Respecting the Oppressed in the Personal Autonomy Debate

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Abstract

It is common in the autonomy literature to claim that some more demanding theories of autonomy disrespect certain individuals by giving the result that those individuals lack autonomy. This claim is often made in the context of the debate between substantive and content-neutral theories of autonomy. Proponents of content-neutral theories often argue that, in deeming certain people non-autonomous—especially certain oppressed people who seem to have internalized their oppression in certain ways—the substantive theories disrespect those people. They take this as reason to accept content-neutral views over substantive views.

Despite its ubiquity, this concern about disrespect is hard to pin down precisely. In this paper, I articulate two questions that need to be answered before we can understand the disrespect objection. First: Who, exactly, is supposedly being disrespected by substantive views? Second: Why is it that excluding people with these features is disrespectful? I consider a number of possible answers to each of these questions, and I argue that none of them gives us a plausible explanation of why we should think substantive theories of autonomy are disrespectful to anyone. No matter how we fill in the details, I will argue, there is simply no reason to prefer content-neutral theories of autonomy over substantive ones on the grounds of respect.

Introduction

It is common in the autonomy literature to claim that some more demanding theories of autonomy disrespect certain individuals by giving the result that those individuals lack

autonomy. This claim is often made in the context of the debate between substantive and content-neutral theories of autonomy. While the distinction between these theories has been made in different ways by different people, I will define a substantive theory of autonomy as one which places constraints on the values, desires, or general pro-attitudes a person can have while still being fully autonomous, and content-neutral theories of autonomy as those according to which a person can be fully autonomous regardless of the particular pro-attitudes she has. Proponents of content-neutral theories often argue that, in deeming certain people non-autonomous—especially certain oppressed people who seem to have internalized their oppression in certain ways—the substantive theories disrespect those people. They take this to be reason to accept content-neutral views over substantive views.

One frequently discussed example of this sort is the Deferential Wife as described by Thomas Hill:

> This is a woman who is utterly devoted to serving her husband. She buys clothes he prefers, invites the guests he wants to entertain, and makes love whenever he is in the mood. She willingly moves to a new city in order for him to have a more attractive job, counting her own friendships and geographical preferences insignificant by comparison. …[S]he tends not to form her own interests, values, and ideals; and, when she does, she counts them as less important than her husband's. She readily responds to appeals from Women's Liberation that she agrees that women are mentally and physically equal, if not superior, to men. She just believes that the proper role for a woman is to serve her family. As a matter of fact, much of her happiness derives from her belief that she fulfills this role very well. No one is trampling on her rights, she says; for she is quite glad, and proud, to serve her husband as she does. (1991, 5–6)

On Natalie Stoljar's substantive theory of autonomy, for example, Hill's Deferential Wife (DW) would not be autonomous insofar as she is motivated by false norms of womanhood that take a woman's worth to be tied up with her ability to please men (Stoljar 2000). In contrast, a content-neutral theory of autonomy would have no problem maintaining that the DW is fully autonomous so long as she has certain capacities for self-reflection and self-awareness, say, or is not alienated from her desire to serve her husband. One argument frequently given by proponents of content-neutral theories is that the substantive theories disrespect people like the DW by denying that she is autonomous, and that this fact lends support to the plausibility of content-neural theories.

We see this appeal to respect in arguments for content-neutral theories of autonomy throughout Marilyn Friedman's discussion of autonomy in *Autonomy, Gender, Politics.* She makes this point explicitly when she claims:

> If content-neutral and substantive accounts of autonomy are roughly equally convincing on conceptual and intuitive grounds, then a content-neutral account should be preferred for the fact that it will serve better in one of the normative roles that an ideal of autonomy fills, that of motivating people to treat others with an important form of respect. An account of autonomy that is too demanding will prompt persons to regard a greater number of others as failures at personhood and thereby reduce the number of others they will regard as respectworthy. (23)

Friedman is far from alone in her pursuit of this line of argument. Paul Benson uses this line of argument to defend a weaker version of a substantive view (2014); John Christman uses it to defend a content-neutral view (2009); and Diana T. Meyers also defends a content-neutral over a substantive view on the basis of this appeal to respect (2014).

