most succinctly, Philippa Foot has re-phrased Plato's challenge: "if justice is not a good to the just man, moralists who recommend it as virtue are perpetrating a fraud."⁴ And while moral theorists have worried that justice cannot justify itself, immoralists, like Thrasymachus, Machiavelli, or Nietzsche, and all those claiming to be in possession of *realpolitik*, claim either that justice is "the interest of the stronger" or that we really need not be fair to everyone, that not everyone deserves equal consideration. These immoralists claim that justice works against happiness by requiring sacrifice to self-interest, and that the courageous, wise, and clever way to be, the way to best preserve one's self-respect and happiness, is to act as if one were just but to take what one wants when one can, without (much or any) regard for others. The present goal is to answer this challenge by showing how justice benefits the just person, how being just is in fact a prerequisite of genuine self-respect. At the very least, the burden of proof will shift from the innocent shoulders of the defenders of justice to those of the detractors of justice: the latter's position being shown to require them to defend the unlikely idea that being happy is consistent with lacking self-respect. The traditional problem can be solved by bringing together the ancient Greek understanding of happiness, or possessing well-being or flourishing (*eudaimonia*) and a modern, Kantian notion of self-respect.

So entrenched is the view that justice is purely other-regarding that it may be difficult to imagine how being just can possibly have any self-regarding consequences, independent of those consequences which are the result of treating others fairly or giving them what they deserve. Consider, however, that we may say of justice what Butler says of honesty, "There is such a thing as men's being honest to such a degree, and in such respects, but no further."⁵ It is easy to imagine legal judges who are fair and just to all when on the bench, but when off the bench

³ "Dikaiosyne", central to *Republic*, is most often translated as "justice"; see, for example, Jowett's translation (New York, Modern Library) 1982 and Grube and Reeve's as well (Indianapolis: Hackett Publishers) 1992. Many scholars take issue with this translation. Gregory Vlastos writes, "I shall use 'justice' and 'just' merely as counters for *dikaiosyne* and *dikaioi*, whose sense is so much broader, covering all social conduct that is morally right". See his "The Argument In The Republic that 'Justice Pays'", *Journal of Philosophy*, vol. LXXV, no. 21, 1968 (p. 665–674). Julia Annas pursues the implications of acknowledging the proper scope of *dikaiosyne* in *Platonic Ethics: Old and New* (Ithaca: Cornell University Press) 1999. The reader will gain the clearest sense of the argument of the present paper by thinking of "justice" in the broad sense indicated by Vlastos.

⁴ "Moral Beliefs", reprinted in *Virtues and Vices* (Berkeley: University of California Press) 1978, 125–126.

⁵ "Sermon X: Upon Self-Deceit", from *The Works of Joseph Butler*, W. Gladstone (ed.), (Oxford: Clarendon Press) 1897, 146.

tend to arrogate to themselves more than what is fair or self-abnegate, taking less than what is fair.⁶ On the contrary, those who are just “all the way down” will see themselves and their place in the world, especially with regard to their standing relations with other human beings, accurately. It is in this regard that justice has, what might be called, purely self-regarding consequences: it requires self-correcting reflexive attitudes which help to make one’s self-assessments be responsive to the facts about who one actually is. It is only by developing the character trait that allows people to reliably make fair judgments about themselves, who make just self-assessments, that any of us may see who we truly are, and only by so seeing ourselves will we be in a position to respect and value ourselves and our lives, fairly and properly; that is, both as we deserve and as justice requires.

While it is acknowledged that justice requires people to be fair to each other, it is far less well recognized how justice requires us to be fair to ourselves, and the implications of this. Whatever is required for justice, it cannot be the case that it is fully present in cases where people fail, with more or less regularity, to be fair to themselves, because of self-aggrandizing arrogance or self-abnegating servility. Being fair to oneself requires that one be fair to others: one cannot know what is fair for oneself without basing this in part on knowledge of what is fair for others. I can only know what is fair for me by seeing myself for who I am, through making fair self-assessments, just as I must make fair assessments of others in order to know how to treat them fairly. I cannot make fair self-assessments if these swing-free of the fairness of my assessments of others. The self-regarding point here is that failures of fair self-assessment are detrimental to one’s self-respect, which requires one to respect who one actually is, and not whom one wishes one were. Therefore, justice is necessary for self-respect. Since it is not unreasonable to think that self-respect is necessary for happiness, we can conclude that possessing justice as a personal character trait is necessary, but not sufficient for, being happy.

⁶ I have been greatly helped by Robin Dillon’s “Kant on Arrogance and Self-Respect”, in *Setting the Moral Compass*, C. Calhoun (ed.), (New York: Oxford University Press, 2004) 191–216. On arrogance, see also Lewis White Beck, *A Commentary on Kant’s Critique of Practical Reason* (Chicago: University of Chicago Press) 1960, 219–222; “Arrogance” by V. Tiberius and J. Walker in *American Philosophical Quarterly* 35 (1998) 379–390. I have a short discussion of some relations between arrogance and injustice in “Why It Is Bad to be Bad” in *Morality and Self-Interest*.

