



Unitarian
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Freedom of Religious Thought

Respect for Persons

David Crossley. October 19, 2008

There are two quite different uses we have for the exhortation to treat someone or some group with respect. First, when someone has a special skill or ability we often say it is prudent to pay attention to this: e.g. they had better respect the Riders' passing game. This sort of respect is earned – it is the past outstanding performance of the team that shows that they deserve respect; that they must not be taken lightly, but given serious consideration. In this usage the claim that we ought to show respect for someone is a counsel of prudence - or, in some cases, it is a claim that we owe someone a certain deference in light of their past achievements.

The second sort of situation where we claim we ought to respect others is quite different for it has nothing to do with someone having *earned* our respect. When the sign in the shop says “abusive language will not be tolerated” or the health centre’s ethical code says: “every client has the right to be treated in a respectful manner, regardless of his or her race, gender, religion or colour” the statement here is not wise prudential advice but a moral claim about the basic equality of all people; that no matter who you are or what you have done – whether you are a politician or a prisoner – you remain a person and, as such, have a value we must acknowledge and have a moral stature that requires that we consider your interests

and constrain our behaviour accordingly.

While we all understand, at least roughly, what this second command to respect each person is saying, there is some scope for confusion. Indeed, to the extent that the expectation to treat all with dignity and respect is another way of stressing the moral obligation to treat all as equals, there is a fundamental conflict that arises, at least for countries like Canada that are committed to promoting and protecting multiculturalism. One can see the problem by looking at the history of concerns about political equality. In the 19th Century the workers, and later, the women fighting for the franchise were fighting to obtain rights that others had – the right to vote and thereby participate in the debates and decisions that would shape the social institutions that had such a crucial impact on their lives. In this context equality meant all being treated the same – all having the same rights and opportunities - and it meant not having fewer rights or diminished opportunities just because one was born a member of a certain religious group, or born a woman or coloured or poor. As Jeremy Bentham put it (over 200 years ago) there should not be special privileges that go to those who belong to certain social classes (such as the landed aristocracy), nor should the interests and well-being of one class or one individual be thought more important than the interests and well-being of others. Rather, as Bentham stated: “Each person is to count for one, and none for more than one.” . It is this view that is reflected in section 15 of *The Canadian Character of Rights and Freedoms*, which announces that we all stand equal before the law. The moral ground of this is that all have a right to be treated as an equal, to be accorded equal respect.

However, we do not live in those times and with that understanding of equality. We have learned that treating people as equals requires respecting differences. If those born with physical or mental handicaps are to have an equal chance at a good life they may need a greater and unequal share of the society’s

resources. They may need, say, special educational facilities or extra health care. Moreover, we have come to see that the very identity of a person may be a function of his or her religious affiliations or cultural ancestry. Thus, to deny individuals the right to practice their religion or to wear ethnic costumes at certain times is to fail to treat them as equals. The moral, then, is that we must respect the *differences* of others, and perhaps especially when these reflect their own free choices. Moreover, it is against this background that we have created employment equity programs and other affirmative action measures that are designed to promote equality of opportunity in the context of society's past systemic discrimination against one group or another.

It does not take much thought to see the potential for conflict in this situation. Nor does the conflict have to be articulated in terms of a tension between different conceptions of equality (or treatment as an equal). The conflict can be put as a tension that arises because we view individual persons in two different and distinct ways: first, we see them as *similar* - in that they are autonomous, free beings who can pursue goals and direct and control their own lives; secondly, we see them as essentially different for reasons having to do with the cultural, religious and other factors which will not only lead them to choose quite different lives styles but also shape their identities - shape the type of person they are. This second perspective tells us that the choices and values of different individuals must be respected in the sense that they must be tolerated and not interfered with.

At first glance there may not appear to be any great conflict, for these two ways of looking at individuals share a common theme – namely, that we should respect the free choices of all people. But the tension will arise at the point that one group wants to restrain the public activities of another group on the grounds that those activities undermine *their* cultural values and so are tantamount to

attacks on their preferred way of life and, indeed, attacks on their very identity - on who and what they are. In other words, the view that we must respect differences tends to lead us to endorsing certain types of restraint and in a way leads to endorsing differential treatment that in some contexts might seem to amount to a form of discrimination.

How this is to play out at the political level I leave for you speculation. What I think we *all* need to think about is this question: “What grounds our view that we have an obligation to respect others, whether that means granting them the same rights and privileges or means tolerating and not interfering with their different practices and values?” There are at least two answers to this question found in the writings of the philosophers and both hinge on a theological view – the first more obviously than the second. The first is the view that humans are special creations of God who have a special place in the world. Given this, no one has a right to interfere in the life and liberty of another, leave alone enslave that person and treat him or her as a thing, a mere means to be used for one’s own ends. Indeed, as the creations of God we are owned by God – God’s property – and so to destroy another or ourselves would be to take from God. On this line of reasoning respect for human beings is a recognition of their unique relationship to God and of the moral laws established by God. This message can be put, as it is in the political writings of John Locke (in the late 17 Century), in terms of *natural* rights that all humans have to life, liberty and property. Here respect is shown by recognition of the rights of others and by the constraining of one’s actions so as to not violate these rights; and behind this lies the respect for the moral order God has ordained and, thereby, a proper attitude towards God and God’s work.