Despite its ubiquity, this concern about disrespect is hard to pin down precisely. The first question to ask here is who, exactly, is supposedly being disrespected by substantive views? Surely, we need not claim that *everyone* is autonomous merely to avoid disrespecting anyone, so whom is it that we must include on these grounds? The obvious answer, of course, is that we need our theory of autonomy to deem autonomous everyone who is, in fact, autonomous, and that it is disrespectful to deny that someone is autonomous when they are. But this is not what the proponents of content-neutral theories are proposing, as that would be straightforwardly begging the question against the proponents of substantive views. So what features—other than autonomy—are such that, when persons have them, respect requires us to deem them autonomous?

The second question that needs to be answered in order to understand this objection to substantive theories is: Why is it that excluding people with these features is disrespectful? We claim that some people are immoral, unfree, vicious, and so on without worrying that doing so will disrespect them, and we don't seem to think that respect for persons must play a role in our theoretical attempts at defining these notions. Instead, we start by coming up with a plausible definition and then we take it to be a matter of respect to apply it consistently and accurately. The objection to maximizing act utilitarianism isn't that it is a disrespectful theory because it deems too many people immoral; instead we simply appeal to examples of apparently morally permissible behavior that maximizing act utilitarianism would claim is immoral. And while Frankfurt's example of the unwilling addict has spawned tremendous disagreement about a number of things, no one has argued that it is disrespectful of Frankfurt to claim that the unwilling addict, for example, is unfree. So what is it about deeming certain people non-autonomous that is so widely thought to be disrespectful?

In this paper I consider a number of possible answers to each of these questions and argue that none of them gives us a plausible explanation of why we should think substantive theories of autonomy are disrespectful to anyone. No matter how we fill in the details, I will argue, there is simply no reason to prefer content-neutral theories of autonomy over substantive ones on the grounds of respect. In what follows, I begin in Section I by discussing three possible features a person could have that would make it disrespectful to deny that they are autonomous: a) they believe they are self-guiding, b) they meet a set of standards that some take to be plausible criteria for autonomy, and c) they are oppressed, and features of their oppression explain why substantive views deem them non-autonomous. In Section II I apply Stephen Darwall's distinction between recognition respect and appraisal respect to this issue in order to get more clarity regarding how substantive theories of autonomy might be disrespectful. I distinguish between four different ways in which substantive views might deny appropriate recognition respect (e.g. perhaps they are disrespectful because they sanction inappropriate paternalistic intervention), and two different ways in which it might deny appropriate appraisal respect (e.g. perhaps denying that a person is autonomous prevents us from positively appraising her for the ways in which she may still engage in some kinds of self-guidance). In Section III I argue that we lack sufficient reason to think that substantive theories deny appropriate recognition respect to anyone, and finally, in Section IV, I argue that we lack sufficient reason to think that such theories deny appropriate appraisal respect to anyone. As a result, I conclude that while we may still have reason to prefer content-neutral theories of autonomy over substantive ones, the concern that substantive theories are disrespectful is not such a reason.

Section I: Whom might we disrespect by claiming they are not autonomous?

A point worth emphasizing about the disrespect objection to substantive theories of autonomy is that, in order for it to get off the ground in the first place, it relies on there being some individuals who will be disrespected if we deny that they are autonomous *even before we know what autonomy is.* This is because those who appeal to the disrespect objection use the supposed disrespectfulness of substantive theories as a reason in favor of thinking those theories are wrong, so we must be able to establish that they are disrespectful *before* we know whether they are accurate. To make this point clear, consider the following two arguments a proponent of the disrespect objection might appeal to:

Argument 1:

P1. If a theory of autonomy is wrong, in that it fails to appreciate certain individuals' degrees of autonomy, then it disrespects (at least some of) those whose autonomy it does not adequately recognize.

P2. Substantive theories of autonomy are wrong, in that they fail to appreciate certain individuals' degrees of autonomy.

C. Therefore, substantive theories of autonomy disrespect (at least some of) those whose autonomy it does not adequately recognize.

