

The Limiting Role of Respect

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Despite a long and dark history of social exclusion, stigmatization, neglect and outright abuse, people with disabilities often seem to elicit morally admirable reactions from people we encounter in our everyday lives.¹ When non-disabled people, for example, show heartfelt compassion and concern for us on account of our disabilities, assist us with our conditions, make a concerted effort to include us in activities or groups, press for accommodations we are owed, or marvel at our perseverance, their attitudes and actions towards us appear to be especially virtuous and praiseworthy.

Yet people with disabilities are sometimes offended and insulted by some of the ways that even well-meaning people tend to regard and treat us. When others are sympathetic, generous, community-minded, appreciative and just towards us, without any intention to harm, insult or discriminate against us, many disabled people nonetheless bristle when others see us as ‘special’, when they ‘single us out’ for special treatment, when they ‘make excuses’ or ‘make exceptions’ for us because

¹ I am grateful to Tom Hill, Teresa Blankmeyer Burke, David Wasserman, Julia Mosquera, Linda Barclay, Tom Shakespeare, Eva Kittay, John Hardwig, Jessica Begon, Sam Kerstein, Steve Campbell and audiences at the 2017 Eastern APA and the Philosophy of Disability Conference at the University of Tennessee for their feedback on this paper.

of our disabilities or when they ‘put us on a pedestal’ for how we have responded to our impairments.

How should we explain these common concerns on the part of disabled people? Are they legitimate worries? And, if they are, what moral guidance can we glean for how we should aim to regard and treat ourselves and others?

The approach I will take to addressing these questions is broadly Kantian.² The background idea is that our moral relations with ourselves and others are properly guided and constrained by a set of widely-shared moral values, including welfare, community, justice, autonomy, appreciation and respect. All of these values are arguably aspects of the fundamental moral value of human dignity because they would arguably be endorsed by all fully rational persons in light of our shared fundamental interests in protecting, developing and exercising our powers of freedom and reason. Although this approach is ‘top-down’ in terms of how moral ideals, values and principles are ultimately justified, the justification of the theory as a whole depends on whether it coheres with the considered moral judgments of competent moral judges on due reflection. As we try to construct, interpret and apply a moral theory that aspires to such a high standard of acceptability, we must also work from the ‘bottom up’ by examining and evaluating our intuitions about particular cases.

In his contribution to this volume, Thomas E. Hill endorses this same basic approach to understanding various moral values as aspects of human dignity. Hill, in particular, explores the values of appreciation and ‘positive’ respect as both part

² The broadly Kantian view I sketch is influenced by Hill (1991, 1992a, 1992b, 2000a, 2000b) and developed in various ways in Cureton (2007, 2012, 2013b, 2013a, 2014, 2016).

of properly responding to the dignity of persons. These values, according to Hill, are relevant to questions about how we should or should aspire to regard and treat all people, but he draws out some special implications they have for our attitudes and actions towards people with disabilities.

The main aim of my essay is to highlight a different aspect of human dignity, as Hill and I understand it, and to argue that this value competes with other aspects of human dignity, including the values of appreciation and positive respect that Hill discusses. Respect for something, as Hill argues, is often thought to involve understanding and acknowledging it, holding it in high regard and engaging with it³, but many kinds of cases suggest that there is another aspect of our ordinary idea of respect, one that involves resistance, reluctance and limitation.⁴ This 'negative' or 'limiting' part of respect, I argue, is an underappreciated aspect of human dignity that has been missed, or misinterpreted, by those who tend to focus instead on other aspects of dignity, such as political justice, autonomy, beneficence, and thinner conceptions of respect. Negative respect, I suggest, presumptively requires us to recognize and acknowledge respectful limits on how we regard and treat others. Other aspects of human dignity, however, can provide competing presumptions about how to affirm the dignity of persons. Eventually, a comprehensive conception of human dignity should provide some guidance about how to adjudicate conflicts among these presumptive norms of dignity, including conflicts among negative respect and the values of appreciation and positive respect that Hill discusses. In

³ This aspect of respect is interpreted in various ways in Velleman (1999), Anderson (1993), Feinberg (1973), Dillon (1992), Darwall (1977), Buss (1999b).

⁴ This 'negative' aspect of respect figures in various ways in Feinberg (1973), Buss (1999a), Stohr (Forthcoming), Kant (1996, 6:449-450, 462-469), Sensen (Forthcoming), Carter (2011).

many cases, kindness, justice, appreciation and positive respect might be more important than negative respect while in other cases negative respect may defeat these other presumptions. Nonetheless, we should take seriously a general theme that underlies many kinds of legitimate complaints that disabled and non-disabled people have, which is that even well-meaning people sometimes overstep bounds of respect in the otherwise good and virtuous ways that they regard and treat us.