On self-abnegation or servility, see Thomas Hill, Jr., “Servility and Self-Respect”, *The Monist* 57, 1 (Jan. 1973) 87–104. For discussions of the “imposter syndrome” and psychologically maintaining a negative self-image see J. Kolligian, Jr., and R. Sternberg (eds.) *Competence Considered* (New Haven: Yale University Press) 1990; Snyder, C.R., and R.L. Higgins, “Reality Negotiation: Governing one’s self and being governed by others”, *General Psychological Review*, 1 (1997) 336–50.

The strategy behind this argument is to focus on the logic and epistemology of making just judgments, considering justice as a personal character trait. It is taken for granted that the just person will perform the acts judged to be just. The self-regarding benefit of being just will be found in the characteristic patterns of thought which lead just people to make good, accurate, truthful judgments about how much respect is due to whom, including first person judgments of how much respect we owe ourselves. In the end, we will find that our judgments of others are inextricably entwined with our judgments about ourselves. It is bad, indeed, harmful to be unfair to oneself, and this is just as true when we self-indulgently spoil ourselves as it is when we unnecessarily deprive ourselves. It is good to be fair to one's self, in fact, one's self-respect and happiness hang on it.⁷

A caveat is needed before the argument begins. The idea is not to speak to the ultimate justification for being just, nor to describe the motivations of the just person, nor to say what the primary harm is in performing unjust actions. Justice is not going to be ultimately justified by the benefits that it confers upon those who are just, nor are just people motivated to act justly by the benefits of justice, nor is it correct to say that the primary harm in treating others unjustly is that it prevents the unjust person from gaining the benefits of justice.⁸ Rather, the goal is to find *something* to say to people who cannot find any reason whatsoever to be just, either because they are immoralists who have no direct experience with having developed a moral character, or because they are young and have not yet learned (e.g., Glaucon and Adeimantus). In other words, the argument is addressed to those who think (or suspect) that the only benefit to being just is avoiding punishment, and that were one (perhaps magically) invulnerable to punishment from external sources, there would be no reason to be just or moral; the best case is to be able to do whatever one wants to whomever one wants with complete impunity.

⁷ The use of the substantive notion of "self" here and below is not supposed to express a commitment to the existence of a person's self above and beyond the person. So, the possessive involved in "one's self" is merely *façon de parler*.

⁸ Richard Joyce rightly criticizes theories that claim that the only or best reason to refrain from being immoral is that it is harmful to oneself. See his "Morality, Schmorality" in *Morality and Self-Interest*. Thomas Hurka criticizes all virtue theory for being committed to something like this. See his "Against Virtue Ethics" in *Virtue, Vice, and Value* (Oxford: Clarendon) 2001. The caveat above is meant to waylay such suggestions. For a more detailed response to Hurka in particular, see Julia Annas' "Virtue Ethics and the Charge of Egoism" in *Morality and Self-Interest*.

On this view, morality is for those unable to be unjust successfully (*Republic*, 359b). On the contrary, the present strategy is not to argue that the only reason people have for being just is that it is in their best interest to do so, but rather to argue only that being just is in their interest, that justice is beneficial to the just person and, in fact, people cannot live the good life (flourish, be happy, become *eudaimon*) without it.

2. To begin with, we need to focus on a central tenet of justice, namely that like cases be treated alike. It is assumed that this is going to be a necessary part of any complete account of justice, not that it itself is a complete account of justice. From here, we can address the relations between respect of others and self-respect.

It is central to the *logos* of justice, to the logic behind thinking as a just person thinks, that like cases are treated alike. Treating like cases alike is an essential feature of making just judgments, otherwise arbitrary or extraneous details of the case weigh inappropriately on one's judgments of it, as may the biases of the judge. If justice requires eliminating arbitrary distinctions and biases, it does so by insuring that like cases are treated alike. It does so by focusing attention on only those elements of the situation that are salient to making a proper, fair judgment of it. (Of course, figuring out what "salience" means in this context is a central problem for all normative theorizing.) By constraining judgment, through a comparison with relevantly similar situations, perhaps only hypothetical situations, one may make consistent judgments across cases, and this is necessary for making fair judgments.⁹ Thus, the principle of "treating like cases alike" can be seen as a weak form of a supervenience constraint, in that differences in judgment must be justified by principled differences in the cases being judged. This incorporates a notion of *equality*, at least in so far as equals, or those among whom all discriminations are arbitrary, are equals and therefore ought to be treated as equals.¹⁰

⁹ There is a literature on noncomparative justice and one might think that it bears on the issues at hand. My sense is that as long as noncomparative judgments are required to meet the standard that like cases ought to be treated alike, the distinction between comparative and noncomparative judgment is moot. See, for example, Joel Feinberg, "Noncomparative Justice", *Philosophical Review* 83 (1974) 297–338. I thank Steven Wall for helpful discussion of these issues.

¹⁰ I am aware that the claim of this sentence and the subsequent paragraph's line of reasoning both involve an inference from an "is" statement to an "ought" statement, something Hume taught us not to do: "two cases are equal" is an "is" statement, that "they ought to be treated as equals" is an "ought" statement. Nevertheless, the claim seems analytically true, its denial seems self-contradictory: there is a contradiction in the idea that one ought to treat equals as if they were not equals, or that one ought not to treat equals as equals.