Argument 2:

P1*. If a theory of autonomy maintains that a certain special group of individuals, G, lacks autonomy, then that theory of autonomy disrespects the members of G.

P2*. Substantive theories of autonomy maintain that members of G lack autonomy.

C*. Therefore, substantive theories of autonomy disrespect members of G.

Notice that the conclusion from Argument 1 cannot be used as a reason for thinking that substantive theories of autonomy are wrong, since the argument relies on that claim to reach its

conclusion. It seems, then, that in order to argue that substantive theories of autonomy are disrespectful to some individuals and to use that as a reason in favor of thinking that substantive theories are wrong, there must be some people whom we know will be disrespected if their autonomy is denied even before we know what it takes for someone to count as autonomous. On this approach, our intuitions about whom we ought, as a matter of respect, to deem autonomous are informing our attempts to define *autonomy*. But what group of individuals, G, is such that we can know that it would be disrespectful to deny their autonomy even before we know what autonomy is?

When proponents of content-neutral theories accuse substantive theories of disrespecting certain people, they tend to focus on people who have one or more of the following qualities: they take themselves to be self-guiding (call this *self-confidence*), they've achieved a certain level or kind of self-guidance—perhaps by reflectively endorsing their behavior or rationally considering multiple courses of action (call this *self-guidance*)—or they are a member of an oppressed social group and their autonomy is being denied in part because of their oppression (call this *oppressed*).

Consider first *self-confidence*. The person I am describing as *self-confident* is someone who considers themselves to be autonomous, self-guiding, or generally in control of the course of their lives and the decisions they make. Theorists like Paul Benson (2014), Diana T. Meyers (2014), and Marilyn Friedman (2003) either suggest or explicitly claim that denying the *self-confident* person's autonomy is disrespectful to them. The idea is that, on certain substantive views, some women who experience themselves as autonomous will not be autonomous after all, but this result seems to show that substantive views fail to respect these women's experiences and their voices.

Consider next *self-guidance,* which is a quality a person has if they have some important self-guiding abilities (e.g. the ability to reflect and to regulate one's intentions). John Christman, for example, claims that if we deny the autonomy of someone who is subservient when "she has accepted this subservient position out of sincere and reflective religious devotion, without defects in her competence as a reasoner," then denying her autonomy is "tantamount to silencing [her] voice" (176). Friedman gives further support to this approach when she claims that respect is "the distinctive reaction owed to those who have perspectives comprising important wants and values they can reflect on and evaluate and who can act accordingly" (2003, 74).

Finally, consider *oppression*, which is the third and final feature of persons that content-neutral theorists of autonomy seem to take to warrant the respect of being deemed autonomous. A person counts as *oppressed* on this way of thinking if our only or main reason for denying the individual's autonomy is a factor because of the oppressive socialization the person has undergone. Meyers explicitly expresses a concern for denying the autonomy of the oppressed when she claims that "[f]eminists have repeatedly underscored the personal and societal damage caused by silencing women's voices. Value-neutral autonomy theory guards against suppressing the diversity of women's perspectives and concerns because it does not preemptively deny the autonomy of any woman's beliefs about how she should live." (2014, 130–1)

Friedman echoes this concern: "Whenever an ideal has more extensive requirements, the risk arises that it will turn out in practice to be attainable, or viewed as attained, by only a privileged minority. The ideal of autonomy is hampered by a history in which it has been associated in Western cultures with a select few, typically, successful white men" (23). Not only this, but it is the deprivation of the oppressed—which inhibits their autonomy—that allows for the privileged to have the freedom that enhances their autonomy (46). Friedman takes this to be

good reason to support a content-neutral theory of autonomy since it tends to be easier for members of oppressed groups to count as autonomous on those views than on substantive ones.

To recap, it is commonly claimed in the autonomy literature that theories of autonomy that are particularly restrictive are disrespectful to certain individuals who fail to count as autonomous on those views. In order to attempt to better understand this claim, I have so far looked for answers to the question: Who is it that is disrespected when they are not counted as autonomous? I've considered three possible answers to this question: those who take themselves to be self-guiding—or those who have *self-confidence*—those who have the ability to engage in some forms of *self-guidance*, and those who are oppressed and whose autonomy is denied at least in part because of features of their *oppression*.