My plan is as follows: In the first two sections, I describe a variety of apparently virtuous attitudes that non-disabled people may have and express towards those with disabilities, with special emphasis on everyday contexts in which non-disabled people encounter people with disabilities who are more or less strangers to them. In the third section, I draw on some examples that highlight a 'negative' or 'limiting' aspect of respect beyond its 'positive' aspects of understanding, esteeming and engaging with people or things. In the fourth section, I give some reasons why this 'negative' or 'limiting' aspect of respect is an attitude that we should have toward other people. In the fifth section, I explain why the apparently virtuous attitudes and actions toward disabled people that I describe conflict with 'negative' respect. And, in the final section, I provide some practical suggestions for how good, well-meaning people can observe respectful limits in their attitudes and actions towards disabled people.

1. Disabled strangers

The attitudes that non-disabled people have about those with disabilities, as well as the ways that non-disabled people express these attitudes in their treatment

of disabled people, can vary depending on many factors, including social context, the sort of relationship (if any) that exists between the parties, the kind of disability the disabled person has, and other attitudes or features of the non-disabled person herself. For example: Background institutions, systems of oppression and social forces often influence our attitudes about disability. The ways that someone responds to her child's disability may be very different from the ways she responds to the disability of one of her colleagues. A non-disabled person may tend to regard and treat physically disabled people differently than she does to those who have cognitive disabilities. And, one person may be warm and kind to most everyone, regardless of disability, while others may be especially considerate to disabled people because they are disabled.

In order to more easily isolate some of the ways that non-disabled people regard and treat disabled people as such, let's initially limit our discussion to typical, everyday encounters between a disabled person and a non-disabled person who are more or less strangers to one another. More specifically, let's suppose the following: We are living in a modern democratic society under reasonably favorable circumstances. Our society is reasonably though not fully just with regard to its treatment of disabled people but it nonetheless stigmatizes and oppresses them to some limited but not insignificant extent. A disabled person and a non-disabled person, suppose, come across one another in the course of daily life, such as in a restaurant or store, at a social gathering or on the street. They are basically unfamiliar or unknown to each other: They may have seen one another a few times or chatted briefly; perhaps they are distant acquaintances; but they are not friends,

family members or loved-ones to one another. The non-disabled person in question is aware that the disabled person he encounters has a moderate disability, that she has been disabled for some time, and that she is not currently under duress or in need of emergency help. He is genuinely concerned to regard and treat her only in morally appropriate ways and, in particular, he lacks any intention to harm, discriminate against or disrespect her on account of her disability.

2. Aspects of human dignity

Let's now examine some of the ways that people with disabilities are sometimes regarded and treated in everyday life on account of our disabilities. We'll set aside the most apparent forms of discrimination, ridicule, mockery, malevolence and injustice that disabled people often endure and focus instead on attitudes and actions towards disabled people that are commonly regarded as virtuous, meritorious or even morally required. We can group these attitudes and actions into a few broad, and potentially overlapping, categories that are arguably each aspects of human dignity, although, as I'll go on to explain, some of these ways of regarding and treating disabled people can also be offensive and disrespectful.

Welfare

A non-disabled person may be genuinely concerned about the welfare of a disabled person he encounters. His caring attitudes towards her may involve being especially sensitive to her disability, sympathetic to the challenges she faces, curious about the specifics of her condition and intrigued by her ways of accommodating it.

These attitudes may lead him to have a concerned look on his face, to use a warm, sympathetic tone of voice, and to keep a close eye on her in case she needs his assistance. He may also approach her and warmly say, for example: 'I'm so sorry this has happened to you' or 'Good for you for being out and about.' He may offer her advice about, for instance, whether she should try an experimental treatment he recently learned about. And he may be pleased to give her direct material assistance, perhaps without prompting from her, in ways that actually make her better off, such as by helping her back on her feet or clearing a path for her.

Community

A non-disabled person may also have a sense of community and solidarity that influences how he regards and treats disabled people. He may feel a kind of kinship or camaraderie with a disabled stranger because of, for example, his own past medical conditions or his experiences with disabled family members or friends. He may try to develop social bonds with her by, for example, attempting to relate with her on the basis of shared experiences, values and interests, salient features of her or her circumstances, or aspects of her that she cares about. For example, he may earnestly ask a disabled person certain questions, which are perhaps prefaced by phrases meant to convey that he is not trying to insult or offend her, even if he actually does (e.g. 'If you don't mind me asking...'): 'What exactly is your condition?' 'What can you see, hear, feel, etc.?', or 'How are you able to do this or that with your disability (e.g. read, shower or have sex)?'. And, he may make a special effort to put her at ease in social settings, invite her to social events, include her in conversations, and otherwise get to know her better.

Justice

A non-disabled person's sense of justice may lead him to think that certain established rules, demands and expectations do not apply to certain kinds of people, that various impairments count as legitimate excuses for not complying with them, or that those impairments are at least mitigating factors in assessments of blame and punishment. He may thus not ask a disabled stranger to perform tasks that are difficult or impossible for her and he may be more lenient or forgiving toward her when she fails to satisfy certain established rules or norms.