It is worth noting that Rawls thought that treating like cases alike was conceptually necessary for judgments of any sort, nor has he been alone.¹¹ He suggested, though unfortunately did not (to my knowledge) develop, the idea that one is not engaged in the activity of judging if one fails to treat like cases alike: the concept of *judgment* per se requires the consistent application of concepts across cases and therefore requires treating like cases alike. From Rawls' earliest presentation of the idea of justice as fairness, he writes:

One can view this principle [what would come to be his "first principle of justice"] as containing the principle that similar cases be judged similarly, or if distinctions are made in the handling of cases, there must be some relevant difference between them (a principle which follows from the concept of a judgment of any kind) (p. 654).¹²

This last parenthetical phrase indicates a Kantian, analytic constraint on concept application that goes far beyond justice, but is intimately related to it: thought which abandons the norm of treating like cases alike ceases to be thought at all. There is a sense in which "judgment" is a success term: we are not properly exercising our judgment when we fail to treat like cases alike. If these failures become widespread, one will devolve into madness or, more likely, quickly perish. The reason why this is so is because failing to treat like cases alike implies a variety of phenomena, at least one psychological, one logical, and one normative. First, it implies a psychological misrepresentation: whenever one judges x to be $\sim x$, one has not accurately represented x for what it is, in itself, so to speak.¹³ Beyond representation, the failure implies logical inconsistency in thought. Imagine one unchanging object, over time, and a person who sometimes judges it to be x and at other times $\sim x$; this person is obviously in contradiction: judging like cases differently

¹¹ For example, Isaiah Berlin, "Equality", *Proceedings of the Aristotelian Society* 56 (1955–6) 301–26; Richard Wasserstrom mentions the point in reference to rationality in "Rights, Human Rights and Racial Discrimination", *Journal of Philosophy* 61 (1964) 634–5; J.B. Schneewind quotes Clarke on the issue, noting in a footnote that Cumberland also comments on it. See *Proceedings and Addresses of the American Philosophical Association*, 70, 2 (Nov. 1996) 25–41. Of course, there is much discussion of the centrality of treating like cases alike for legal justice. See, as a place to begin, H.L.A. *The Concept of Law* (Oxford: Clarendon) 1961, chapter VIII.

¹² "Symposium: Justice as Fairness", *Journal of Philosophy* LIV, 22 (1957) 653–662.

¹³ The discussion about misrepresentation is intended to be metaethically neutral between cognitivists and non-cognitivism, or broadly, expressivism and realism, since even expressivists must make judgments about what a person or an action is before adopting an attitude toward it. If non-cognitivists cannot accommodate this thought, then this points to an inadequacy in their theories.

is inconsistent. Logically, this case is no different when two different objects, both of which are x , are judged differently, one being x and the other $\sim x$. Finally, the failure implies that the person is making a normative mistake. Regardless of whether the judgment is superficially perceptual or higher up cognitively, the person is not judging items which are x as being x when this is how they ought to be judged. This is to say no more than that there is a reason why we have evolved as we have, that we are as we are, and that our judgment forming processes have proper functions and can malfunction. Without special pleading, judging like cases differently implies malfunction or bad judgment. We make judgments of things in the world for the purpose of being within it: eating, loving, and laughing. If one is regularly misjudging what one eats, loves, or laughs about, judging it to be something that it is not or not judging it to be something that it is, one has engaged with a schizophrenic break between mind and world that, if continually unchecked, would lead to madness or death.

The principle to treat like cases alike is therefore not only a moral principle, but a principle of thought or epistemology. Successful judgment is fair, fair judgment successful. Treating like cases alike is involved in all (successful) cases of judgment or evaluation or assessment. There is a purely epistemic sense of “fairness” involved in making fair judgments. To this degree, justice can be seen to be an intellectual virtue; this is the sense of “justice” in which we “do justice to things” by judging them to be as they are (as opposed to, say, how we wished they were). Fully exploring this purely intellectual sense of justice would take us too far afield, when we are really only concerned here with the making of “moral judgment” and how treating like cases alike places a constraint on behavior in peculiarly moral situations (regardless of what it is that makes a situation count as “moral”). And in this regard, we can focus on a particular kind of “treatment”, the kind of treatment involved in respect.

Moral judgments are about how one ought to act with regard to others, where these seem to involve judgments about oneself in relation to others. And while not all of morality is a matter of respect, surely most immoral behavior between people involves failures of proper respect, where judgments of self-respect are merely a special case of judgments of respect. This is so because in making judgments regarding respect, assessing how much respect is owed to whom, our tenet applies and one ought to treat like cases alike. One cannot accurately determine how much respect is due to oneself or others by basing the determination on arbitrary reasons or by making arbitrary distinctions or discriminations. Our judgments regarding respect are interrelated in such a way that the unjust judgment of how much respect to have in

some particular case will affect the judgments of all similar cases. In particular, I cannot be fair to myself if I am unfair to others. There is a sense in which justice is “all for one and one for all”.¹⁴