The next question is: Why is it that these (variously specified) individuals are disrespected when we deny that they are autonomous? Since the proponents of the disrespect objection have their strongest case when they are discussing people who have all three of these qualities, I will assume throughout that this is what they all have in mind. Thus, in laying out the six possible answers to the "why?" question, I will be understanding them as attempting to explain to us why it is disrespectful to deny autonomy to individuals who are *self-confident*, *self-guiding*, and *oppressed*. In the next section, I use Stephen Darwall's distinction between recognition respect and appraisal respect to distinguish between various possible ways of answering this second question, and I go on in Sections III and IV to argue that none of the proposed answers are successful.

Section II: Why might it be disrespectful to maintain that they are not autonomous?

We have so far considered some groups of people who might be disrespected if we conclude that they are not autonomous, but it is not yet clear why we should think that people

who are members of these groups would be disrespected in this way. After all, as I mentioned above, it does not seem disrespectful to claim that someone is immoral, for example, simply because she claims that she is morally good. And while a person may meet some plausible utilitarian standard of morality, it is not disrespectful of the deontologist to claim that she is not moral after all. Finally, while some people might, given their circumstances and through no fault of their own, have a particularly difficult time making the moral choice, we do not take a moral theory to be disrespectful if it gives us the result that they have still done the wrong thing (though we may take it to be implausible for other reasons). So what is it about denying a person's autonomy in these circumstances that makes it so intuitive to many that we have disrespected them?[1]

Before considering possible answers to this question, it's important to be clear about what it might mean to respect or disrespect a person in the first place. In understanding this, it will be useful to begin by discussing two different kinds of respect as explained by Stephen Darwall in "Two Kinds of Respect." Darwall distinguishes between what he calls *recognition respect*, on the one hand, and *appraisal respect*, on the other. To have appraisal respect for someone is to have "an attitude of positive appraisal of that person either as a person or as engaged in some particular pursuit" (184). Recognition respect, as he defines it, is a disposition to recognize the significance of some thing or some feature of a thing, to give it appropriate weight in one's

[1] Of course, to claim that something is true need not involve saying it to anyone in particular. We can claim that certain kinds of individuals or certain particular individuals lack freedom or virtue without saying it to their faces or discussing it as gossip. Doing those things likely would be disrespectful, but claiming it, by itself, does not seem to be.

deliberations, and to act accordingly. Dillon in "Self-Respect: Moral, Emotional, Political" claims that we can have this latter kind of respect for a mountain when we recognize how dangerous it would be to climb it, or for an agreement that we've made when we appreciate the significance of violating it.

So while having appraisal respect for someone involves having a particular positive attitude toward them, having recognition respect for them involves taking them into consideration in appropriate ways and altering our behavior accordingly. Plausibly, it will sometimes be appropriate to show both forms of respect to the same object in virtue of the same facts. Sarah Buss (1999) has described the Kantian view of respect for persons as one according to which both appraisal *and* recognition respect are appropriate to have toward persons in virtue of persons' ability to reason. As she explains it, not only is it appropriate for persons to invoke a positive appraisal from us when we reflect on the qualities that make them persons, but it is also appropriate for us to show them recognition respect by altering our behavior in certain ways in response to those same qualities. Showing recognition respect for persons on this view involves appreciating that the ends of other persons set limits to the acceptable methods of pursuing our own ends and the acceptable content of our ends.

Those who appeal to the disrespect objection against substantive theories of autonomy may have in mind that these theories fail to show proper appraisal respect for certain individuals, proper recognition respect for those individuals, or both forms of respect at once. According to Darwall, we can have appraisal respect for persons as such—in virtue of some significant enough features they have—or we can have appraisal respect for persons *with respect to* a particular pursuit, e.g., tennis playing. So if a person is particularly virtuous, we might positively appraise them *as a person*, and if a person is just quite good at tennis, we might positive appraise them *as*

a tennis player. Those who are concerned that substantive theories of autonomy disrespect certain individuals might have in mind that those individuals are not being positively appraised *as persons* in a way that they should be, or just that they are not being positively appraised *as self-guiding agents* as they should be.