His sense of justice may also lead him to be angry or indignant at those who discriminate against a disabled person he meets on account of her disability or who fail to provide accommodations that she is owed. He may even take it upon himself to make demands, complaints or requests on her behalf that are meant to secure her rightful claims. He may, for instance, demand the installation of a wheelchair ramp, complain that a speaker used handouts that are not accessible to her or insist that dinner guests change seats to make it easier for her to hear the conversation.

Appreciation

A non-disabled person may be amazed and inspired by a disabled stranger for her courage, bravery and fortitude, for the ways she has overcome her disability or for her resilience and cheerfulness under adverse circumstances. He may even be somewhat grateful or appreciative to her for setting an instructive example for him, leading him to rethink his own excuses, teaching him the power and importance of a positive outlook, enhancing his appreciation for his own fortunate circumstances

and inspiring him to redouble his moral efforts to fight injustice and discrimination. Appreciation, according to Hill, is “an openness to acknowledge, take in, and attend to the myriad good things about particular persons and the good things that they may experience in their lives” (Hill [This Volume], [Pages]). A non-disabled person may express his appreciation of this kind for a disabled person with symbolic gestures, such as encouraging a philanthropic organization to give her a ‘perseverance’ award, or simply by telling her how inspiring she is to him.⁵

Positive respect

The respect that a non-disabled person has for a disabled person he meets may also influence how he regards and treats her. Out of respect for her, he may pay attention to her and notice if she is uncomfortable, `unhappy, embarrassed or in need of assistance. He may try to get to know her better in terms of her basic values, goals, convictions, aspirations and character traits. And he may try to understand her specific rights, entitlements and prerogatives as well as when these are being upheld, violated or incorrectly enforced.

The respect someone has for a disabled stranger may also involve esteeming her as a person, which may dispose him to be around her, to engage her in conversation, to form a relationship with her, and to value and affirm her for who she is. His respect for her may also lead him to protect and enhance her sense of self-worth, to defend her against violations of her rights, and to encourage her not to subordinate or lower herself to others. He may, for example, attempt to improve a

⁵ For further discussion of regarding disabled people as inspirational, see (Barclay [This Volume], [Pages]).

cognitively disabled person's sense of self worth by allowing her to play in the final seconds of a one-sided basketball game or by bending the rules so that she appears to win some prize.

Our commonsense idea of respect seems to involve these two aspects, namely acknowledgement and high regard.

First, when we respect something, we tend to notice, pay attention to, understand and give due consideration to it. For example, when we respect the Constitution, a religious ritual or a professional code of conduct, we understand its structure, requirements and aims; when we respect an opponent's backhand, we know how devastating it can be; when we respect a great composer, we are aware of her musical genius; when we respect a work of art, we want to view it and learn about its history; and when we respect someone as a person, we tend to notice and pay attention to her as well as give her proper consideration in our deliberations.⁶

And, second, respect seems to involve a kind of high regard and esteem. When we respect a set of traditions, rules, or practices, we venerate and cherish them; when we respect a person for her abilities or accomplishments, we admire, revere and celebrate her; we pay our respects by welcoming or honoring someone; and we respect someone as a person by valuing and appreciating her for her basic moral status. Respect for persons or things, as Hill and others argue, seems to involve feeling uplifted by them, being close to them, engaging with them and expressing these attitudes to them.⁷

⁶ See, for example, Darwall (1977), Buss (1999b), Hill (1991).

⁷ See, for example, Raz (1999), Williams (1973), Velleman (1999), (Hill [This Volume], [Pages]).

Some philosophers have even suggested that the ideal of respect for another person is acknowledging and revering many of her qualities, including her deepest aims and goals, her character traits and her psychological make-up.⁸ Although unachievable in most cases, these philosophers argue that respect requires us to aim for full familiarity with other people and to esteem and admire them for who they really are.

These two general aspects of respect can be interpreted in different ways, but together they emphasize the 'positive' side of respect as familiarity and admiration. Respect of this kind, which underlies some of the ways that disabled people are regarded and treated, tends to bring us closer to people, to engage with them, to understand who they are, and to hold them in high esteem.⁹

3. Negative Respect

When we reflect on how people with disabilities are commonly regarded and treated by well-intentioned non-disabled people, we may admit that some of the attitudes and actions I discussed in the previous section can, on occasion, be awkward or uncouth, but it may nonetheless seem that, in general, these ways of regarding and treating disabled people are usually quite virtuous, admirable and praiseworthy. We are assuming, after all, that there is no intention to harm, embarrass or offend anyone; disabled people are usually benefited by these

⁸ See, for example, Williams (1973), Frankfurt (1999), (Vorhaus [This Volume]).