If this is not clear from the forgoing considerations regarding treating like cases alike, a toy example of “manna from heaven” may help.¹⁵ Assume a limited amount of a resource is discovered, to which no one has any prior claim, and which it randomly falls upon me to distribute to a group of ten people (myself included) where everyone is equally a stranger to me. Can I be unfair to myself, treating myself better or worse than I am treating everyone else, while being fair to everyone else? Well, no. If I arrogantly give myself 20% of the resource, that leaves 80% to be distributed among the remaining nine. Even if I give all of them an equal share of the remainder, I am not treating them fairly, since I am unfairly taking more for myself. Similarly, if I am self-abnegating and take only 5% percent for myself, then everyone else is getting more than is fair because I am getting less than is fair. So, I cannot be unfair to myself and fair to everyone else. Perhaps this is no surprise, but consider whether or not I can be fair to myself while being unfair to everyone else. This might seem to be possible, but it is not. To stick with our toy example, I might try to be fair to myself by giving myself 10% and arbitrarily distribute the rest to the remaining nine people without paying any attention whatsoever to how much anyone else gets. Is this being fair to myself and unfair to everyone else? The answer has got to be “No”. Just because 10% is what would be fair for me to get if I were treating everyone else fairly, this does not imply that it would be fair for me to get that same amount if I am being unfair to everyone else. What is fair for me is not independent of how I treat others. If I am being unfair to everyone else, then it is

¹⁴ The argument at this, and perhaps many points, is reminiscent of Thomas Nagel’s argument against egoism in *The Possibility of Altruism* (Oxford: Clarendon Press) 1970. Nagel’s goal here is to convict the egoist of irrationality. My concern here is to show how immorality is detrimental to one’s self-respect and thereby to one’s happiness. The hope is to help the immoralist, or the egoist, see that there are self-interested reasons for being moral. As noted in the caveat above, these are not the only or best reasons for being moral, but they are ones that immoralists and egoists can be counted on to take seriously and value.

¹⁵ The example comes from David Schimdtz, who writes: “Thus, even critics of egalitarianism can agree that there is a place in a just society for dividing some good into equal shares. In particular, in “manna from heaven” cases, when we arrive at the bargaining table at the same time, aiming to divide good to which no one has made a prior claim, we have a situation where equal shares is, from any perspective, a way of achieving a just distribution. It may not be the only way. (For example, we could flesh out the thought experiment so as to make bargainers’ unequal needs more salient than their equality as citizens.) But it is one way.” *Elements of Justice* (Cambridge: Cambridge University Press) 2006, p. 110.

unfair for me to get what would otherwise be fair for me to get. The fact that I am being unfair to everyone else bears on what is fair for me; it is unfair to think otherwise. So, my judgments about what is fair for myself are not independent of what is fair for others. And this shows that justice, as a personal character trait, necessarily has a self-regarding aspect to it.

While it is wrong to think of respect as a resource, it is reasonable to think of the distribution of resources among equals as being reliably just only if everyone is recognized as being equal (at least as a starting position), and therefore meriting an equal portion of the resource; no one, in principle, deserves more or less than anyone else. Just as my self-regarding behavior cannot be considered as just or fair independent of my other-regarding behavior, so too my self-respect cannot be considered just or fair independent of the respect I accord to others. To foreshadow the discussion to come, if I am arrogant and give myself too much respect, then I thereby give others too little, since they are only arbitrarily different than me; if I am servile and give myself too little self-respect, then I thereby give others too much. Being fair to ourselves requires us to be fair to others, and vice versa, since like cases ought to be treated alike and we are all fundamentally alike. This allows us to conclude that people cannot properly respect themselves, they do not possess self-respect, if they do not respect others as peers or as they deserve.

3. There are various forms of respect (and self-respect), but one form in particular is relevant both to justice and to the idea of fundamental equality. One influential account of respect distinguishes appraisal from recognition respect.¹⁶ Appraisal respect is the sort of respect we give to others based on the judgments we make of their actions or their characters. The amount of appraisal respect someone deserves depends on particular facts about that person's character and what that person has done. People who make a mess of their lives, or are immoral, or are even criminal may not deserve any appraisal respect at all, those who excel or go beyond the average, such as heroes and saints, deserve more appraisal respect than the norm. Of course, one ought to treat like cases alike when making judgments of appraisal respect, but since appraisals of this sort covary with the kinds of people or acts being

¹⁶ Stephen Darwall, "Two Kinds of Respect", *Ethics* 88, 1 (1977) 36–49. I depart somewhat from Darwall's understanding of recognition respect, since he holds that when X has recognition respect toward Y, this is considered by X in moral deliberation about Y. I leave open the possibility of an externalism that allows a person to recognize a moral consideration and ignore it or fail to care about it while deliberating. An earlier discussion of the same basic distinction can be found in Elizabeth Telfer's "Self-Respect", *Philosophical Quarterly* 18 (1968) 114–121.

appraised, there will be no single amount of appraisal respect due to all. Remember, however, that the idea of treating like cases alike bears a special relation to the idea of equality (treating equals as equals) and there is another sense of respect in view of which we are all the equals or peers of each other. This is recognition respect. Recognition respect is a Kantian sense of respect in which we respect others simply for their status as human beings or agents, who merit behavior that must not fall below a certain normative moral standard; we judge human beings as having the status of being “ends in themselves” and as such deserve to be treated as more than mere means. Human beings are not merely instruments or tools and ought not to be treated as such. We need not enter into the foundations of this sort of respect: it might be in virtue of our being apt objects of resentment or other reactive attitudes, or in virtue of our rationality, or our agency, or our common humanity. Regardless of why we ought to recognize each other as fundamentally equal to ourselves or as peers of one another, it seems plain that there are fundamental, indeed essential, aspects of our identities that we share with each other which make us peers.¹⁷ Our humanity, all by itself, provides a “common denominator” among all humans, making us fundamentally the same, fundamentally equal. It is in virtue of recognition respect that, for example, chattel slavery is immoral, since people cannot properly be “owned” as if they were mere things or objects and not rational, human agents, whom we may resent, etc.. Of course, one need not go so far as slavery to find failures of recognition respect leading to unjust treatment since it occurs whenever one uses another (or others) merely as a means to an end and is present in the most common forms of everyday immorality.