The second answer is found, most famously, in Kant’s ethical writing, where we are told that one of our central moral obligations is to “treat humanity – whether in your own person or in that of another, always as an end and never solely

as a means.” This emphasizes that human beings are not things to be used as we might use physical objects and material resources in the pursuit of our goals, but does not in itself say why we have this duty to respect humanity. The usual explanation of why we are to adopt this attitude is that in doing so we are acknowledging that humans are rational creatures who can direct and control their actions in light of what the moral law, which is a law of practical reason, demands. It is this idea that led Kant to argue that we must **not** look at legal punishment in terms of its consequences - for example, that it makes society better by taking criminals off the streets or by reforming or rehabilitating them. Rather, he argued, punishment must be justified in retributive terms: we must punish the criminal, not for the sake of society but because punishment treats the criminal as a responsible person, as an agent who makes voluntary choices and can thereby properly be held accountable for those choices. By contrast, to punish the criminal in order to force a change in that criminal is to treat him as a sick person needing help from others or as someone who cannot control his own behaviour and so must be treated more like an animal to be trained than a person to be reasoned with. And to punish the criminal in order to deter others is the worst thing of all for that is to **use** the criminal as a means to some social end, and this is the very antithesis of respecting that person.

What this line of thinking suggests is that the kind of respect for persons that is demanded of us is **not** respect they have earned by doing good or creating value, for the criminal has done the opposite. Nor is it a respect based on prudential considerations: we may well fear the criminal but the need to punish the criminal does not depend on the wisdom of removing this person from society (even if this might be a desirable side-effect). Rather, what we are respecting is the person’s ability to make a choice, for to make a choice we must be able to *represent*

possibilities – states of affairs that do not presently exist – and then be able to engage in activities that can make that possibility actual. More importantly, as rational creatures of this sort, once we have thought through our plans and how to achieve them, we are able to generate rules to guide our action and help us succeed in achieving our goals. For example, having decided to become a concert pianist and thought out what I must do to accomplish this, I can give myself a rule to follow: “practice scales ½ hour every day and do a total of 4 hours practice per day”. In this way I can give a *law* to myself and am capable of following this.

The lesson of all this is that what we are respecting is the ability of humans, through rational thought, to direct and control their behaviour and it is *this* ability that makes us members of the moral community. You can't expect the wolves to follow rules or restrain their behaviour, for the wolf not only is driven by its desires but also lacks the higher level consciousness necessary for reflecting on its conduct and coming to conclude, for example, that it ought not to eat as many lambs as it has been doing of late. Nor can it think of having a duty to bring its mate a gift of food next Tuesday. For these sorts of reasons, the animals cannot be fellow moral creatures with whom we can cooperate, or who we could count on to understand promises leave alone be able to keep them or and fulfill self-created obligations.

Now I think this is all true, and it explains why rational creatures stand apart from other creatures. But this only explains why some creatures are, while others are not, thought to be governed by ethical considerations or able to understand and regulate their behaviour in light of moral laws or duties. It does not tell us why “*respect*” is the word we need here to describe how we should treat such beings – nor does it tell us why we should have the reverence Kant claims we should show for the moral law that a rational creatures can legislate for itself and then follow.

In the reading we had earlier, Charles Taylor suggests that the key thing that matters is the universal human potential or capacity for self-direction and

autonomy – the ability to establish value by our deliberation and choices. But this too does not seem to give us what we want. Why exactly is this so important? It is that there is some obvious, intrinsic, value to human autonomy – to the free choice of goals by which we direct our lives? And why is its so important that we should respect the ability of all persons to make autonomous choices and to direct their own lives in those case where the person is choosing to do evil?

In fact nothing in this explains why *‘reverence’* and *‘respect’* are the right terms here apart from a theological conception of the word. For from a world-view that has a creating God in it the answer becomes obvious: given the kind of rational activities we are capable of and the kind of consciousness and self-consciousness these require, we can *represent* what is not and then bring it into being. We can *imagine* changes in the world and then act in ways that will *bring about* those changes. Such activity is creation – not perhaps out of nothing, but creation nevertheless. Thus by these activities and through these alone, we come to share one of the essential features of God. In creating new things and new situations we become, in that act, like God; can cast ourselves in the image of God.

Philosophers like Kant — although they were religious believers - never offer this explanation of why it would be appropriate to *respect* persons. But it seems to me the only account that shows us that ‘respect’ for all human beings is the right way to describe what we should be reacting to.