⁹ There are important distinctions to draw among these various aspects of positive respect, but my aim here is primarily to highlight two general themes that underlie our ordinary idea of respect, namely familiarity and esteem.

attitudes and actions; and many of them seem to be part of properly responding to the human dignity that all persons share.

And, yet, people with disabilities sometimes feel offended, insulted or put down by these apparently virtuous attitudes and actions. Disabled people can admit that many of the non-disabled strangers we encounter in daily life are well-meaning, sincere and concerned to regard and treat us with dignity; we can also admit that many of their attitudes and actions towards us would be morally appropriate or required in a variety of circumstances. But, to many of us, there seems to be an aspect of our human dignity that is often left out or underappreciated by non-disabled people.

I suggested earlier that our ordinary idea of respect has a 'positive' side that tends to bring us closer to people and things, to engage with them, to understand them, and to hold them in high esteem. There is another aspect of commonsense respect, however, that is not fully captured by and sometimes conflicts with these ideas of acknowledgement and reverence. The following examples suggest that respect, in general, also involves 'negative' or 'limiting' elements of reluctance, deference, resistance, aversion, limitation and constraint.

When we respect a wild grizzly bear, we tend to leave it be; when we respect a deadly virus in the lab, we handle it with care; when we respect hurricanes, we are fearful of their fury; and when we respect an opponent's left-hook, we tend to stay out of its way. Even respect for things that are not dangerous to us, such as certain works of art, pieces of music and natural landscapes, involve a tendency to resist them and to leave them as they are, perhaps because of the humiliating effects they

have on our own sense of self-worth. When we respect certain traditions or rituals, we are reluctant to change, violate or mock them; respecting someone's property often involves staying off of it; and respecting a person's wishes involves a tendency not to interfere with them or their satisfaction. We are respectful of a colleague's time by not wasting it; and we are respectful of a corpse by not disrupting it more than we need to.

This negative aspect of respect is also evident in the respect we have for other persons. We sometimes think about and express this kind of respect metaphorically, with phrases such as: 'give me some space', 'keep your distance', 'don't get too close', 'get off my case', 'you're out of line', 'mind your own business', and 'good fences make good neighbors'. Certain norms of etiquette and politeness seem to be aimed at keeping us apart from one another in various ways. Many of the recognized rules about personal space, eating, toileting, gift-giving and conversing, for example, allow us to maintain our privacy as well as our physical and emotional distance from one another (Buss 1999a, Stohr Forthcoming). And, within families and close personal relationships, limiting norms of respect often allow us to maintain some privacy and independence from our loved ones. A teenager, for example, might appreciate the interest her father takes in her plans after graduation but eventually come to regard his constant questioning as disrespectfully intrusive.

In general, our respect for something, it seems, includes broad tendencies not to interfere with, obstruct, meddle with, or concern ourselves unduly with someone or something. We are disposed to leave the people or things we respect as they are, to refrain from harassing, violating, challenging or criticizing them, to uphold and

sustain them as what they are and to keep our distance from them by not becoming too familiar with them. It seems that someone who is respectful of other people tends to keep to herself, to maintain some emotional distance from others, to give them space, and to mind her own affairs. She tends not to intrude on others, put herself above them, violate their rights, judge their character or moralize to them. And she tends to be reticent, self-possessed, private and humble. Such a person respects herself, in part, by tending to resist those who overstep the boundaries that respect establishes, such as people who are forward, arrogant, pushy or presumptuous towards her, those who attempt to pry into aspects of her personal life that she would rather not share, and those who try to interfere with or violate her prerogatives, responsibilities and obligations.

We can try to be more specific about some of the negative or limiting presumptions that seem to be part of our ordinary idea of respect. I will focus on three presumptive boundaries of respect, which concern the assumptions we make about others, their privacy, and their prerogatives and responsibilities.

A. Making assumptions about others

Our ordinary idea of respect for persons seems to involve a reluctance to make assumptions about the character, values, convictions, emotions, abilities and circumstances of others without sufficient evidence. It can be disrespectfully presumptuous for us to assume, for example, that our spouse always shares our opinions, values and preferences or that we know what she believes or wants without asking her. Relying on stereotypes can also be disrespectful when we, for example, assume that a student is good at math because she is Chinese, assume that

our neighbors are Republicans or Democrats from the ways they dress and speak, or assume that a wealthy friend's many good works are actually motivated by greed, particularly when our purpose in making these assumptions is to offend, insult or oppress these people. We can feel disrespected if others assuredly assume, without good reason, that we are envious, spiteful or cruel, or that we are generous, courageous or wise. The assumptions that we make about others or that others make about us may sometimes be correct, but it seems that someone who is respectful of other people tends not assume that he knows people better than he does, tends not to pretend to great insights about them, and tends not to act as if he knows their true selves, without sufficient evidence. When we lack such evidence about the characteristics of others, when we are biased in our assessments of that evidence or when we are motivated by prejudicial attitudes, respect for them seems to presumptively require us to modestly withhold judgments about whether or not they have those features.