While it is true that we are all unique, it is equally true that being unique is nothing special. We all instantiate properties, or combinations thereof, that make us unique, but we also instantiate properties that we share equally with each other.¹⁸ Recognition respect requires us to recognize the fundamental equality among us, regardless of what other properties may differentiate us. One cannot justify treating oneself better (or worse) than one treats everyone else by appealing to the idea that one is fundamentally better (or worse) than everyone else. And it is in virtue of the equality this implies, when combined with the fact

¹⁷ If our identities are constituted by the essential and accidental properties we instantiate, then clearly there will be properties essential to who we are as individuals that we share with others, properties which, were we to lack them, we would cease to exist as the individuals we are. See Saul Kripke’s seminal discussion of essential properties in *Naming and Necessity* (Cambridge: Harvard University Press) 1972.

¹⁸ Whatever metaphysic of properties we adopt, Platonic, nominalistic, etc., it must explain how chalk and snow have in common or share the property of *being white*.

that like cases ought to be treated alike, that recognition respect and justice come together: for together they demand that we accord a single base line standard of respect to all, one which respects the fact that people are not mere objects or tools, below which one may not justifiably go.

The base line limit of what counts as “fair” with regard to how others treat me is the same standard that I must employ in my dealings with others. Recognition respect is a “leveler” of us all and as such must apply to first person judgments as much as judgments of others. Indeed, this is the sense in which it is most clear that our judgments about the respect we owe to ourselves are entwined with our judgments of how much respect we owe to others. In fact, we cannot have genuine recognition respect for ourselves, genuine self-respect, without having genuine respect for others. As we have already seen, common failures of recognition respect concern arrogantly thinking that one is better than others, or self-derogatorily thinking that one is inferior to others. Since we assume that recognition respect implies a single, base-line standard for all, when I arrogantly place myself above others, ipso facto, I place them below me. It is not as if I can give others the respect they are owed while giving myself more, since treating myself better than them implies treating them worse than I treat myself, when in fact we are equals and I should be treating like cases alike. My high-handed arrogance implies that I am treating others as if they are worse, as if they are less, than they in fact are. So too, the argument goes with self-abnegation: I cannot consider myself as worse than everyone else without thereby considering everyone else as being better than they are.

4. One might think that people who are self-abnegating indeed do not give themselves the recognition self-respect that is their due but that people who are arrogant do not fail to have recognition self-respect; rather, it might be thought, they have too much. While it might not be surprising to find servile people who are aware of their servility and see that they lack self-respect, it would be surprising to find people who think they are better than others who also think they lack self-respect. In this, however, they are mistaken. Too much of a good thing is not always a good thing and thinking that one has self-respect is not sufficient for having it. And the argument for this conclusion comes once again by way of justice and treating like cases alike. The argument for this is, in brief, as follows: self-knowledge is required for self-respect and self-knowledge requires making accurate judgments about one’s self. Since making accurate judgments about one’s self requires that one treats like cases alike, one must also make accurate judgments about everyone relevantly similar to oneself. Since recognition respect concerns judgments about those elements of oneself in

which everyone is relevantly similar to oneself, failing to treat like cases alike causes a failure of self-knowledge: thinking that I am fundamentally superior or inferior to others implies a mistake in self-knowledge. And this, in turn, causes a failure of self-respect. Whether or not one has self-respect is, in part, dependent on whether or not one respects others.

The argument can begin to be unpacked by noting that recognition self-respect (indeed all forms of self-respect) requires that one respect oneself or who one actually is. There is a temptation to think otherwise. Some seem to consider self-respect to be of sort of attitude about which one cannot make mistakes. They seem to think that the natural view is that thinking or believing that one has self-respect, or feeling as if one has self-respect, is sufficient for actually having it. Respect might be said to be one of our “reactive attitudes”, similar to resentment, such that if I resent someone, I cannot be wrong about whether or not I resent that person. If I resent people for what they have done, it seems impossible that I could be wrong about whether or not I feel resentment. A *proviso* could easily rule out those reactive attitudes that are had only subconsciously or unconsciously, and thus, one might think that we should be infallibilists about these attitudes.

This is plausible, but the situation is in fact more complicated than it may seem, as can be seen by considering an exception. Suppose I am wrong about who has wronged me: I thought it was Xavier but it was really Yves who wronged me. (As long as my belief about who wronged me is false, it does not matter if the belief is justified or not.) If I resent Xavier and do not resent Yves, there is a sense in which I really do resent Xavier, in a *de re* fashion, as he himself is the direct object of my actual attitude of resentment.¹⁹ I “aim” this *de re* resentment at Xavier the person, perhaps I unleash my anger at him and no one else. But there is another sense in which I do not resent Xavier at all and do resent Yves. This is because there is a sense in which the person I intend to resent is the person who wronged me. I resent whom I resent qua a particular *de dicto* description of the object of my resentment as “the person who wronged me”. It makes good sense to say that I intend to resent whomever it was that wronged me, even though the person who in fact wronged me may not be the actual recipient of my *de re* resentful behavior (because I can be wrong about who wronged me). There is a sense in which it may be said that the *genuine* recipient of my resentment is the person, whomever it is, that wronged

¹⁹ In a discussion about an earlier draft of this paper, Matthew Noah Smith suggested that I use a *de re/de dicto* distinction to explain how one can be wrong about one’s self-respect. While the context of distinction is now slightly different than it was, I am very much obliged to him for this original and helpful suggestion.

me. So, we may say that genuine resentment requires knowledge that the person that one intends *de dicto* to resent is in fact the person *de re* toward whom one directs one's resentful behavior.