Instead (or in addition), the concern may be that substantive theories of autonomy lead to a failure to show certain individuals the recognition respect they are due. This would be because those individuals ought to factor into our decisions about how to act in certain ways, but denying their autonomy suggests we need not factor them into our decisions in these ways after all. Thus, these substantive theories of autonomy seem to allow us to leave these individuals out of our deliberations in ways that would lead to our failing to show them proper recognition respect. There are a large number of ways in which, plausibly, we ought to factor persons into our deliberations; the question here is just which of them substantive theories of autonomy threaten to ignore in the case of individuals who supposedly lack autonomy.

In Section III, I'll consider four possible answers to the question: How might substantive theories of autonomy fail to show appropriate *recognition* respect to certain individuals? The answers I'll consider are: 1) to deny someone's autonomy is to thereby authorize paternalistic interference in their affairs, 2) if we claim that a person is not autonomous then we are thereby claiming that she is not a moral agent and perhaps does not deserve the same moral consideration that moral agents do, 3) to deny someone's autonomy is to deny their personhood altogether and so to deny that they are due any of the kinds of consideration persons are due, and 4) to deny the autonomy of oppressed people in particular is to place unjust burdens on them. I'll argue that we do not have sufficient reason to think that substantive theories of autonomy fail to show proper respect to people in any of these four ways. In Section IV, I'll consider two answers to the

question: How might substantive theories of autonomy fail to show appropriate *appraisal* respect to certain individuals? The possible answers to this question I'll consider are: 5) to deny that a person is fully autonomous is to fail to appreciate the ways in which she might, in fact, be self-guiding (even if not fully so), and 6) a failure to positively appraise someone as autonomous amounts to a failure to positively appraise them *as a person.* I'll argue that we do not have sufficient reason to think that substantive theories of autonomy fail to show proper respect to anyone in either of these two ways.

Section III: Supposed Failures of Recognition Respect

Answer 1: Sanctioning Paternalism

The first reason for thinking that it is disrespectful to deny that self-confident, self-guiding, oppressed people are autonomous is that to deny that they are autonomous is to sanction paternalistic intervention in their lives, and this kind of intervention is inappropriate for people of this sort. This is probably the most frequently discussed reason for thinking that substantive theories are disrespectful,[2] with Christman being one of its most ardent defenders. Christman defines autonomy in a way that allows it to play certain roles in political theory. Not only does he want autonomy to be the characteristic that makes citizens' perspectives a source of legitimacy for laws and institutions, but he also wants it to be the characteristic that "places limits on paternalistic interferences or manipulative dealings" (135). Thus, as a matter of stipulation, if a person is not autonomous on Christman's view, they are not protected from this paternalistic interference. For this reason, it is important for him to have a theory of autonomy

[2] See, for example, Benson, 1991; Nussbaum, 2001; Friedman, 2003; Oshana, 2003 and 2006; and Terlazzo, 2016.

that includes anyone whom we think ought not be subjected to this interference. Plausibly, this would include the *self-confident*, *self-guiding*, *oppressed* person.

But the claim that there is a perfect parallel between the degree to which someone is autonomous and the degree to which paternalistic interference in their affairs is appropriate is a contentious one. One alternative to this claim would just be that Christman's political theory is mistaken, but a more charitable response is that there are multiple conceptions of autonomy, each of which is important in different contexts. Suzy Killmister (2013) takes the former route, arguing that it is a mistake for Christman to maintain that the *exercise* of autonomy is necessary for an individual to be treated as a political equal; she maintains that, instead, it is the *capacity* for autonomy that gives us this status.