B. Privacy

If respect presumptively requires us to refrain from making unjustified assumptions about other people then it may seem that we can avoid disrespecting them in this way by getting to know them better. Doing so, however, may involve a willingness to infringe on their privacy in ways that are incompatible with proper respect for them. It seems that part of respecting someone, in the negative sense, is to be disposed to keep ourselves at some physical and emotional distance from them, which involves allowing them to conceal certain aspects of themselves and trying not to learn too much about them.

When we respect our neighbors, for example, we are reluctant to spy on or stare at them, to concern ourselves with their faults or their political and religious views, or to learn too much about their personal lives, which we might try to avoid by closing our windows during one of their loud arguments. We may have a respectful meeting with our dissertation director without noticing that his wedding band is missing or asking about a picture showing him on a small sailboat. Our respect for a mentor may make us reluctant to read a salacious biography of him that, perhaps accurately, exposes his alcoholism and adultery. Our respect for someone we love leads us to acknowledge and appreciate boundaries of privacy in our relationship by, for example, not reading her personal emails or inquiring about her previous relationships. And, our respect for the person beside us on an airplane may lead us to regard and treat him as the sort of person he presents himself to be rather than to look for disconfirming evidence about him.

C. Responsibilities and prerogatives

A further aspect of negative respect for another person seems to be a tendency not to intrude on, challenge or meddle with his or her various prerogatives and responsibilities. When we respect our subordinates, we tend to let them do their jobs without second-guessing their official decisions, micro-managing them, or assigning their responsibilities to others without good reason. We are also disposed to defer to our employees on some occasions and to hold them to the policies and expectations of our organization by, for example, sanctioning them for their infractions and rewarding them for their accomplishments. When we respect our military commander, we tend to acquiesce to her orders and directives and to

refrain from challenging her authority, going over her head, or criticizing her leadership style. And our respect for our neighbors may lead us to try not to irritate, inconvenience or pressure them with, for example, too many late-night parties, requests to borrow sugar, unaccepted invitations to dinner or suggestions about how they should care for their lawn or children.

Respect is a very complicated notion, but these examples point to the general idea that our ordinary understanding of respect involves not just 'positive' admiration and acknowledgement but also 'negative' resistance, constraint and limitation. The three more specific presumptions of respect that I described are still somewhat vague and abstract, which makes it difficult to evaluate them or to interpret and apply them to actual circumstances. Attitudes and actions that may overstep the bounds of respect in one context may be quite respectful in another. Nonetheless, our love for other people draws us closer to them while the negative side of respect tends to keep us at a distance from them. Part of what is so difficult about having and showing proper respect to other people is not just that negative respect can conflict with other aspects of dignity, but that respect itself seems to involve potentially competing reasons of esteem, engagement and familiarity, on the one hand, and resistance and limitation on the other.

4. Negative respect and human dignity

Before turning to consider, in more detail, how negative respect can conflict with and place limits on apparently virtuous attitudes and actions toward other people, I want to briefly consider why this aspect of respect is a morally appropriate

attitude to have. This is a complex question that may have different answers for different kinds or aspects of negative respect, so I will focus on the negative side of respect for persons simply as persons.

In the previous section, I gave some examples that suggest that negative respect is part of our ordinary moral idea of respect and that it figures in a variety of moral practices that we commonly endorse. Perhaps we can go further than this, however, by noting some connections that negative respect has to other moral ideas within one kind of broadly Kantian moral framework.

One of the distinctive features of Kantian moral philosophy is that persons are ends in themselves and so have an intrinsic, objective and incomparable worth. What gives us this vaunted status is that we possess various rational capacities and abilities, such as to act freely, to deliberate, to think for ourselves, and to develop our own aims, projects and ideals. How we should regard and treat ourselves and others depends on interests we all have in developing, exercising and preserving our rational capacities. And an (unachievable) ideal we should all aspire to is to fulfill these interests completely and so govern all aspects of our lives by reason. Virtually all human beings are rational persons in this sense and so have dignity, but broadly Kantian views, in my view, must also ensure that the needs and interests of people with profound cognitive impairments are appropriately secured.

These basic ideas have inspired many people and led to ongoing debates about how to interpret and apply them to human conditions. But even at this abstract level, we find some reasons that apparently justify certain negative aspects of respect as ways of regarding people as the sort of being they are.

A. Separateness of persons

Persons, on Kantian ways of thinking, are, at our most fundamental level, connected by moral responsibilities, our human needs and dependencies, and our hopes for humanity over time, though we are also distinct and separate from one another as well. We have our own basic interests, which give rise to self-justifying moral claims on ourselves and others; competent persons have our own moral responsibilities that we must fulfill; and we have the capacity to think for ourselves and to freely develop, affirm and pursue our own values, aims and aspirations. We are not the kind of creatures who exist only as part of a larger whole, whose basic moral claims depend on others, who lack moral responsibility, or who cannot have our own opinions or values.