The phenomenological argument for thinking that there is a sense in which I never genuinely resented Xavier is the fact that if my error is revealed to me, then I immediately stop directing my resent toward at Xavier and turn it toward Yves. Moreover, I am likely to want to apologize to Xavier for the resentful behavior I have aimed his way or the anger I unleashed at him. It is plausible (indeed obligatory) for me to say, "I am sorry I acted resentfully toward you, that I acted angrily as I did" and casting the attitude in this adverbial way allows one to make room for the intention to resent whomever it was that wronged me.

This is just to note that prior to directing my resentful behavior at anyone, I have to make a judgment about who is to be the recipient of my resentment. While the attitude may be non-cognitive in its expression, it must of analytic necessity be preceded by a cognitive judgment about whom the attitude is going to be directed.²⁰ There is a description "the person who wronged me" and I must determine who that is before I resent without error. In a Kantian sense, this is similar to the error involved in incorrect concept application, as discussed above, in how concept application requires that one treat like cases alike. The cognitive judgment that one person wronged me and not another will determine whether or not I resent without error. And this is the sense in which I can be wrong about who I resent.

Mutatis mutandis, the same arguments that work for resentment also work for respect. While there is a sense in which I cannot be wrong about who I respect and who I do not, there is another sense in which I can be in error. Before I respect, I must make a cognitive judgment about whether or not the people I end up respecting are respectable, that they fit the *de dicto* description under which I am finding them respectable. And there is no reason to not continue treating self-respect as a special case of respect; that recognition self-respect is a special case of recognition respect. If a person is in fact my equal and I treat them as better than that, then I have a failure of respect; I respect with error. If I am treating someone with less respect than I treat myself, when in fact we are both equals, then *ipso facto*, I am both failing in my respect to that person just as I am failing in my respect to myself. If I judge myself as better than others, and respect myself according to this false judgment, then while I may act

²⁰ This argument is similar to one in William Alston's "Moral Attitudes and Moral Judgments", *Nous* II, 1 (1968) 1–23.

respectfully toward myself based on my judgment, it is a failure of self-respect because I am wrong about myself: I am failing to respect who I actually am and instead am only wrongfully respecting myself, just as I was wrong in my resentment of Xavier above. In fact, I am only merely flattering myself by making myself think that I am better than I, in fact, am. In order to genuinely respect myself, to respect myself without error, I must respect who I am and not merely who I wish I were.

So genuine self-respect, error-free self-respect must be based on self-knowledge, just as genuine resentment must be based on knowledge. And if we are concerned with recognition self-respect, then we will have to see ourselves as equals to everyone else who deserves recognition respect, since we will fail to have self-knowledge if we judge ourselves to be better, or worse, than everyone else. Just because I think I have self-respect, it does not entail that I have genuine self-respect or self-respect without error. We should therefore be fallibilists about self-respect and the other reactive attitudes.

We assumed at the start that acting with genuine recognition respect toward others is a central feature of justice, at least insofar as a great swath of all unjust or immoral behavior is the result of a failure of recognition respect. And insofar as this is true, then we have arrived at the conclusion that having genuine self-respect requires being a just person.

One might object by saying, “But I can’t be wrong about who I am in the way I can be wrong about who wronged me. *I* exist, there is no doubt about that. And respect is simply an attitude. So, if I think I respect who I am, *however* I happen to be, regardless of the de dicto descriptions I judge to apply to myself, if I respect myself, unconditionally as it were, then how could I be wrong about whether or not I respect myself? How could I be wrong in my belief that I have self-respect? For Cartesian reasons, I can know without doubt that the object of my respect exists, and my respectful attitude toward myself is something I can be as sure of as I can be of anything at all. So, I cannot in fact be wrong about whether or not I respect myself.”

While this sounds perfectly reasonable, one will fail to genuinely ground one’s attitude of self-respect unless one treats like cases alike. Saying that one can have self-respect for arbitrary reasons is putting self-respect in the same category as wishful thinking: just as I cannot be wrong about what I wish for, I cannot be wrong about my respect for myself. The problem with thinking about it like this is that wishes bear no necessary relationship to how the world actually is. Wishful thinking is not the same as belief, even if one wishes otherwise: belief is aimed at the truth while wishful thinking is not. One may wish that one has self-respect, but this is not the same as having it: if I treat

everyone else as fundamentally inferior to me, and in fact there are ways in which everyone else is fundamentally my equal, then failing to respect them implies a failure to respect those fundamental aspects of me which I share with everyone else. If my arrogantly immoral behavior implies that I fail to respect the humanity of my victim as is due, and I am essentially human just like my victim, then I thereby fail to respect myself as is my due. I thereby fundamentally disrespect myself. And if this is the case, then my self-respect is a sham, a fraud.²¹

Continuing on to think of myself as having self-respect despite the realization that it is not genuine self-respect would be like continuing to resent Xavier even after finding out that Xavier had not wronged me. This may be psychologically sustainable but only with a large dose of self-deception.