Respecting one another as the sorts of things we are seems to involve recognizing that we are separate persons and so not regarding one another as if we are 'inseparable' or indistinct from one another. Much will depend on particular circumstances when applying this idea, but at this basic moral level, negative respect for others as distinct individuals seems to give us reasons not to interfere with or try to take over the moral responsibilities of others, not to pressure, meddle with or coerce others, not to assume that we can speak for or represent others without their consent, not to presume that we always know what is best for a person, and not to interfere with the permissible aims and projects of others. We must see one another as fundamentally separate persons, regardless of how close we are to others or how intertwined our projects and goals may be with theirs.

When this idea is interpreted and applied in light of natural human tendencies, we find additional presumptions that are involved in respecting others. If people tend to lose their conception of themselves as separate, or if others tend to lose it about them, when they are very close to others in various kinds of relationships then the limiting role of respect for one another as separate persons is even more important so that each of us maintains an idea of ourselves as separate and distinct from others.

The three presumptive boundaries of respect I described, then, are, in part, ways for us to recognize and express the fact that we are separate persons, with our own interests, claims, responsibilities, values and opinions. Respect for others imposes presumptive limits on assuming that we know other, distinct, people better than we do, on violating their privacy, and on interfering with their prerogatives and responsibilities.

B. Freedom

A second feature of persons, on Kantian views, is that we are free in the sense that we have the capacity to make our own choices, think for ourselves, and affirm our own values, aims and aspirations without being caused or determined by anything. Respecting a person as free seems to require that we understand and acknowledge her as a free agent and not regard her as unfree.

As free persons, our desires, what causes us pain and other aspects of our psychology may be predictable, but as imperfect human agents, the goals, aims and projects that we freely endorse, choose or affirm are very difficult, if not impossible, for anyone else to predict on the basis of empirical evidence because they are ones

we, as imperfect human agents, choose for ourselves.¹⁰ If we simply look at a person's external circumstances, empirical characteristics, and psychological make-up and conclude that we know what values, goals or ends a person has, or what choices she has, will or would make, then we are not fully regarding her as a free person. As persons, we can freely adjust our values, convictions and choices, replace them with different ones, give up some and endorse new ones.

The three presumptive boundaries of respect I described are ways for us to recognize and express the fact that we are free persons who can freely select, endorse and affirm our own values, ideals and opinions. Although we can make educated guesses about a person's values or choices, we can never know for sure what they were, are or will be, so if we assume we can or do know these things about someone then we are not regarding her as free. Regarding and treating someone as a free person thus seems to give us reasons for humility about how well we can really know another person. Respecting someone as free may also give us reasons not to try to get to know others too well, for this is impossible when the other person can freely adjust her values and opinions over time. And, respecting a person as free involves acknowledging their ability to freely exercise or live up to the their own moral responsibilities and prerogatives.

¹⁰ That our choices are not empirically caused does not entail that our choices are not predictable – on some views, God is free but his choices are also predictable because he is supremely rational. But, as free yet imperfect human agents who are not necessarily guided by reason, it is difficult to explain how the choices of others could be predicted on the basis of empirical evidence. In any case, the main point is that respect presumptively requires us to regard one another as free and, in particular, not to assume that we can know how a person will choose simply on the basis of empirical evidence.

C. Conditions of agency

In addition to having the capacity for free agency, we as rational agents also have a rational interest in exercising our agential capacities well by aspiring to the ideal of a fully reason-governed person. This ideal is, in part, to fully endorse, on reflection, our own values and commitments; to not accept them simply on authority or because they are traditional or commonly accepted; and to not be pressured into them by others. Other people can help us in this regard, by discussing our ideas with us, allowing us to try out our opinions on them, and providing us with opportunities to participate in joint activities and projects. But, for human beings, there is also a need for privacy and quiet reflection in order to mull over things in our own minds without various kinds of interference from others. A sphere of privacy is important for us to exercise our agential capacities well and to aspire toward the ideal of freely endorsing a set of values, norms and convictions on due reflection.¹¹ Otherwise, we may be debilitated with shame if others knew our inner secrets, desires or character; we may be subject to social pressures of various kinds; and we may be more likely to be distracted. Human persons often need privacy to aspire towards this rational ideal in order to try out ideas, think through them, and figure out what values and goals we truly affirm. And the flip side of this needed privacy is that we still have to be in the world, so we need some control about what aspects of ourselves we present to others and which we hold back. Others, then, have reasons not to overstep these bounds of privacy and also to refrain from making assumptions about us or interfering with our

¹¹ For further discussions about the moral underpinnings of privacy, see Nagel (1998).

prerogatives and responsibilities when doing so is likely to unduly influence our rational deliberations about what is good and valuable in life.

4. Negative respect for disabled people

In any case, let's return to some apparently virtuous attitudes towards disabled strangers and examine why these attitudes and their expressions are sometimes incompatible with negative respect for people with disabilities. I'll focus on the three presumptive requirements that I think negative respect includes.

A. Making assumptions about others

Many of the apparently virtuous attitudes and actions toward disabled people include, depend on or presuppose assumptions about fundamental aspects of us, such as our character, values, wellbeing, convictions and abilities. Non-disabled people sometimes presume to know, for example, that we are courageous, strong-willed or resilient, that we regard our disability as a something to be cured or corrected, that our disability substantially diminishes our wellbeing and self-esteem, that we want to form relationships and social ties with others, or that our disability makes it difficult or impossible for us to satisfy certain norms.

When a non-disabled person encounters someone with a disability, it can be disrespectfully presumptuous of him to make firm assumptions about these aspects of her, especially when he is more or less a stranger to her. 'You don't know me', a person with cerebral palsy might think to herself, when a stranger on the street compliments him for his supposed bravery and fortitude. The non-disabled person

might be right about her, of course, or he might be mistaking her survival instinct, deep desire for money and power, or fortunate circumstances for a good and strong will. She may be exceptionally perseverant and courageous. Or, she may be handling her disability in much the same unremarkable way as anyone would in her circumstances. The problem is that the non-disabled person, if he were honest with himself, would admit that he does not know which it is. He oversteps the presumptive bounds of respect for the woman by assuming, without nearly enough evidence, that he has deep insights into her character.

The main presumptive failure of respect I've tried to highlight in this case is that of assuming we know people better than we actually do. Respect may allow us in some situations to make educated guesses about a person's character, values and other aspects of her inner life, perhaps after careful reflection on the basis of solid evidence. It can seem to many disabled people, however, that others act as if they are quite sure that they know certain aspects of our true selves. And, disabilities, along with the personalities and circumstances of disabled people, vary so widely and the available information about people with disabilities is so scarce that it may not even be possible for many non-disabled people to form anything more than mere conjectures about the inner-lives of disabled people. If we take a more respectful attitude toward disabled people by admitting that we do not know much about their character, values or other aspects of their inner-life then we are less likely to pity, feel sorry or embarrassed for, or admire disabled people we do not know or to act in ways that express these attitudes.

B. Privacy

It may seem as if we can avoid disrespecting a disabled person in these ways by getting to know her better, asking her questions, paying close attention to her and her circumstances, and engaging with her. Such actions and attitudes, however, may nonetheless involve a willingness to infringe on the privacy of disabled people in ways that are presumptively incompatible with negative respect for them. Part of respecting someone, in the negative sense, is to keep ourselves at some distance from their inner-lives by allowing them to conceal certain aspects of themselves and by trying not to learn too much about their character, values, wellbeing, etc. ‘That’s none of your business’, a wheelchair user might think to herself if a passer-by asks if she is headed inside an inaccessible building or asks about the nature of her impairment.

Many of the apparently virtuous attitudes that people have about disabled people include tendencies to gather, look for, acquire and pay attention to facts that those attitudes pick out as relevant. Respect, in its negative sense, seems to place limits on how curious we should be about private matters of others, how much we should acquire such information, and how much attention we should give information we do have. A disabled person, of course, may have no qualms about sharing certain information about herself, but negative respect also presumptively requires us not to presume we know what aspects of herself she prefers to keep private.

C. Responsibilities and prerogatives

A third aspect of negative respect for someone, I have suggested, is not to intrude on his or her various prerogatives and responsibilities. When a non-disabled conference attendant complains that the Powerpoint presentation is inaccessible to a blind participant, the blind person may think to himself: 'I don't need you to fight my battles for me'. The attendant's complaint may well be justified, but it may also be that those who are treated unjustly have a prerogative to complain or not and that others should take their queues from him. There may not be respectful ways to figure out what, if anything, he wants us to do on his behalf, which may mean that, in many cases, inaction is the most respectful option for the conference participant. Much depends, of course, on particular contexts and on who has standing to complain about injustice, but when a disabled person bears primary responsibility for doing so in her own case then it can be disrespectful to interfere with or supplant that prerogative.

Another prerogative that persons arguably have is to freely pursue their own goals, values and ends without certain kinds of interference from others. If a disabled person prefers, for example, to open doors herself or to find her own way then assisting her in these ways, while potentially beneficial, may be disrespectfully intrusive. Again, many disabled people would welcome such help, but there are reasons of respect not presume to know whether we want assistance or not and also reasons of respect to maintain our privacy about such matters.

These three presumptions are especially important for how we regard and treat disabled people because, as with gender and race, there is a history of cultural

disregard for these concerns that, combined with ongoing implicit bias about disabled people, calls for heightened sensitivity and special attention to the limiting role of respect for people with disabilities.