5. There are two senses in which the conclusion needs to be qualified to appreciate it more clearly. Both involve ways in which the effects of unjust behavior on self-respect are nuanced. One involves vagueness, the other involves “dirty hands”. The first concerns the differences between large and small acts of injustice. One should expect a proportionality between the severity and frequency of the act of immorality, on the one hand, and the harm done to the perpetrator’s self-respect on the other. One can imagine that a single, heinously gross unjust act would indicate a malady of the psyche that can only be ignored through a great lack of self-knowledge or self-deception. Such a person may have a sense of his or her own self-respect, but it is far from genuine. A person would have to be greatly alienated from her or her own humanity in order to think that some hugely malicious immorality, perpetrated upon innocent others, could be justifiable. Still, one may wonder about small scale immorality. And it does seem unreasonable to think that a single act of petty immorality, perhaps something raising not far above a rudeness, would present some unrecoverable damage to one’s self-respect. No one is perfect, everyone has made mistakes. And most people, at some point in their lives, perhaps in a slightly wayward youth, have done something shameful enough to occasionally still generate feelings of self-diminishment, as if one were poking at an old bruise in one’s own self-respect. Repeated small acts of injustice, however, may reveal a pathology not dissimilar to what leads others to acts of gross immorality, and the effects of them on such a person’s self-respect will be proportional. If one small act of injustice is like a grain of sand, it will be possible to accumulate them to the point of generating a heap, at which point one’s character may be irredeemable.

²¹ I discuss the argument of this paragraph in detail in “The Harm of Immorality” *Ratio*, vol. XXI, no. 3 (2008) 241–259.

Another sort of vagueness involves trade-offs of a different sort. The maintenance of one's self respect can be caught by tragic situations, perhaps not at all of one's own making, in which one must choose "the lesser of two evils". One might think that as long as one does as one ought, as morality and justice might demand, one will have no cause for regret, nor for loss of self-respect. While there may be room for argument on this point, it seems to that one will be driven to think this way as a matter of personal convenience and perhaps even moral insensitivity. If, for some nightmarish reason, one must do something shamefully self-disrespecting for the sake of preventing a much greater disaster, then morality or justice may demand that the self-disrespecting act be done. That it was done for good reasons, all by itself, need not imply that the act was, in fact, not shameful nor self-disrespecting and it is only convenience that makes us want to think otherwise. There might be situations from which one may not escape without dirty hands. While for certain choices one is forced to make, one may forgive oneself, it certainly seems possible that other situations may force choices so bizarrely extreme as to require action that is irreparably harmful to one's self-respect. We all hope for the good fortune to never encounter such choices, but this does not make them impossible.

6. If the argument is sound to this point, we may conclude that one may not genuinely have self-respect unless one is just. And this is not a trivial result. One might, however, question the idea that self-respect is a benefit to a person, and as a result doubt the final conclusion about the benefit of justice to the just person. The obvious way to try to argue for this final conclusion would be to argue that self-respect is necessary for happiness. A direct argument for the necessity of self-respect for happiness would be best, but is hard to fathom. The conclusion is perhaps more easily reached indirectly by showing how the denial of the claim is problematic. Is it possible to give an adequate defense of the idea that a human being can live a good life, a happy, flourishing life without self-respect?²²

²² Perhaps there is room to try to argue that a person can go through life as a "happy idiot" who lacks self-respect, or be happy by living a life wherein one's self-respect is maintained by self-deception. Some people think that they would not care if they lived in a "fool's paradise", thinking that if they are not aware of what they are missing, they cannot be missing anything at all. There is good reason, however, to think this is false and that people's lives can be going badly without them being aware of it: there are some things of value in the world that not everyone is in a position to appreciate. It seems undeniable that someone who is living only a mediocre life cannot fully comprehend what it is like to live an extraordinarily good life. There is something missing from the mediocre life that is not known to one who lives it, but this does not make this "missing something" any less real. The price of living in a fool's paradise is the difference between thinking that one is happy and really being happy.

This seems hard to fathom, for reasons similar to thinking that one can hate oneself and still live a happy, flourishing life. If Xavier told us that he hated himself, but he didn't really care, nor did this affect how happy he is, we would have to conclude, at the very least, that he does not really understand either "hate", "caring", or "happiness". One cannot hate oneself and not care; if one really hated oneself, one would set out to ruin one's own happiness. That is what it is to hate. So, too, if Xavier said that he genuinely lacked self-respect, that he knowingly engages in behavior that he acknowledges is self-disrespecting, and yet went onto claim that he really doesn't care, that this doesn't really affect how happy he his, we would have to conclude that he doesn't really understand the meanings of the words he is using. When one person disrespects another, the first is (attempting to) harm the second. When people disrespect themselves, they are harming themselves. Self-respect is necessary for happiness because self-disrespect is self-defeating.