5. Practical Suggestions

Let's conclude with a few practical suggestions about how to observe respectful limits in our treatment of disabled people.

A. Welfare

Genuine concern for the welfare of others is part of properly responding to their human dignity, but the respect we should have for others often places constraints on our caring attitudes and on the ways we express them. Although we may find ourselves feeling sorry for a disabled person or tempted to help her in various ways, our respect for her should also lead us to reflect on the assumptions we may be making about her quality of life or about whether she wants or needs our help. Relying on stereotypes, folk wisdom and our own experiences may not, on reflection, justify our views about these matters, which gives us reasons to be more reticent about having and expressing sympathy, compassion and pity towards disabled people. Perhaps our initial assumptions were correct, but perhaps not, so once we recognize how complicated it can be to determine someone else's level of wellbeing in her circumstances, we often have reason to withhold the kinds of judgments that would otherwise lead us to have and express especially caring attitudes towards them on account of their disability. When this happens, our care

for the person can remain in place, but it presumptively should be tempered by our uncertainty about how well off she really is, whether she wants our help, and what we can do to assist her. Respect also gives us reasons to resist the temptation to gather more evidence about these matters so that we do not intrude on what can be very private and personal matters about, for example, the specifics of a person's condition, whether she regards it as a burden and whether she prefers to exercise her prerogative to pursue her own goals and ends independently, without much beneficence or charity from others.

In some dire circumstances, it may be clear that a disabled person is in pain or needs our help, but even then we have reasons of respect to proceed with caution so as not to exaggerate her predicament in our own minds and not to intrude on her privacy and prerogatives that she may prefer to exercise herself. In most other situations, respect gives us reasons to let disabled people take the lead in whether we share aspects of our situation with others, communicate our openness to being assisted, or welcome their sympathy and compassion.

B. Community

A non-disabled person who has experience with disability in his own life may feel a kind of bond or kinship with a disabled person he meets because of what he supposes are their shared experiences, values or circumstances. Some of these underlying assumptions about the disabled person may be correct, but others may be mistaken, so respect for her gives him reasons to scrutinize what he really knows about her and her situation, which may diminish his heightened sense of solidarity towards her. Respect also gives him reasons to respect her privacy about some of

the grounds that might provide a foundation for special social bonds between them as well as reasons not to force those bonds when they do not exist. A more respectful strategy, in many cases, is to avoid trying to form relationships with disabled people on the basis of our disabilities but instead to relate to us on the basis of the interests, values and character traits that we have chosen to openly express.

C. Justice

Non-disabled people may come to recognize various ways in which social and political institutions are unjust in their treatment of disabled people, but it is sometimes difficult to know, in particular cases, what specific rights, entitlements, prerogatives and duties a disabled person has, how well these are being upheld or fulfilled, and who is responsible for correcting any injustices that may exist. Respect gives us reasons not to make assumptions about such matters without good evidence, not to inquire about them in ways that risk violating the privacy of disabled people, and in some cases to let disabled people ourselves take the lead in how to respond to injustices that we, in particular, suffer. When we are unsure, for example, whether a disabled person has violated a legitimate rule, perhaps because we do not know whether the rule applies to her in light of her condition, respect for her gives us reasons to withhold judgment rather than to assume that the rule does not apply to her or to blame her for her supposed infraction.

D. Appreciation

Many of us are amazed and inspired by good or virtuous character traits that we think we detect in others, but while it is laudable for us to appreciate these traits in the abstract, it is often difficult to know whether particular people actually have them. Part of what can be frustrating about living as a disabled person is when others assume that our everyday forms of life are indicative of character traits that are especially worthy of appreciation even though we know that others have little idea about our underlying motives or what obstacles we have actually faced. Respect for a disabled people gives us reasons to be reticent about assuming we understand her underlying character and circumstances, even when these assumptions lead us to have and express admiration and appreciation for them. The challenges that a disabled person has faced, along with the ways she has coped with them, may be quite admirable, but they are also often deeply personal matters that she would prefer to keep private.

E. Positive respect

Finally, the respect that a non-disabled person has for a disabled person may lead him to notice, understand and think about her, to engage with and esteem her, and to work to reinforce her sense of self-worth. His respect for her, however, also gives him reasons to keep his distance from her, to mind his own business, to avoid getting to know her too well, and to not intrude on her prerogatives and responsibilities. Sometimes the most respectful action to take is to mostly ignore a disabled person who is, for example, simply shopping at the grocery store rather

than to spend much time reflecting on and esteeming her for who she is. Navigating such conflicts within the idea of respect itself, as well adjudicating conflicts between respect and other aspects of dignity, is often very difficult, calling for significant moral sensitivity and wisdom, but many people with disabilities would be pleased by a broader recognition of the presumptive limits of respect on how others regard and treat us.

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