Even if this is false, it should be granted that that the argument is really not directed at those who think it is possible to be happy without self-respect.²³ Typically, those who think that one can be happy without being just are typically people who *think* they know themselves very well and who *think* they have self-respect. As a result, they will typically agree up front that happiness requires self-respect. Indeed, they will typically accuse those who are moral and just of being "dupes", "fools", or "sheep". Thrasymachus, Callicles, Machiavelli, or Nietzsche, for example, or anyone who thinks that morality is a fraud perpetrated by the weak on those who would otherwise dominate, will say that the way to live well and be happy is to maintain one's self-respect, and this involves not being duped by the fraudulent authority of morality and justice. So, up front, at the start of the debate, all the parties to it will typically agree that self-respect is necessary for happiness. And so, no one involved in the actual debate will be willing to defend the position that a person can be happy without self-respect.

A different way the detractor of justice might try to escape the force of the argument is by simply rejecting the idea of recognition respect. The immoralist may insist that there is only, really, appraisal respect, according to which different people deserve differing levels of respect based on contingent facts about the kind of person they are. Clever, powerful, bold people deserve respect, but (again) the "fools" or the

²³ It may be possible for some extreme forms of hedonism to allow for happiness without self-respect, such that no discriminations are made between pleasures that are degrading and others which are not. But, again, these forms of hedonism are typically not held by those who have traditionally denied that justice is a benefit for a person.

“sheep”, do not. In response, however, it must be acknowledged that there were arguments given in support of recognition respect, based on the common denominator of our humanity (or our agency) and the fact that we are not mere things or instruments, so that recognition respect may not be so simply dismissed. Typically, non-pathological defenders of injustice do not see themselves as mere things or instruments or as creatures superior to human beings. There is no non-*ad hoc* reason to think that respect can only be based on the contingent sort of facts about people that form the basis of appraisal respect. And the sorts of considerations that lead one to accept recognition respect are themselves fairly undeniable. We *are* all equally human beings, we *are* all something more than mere instruments. While perpetrating immorality, the immoralist might behave as if this were not the case. But this behavior reflects a denial of these non-contingent facts about us, and this is a denial that cannot be maintained without self-deceit.

Perhaps, when faced with all these conclusions, the detractor of justice could still try to back off of a claim they earlier agreed to, maintaining now that one *can* be happy without self-respect, or that fallacious, self-deceptive self-respect is just as good for producing happiness as non-self-deceptive, genuine self-respect. These will be very difficult arguments to make, especially since they will really require them to defend the ideas that (i) having genuine self-respect is worse for producing happiness than the fake kind, since giving recognition respect to others will require one to make “sacrifices” to self-interest, and (ii) that it is better to not know oneself than to know oneself.²⁴ What is crucial at this point, if and when the detractors of justice take up this argument, is that their backing off their earlier claim has put them, for the first time since the beginning of the debate, on the defensive. Since the start, the burden of proof has been on the defenders of justice. The age-old question is “Why be just (moral, *dikaiosyne*)?” and a central task for the defender of justice was to somehow justify it to the skeptic since it seemed as if it conferred no benefit to the just person. Now, we have seen both the benefit of justice since it enables self-respect, and the harm of immorality since it harms self-respect. The detractor of justice has been forced into either conceding the debate or defending the extraordinarily uncomfortable position that a person can be happy, can live a life as good as possible for a human to live, without genuine

²⁴ It has lately become a philosophical commonplace to think that people with accurate self-conceptions, people who know themselves and thereby possess self-knowledge, are more likely to be depressed than those with a falsely inflated sense of self. To puncture these myths, see Neera Kapur Badhwar’s “Is Realism Really Bad for You? A Realistic Response”, *Journal of Philosophy* vol. CV, no. 2 (2008) 85–107.

self-respect. The dialectical position of the debate has, for the first time, shifted.

7. Since the days of ancient Greece, it has seemed to many skeptics of morality that justice is in the difficult position of being accepted only by naive “dupes”, while those who are unjust but act as if they were just are those who possess the *realpolitik*. Now, we have reason to see those who reject justice as the dupes who must settle for a fake sense of self-respect, mostly likely without consciously realizing the fake for what it truly is, while the defenders of justice have no analogous problem to surmount. The foundations of self-respect possessed by those who are just are consistent and firm, and are simply superior to those possessed by those who are not. There may be a way to argue that fake self-respect is just as much a benefit as the real thing, but even this argument would be assuming that genuine self-respect is a benefit, and the argument given is that justice can provide this benefit. That conclusion was our stated goal.

The only way for us to attain and maintain our self-respect is to see ourselves and others for who and what we truly are. We must think of ourselves and treat ourselves, as well as others, fairly. And the only way to have a fair and accurate view of people and their place in the world is by instantiating those patterns of thought which are constitutive of justice, considered as a personal character trait. The benefit of being just is that it is only by being so that one may avoid self-deceit, have self-knowledge and, thereby, possess self-respect. Remembering the caveat from above, this is not to say that the value of justice is merely instrumental, but it is to point to some of its instrumental value. Without justice there is no self-knowledge, and without self-knowledge there is no self-respect. If self-respect is a benefit to a person, then only by being just can this benefit be gained.²⁵

²⁵ I have received unusually helpful comments from anonymous referees for which I am particularly grateful. My thanks go to the members of the UConn Philosophy Department for many helpful conversations, as well as to Macalester Bell, David Enoch, Matthew Evans, Matthew Noah Smith. Special thanks go to Ruth Chang, Michael P. Lynch, David Schmidtz, Danny Scoccia, and David Velleman, who provided extensive comments on an earlier draft, and to Thomas Carson who gave me very helpful comments on the penultimate version.