The latter route is the one taken by people like Narayan (2002) and Oshana (2006), the former of whom distinguishes between "thick" and "thin" conceptions of autonomy, arguing that it's plausible that both are valuable but play different roles. So we might like a substantive theory of autonomy for certain purposes (e.g. formulating policies that avoid or prevent manipulation) while using the content-neutral theory to play the role Christman is interested in. Oshana distinguishes between political and personal autonomy, describing political autonomy as having to do with "the status of the individual against the state or against institutions of public and civic authority," and "the idea that the justification of political institutions must appeal to considerations recognized as valid by all adult citizens of a society" (2006, 102). But she maintains that a person can be politically autonomous without being personally autonomous, and that political liberalism is meant to allow for a society in which a person can be free to pursue personal autonomy or not. Christman's liberalism is motivated by a concern for respecting different conceptions of the good, so it takes into consideration the perspectives of everyone who

meets the requirements for political autonomy. But some of those people will not be motivated by the value of personal autonomy, and liberalism leaves room for them to live lives of self-sacrifice and subservience in accordance with their values.

It seems to me that the way to understand the difference between these two approaches to autonomy is that political autonomy is concerned with whether a person has the *authority* to govern themselves, while personal autonomy is concerned with whether or not a person *is in fact* governing themselves. And it is quite plausible that it takes less to have the authority to govern oneself than it does to succeed in governing oneself—in fact, if Killmister is correct, merely having the *capacity* to govern oneself is sufficient to have the authority to do so. So we can grant, with Christman and Friedman, that a person should be free from paternalistic intervention and should have the opportunity to contribute to the political process so long as they meet some minimal, content-neutral standards of autonomy while still maintaining that there is a distinct notion of autonomy that better captures what it means to guide oneself.

Thus, unless a proponent of a substantive theory of autonomy claims that their theory of autonomy should be used to mark the appropriateness of paternalism, it is unfair to assume that their theory should plays such a role. It is open to proponents of substantive theories to deny that the exercise of autonomy is necessary for paternalism to be inappropriate, or, alternatively, to distinguish between political and personal autonomy. Christman is concerned with political autonomy, since he is concerned with the self-guiding features a person must have in order to have the standing to participate in the democratic process and to remain free of paternalistic interference. In contrast, Oshana, Stoljar, Benson, and others seem to be concerned with personal autonomy, or what it takes for a person to actually be guiding their own choices. The claim that substantive theories of autonomy disrespect the *self-confident*, *self-guiding*, *oppressed* person by

denying her autonomy—thereby sanctioning paternalistic interference in her affairs—is, as a result, based on a mistaken conflation of political and personal autonomy.

Answer 2: Denying Moral Agency or Moral Worth

There is little agreement in the literature on autonomy (or in the literature on moral responsibility) regarding how autonomy and moral responsibility are related. Some talk as though the two notions are equivalent (e.g. Benson 1991, 1994, 2005), others take autonomy to be necessary for moral responsibility (e.g. Friedman 2003; Meyers 2004), and others seem to think the relationship is more complicated (e.g. Oshana 2002; Arpaly 2003). But for those who think that the notions are equivalent or that autonomy is necessary for responsibility, it appears that the non-autonomous person will be incapable of being responsible for her actions or that she will not be responsible for her choice if that choice was not an autonomous one.[3] Benson expresses as much when he claims that, for example, "a woman whose socialization has impaired

[3] There's a distinction between a person being morally responsible generally versus a person being responsible for a particular choice. There is also a distinction between a person being autonomous versus a person's particular choice being an autonomous one. There is ongoing disagreement in the literature regarding which is more fundamental—the state of the choice or the state of the person more generally—and I am not in a position here to declare one more worth focusing on than the other. However, it seems to me that regardless of which we focus on, the disrespect objection to substantive theories of autonomy will be unsuccessful. As a result, I move back and forth between talking about one and the other depending on what makes the most sense in the context and what assumptions are being made by the authors with whom I'm engaging.

the autonomy of certain of her actions will also have sufficient grounds for being excused from full liability to moral criticism for those actions" (1991, 391).

On many substantive views of autonomy, the oppressed will frequently fail to be fully autonomous persons, and many of their choices will fail to be fully autonomous choices. Thus, there is some concern that these views of autonomy restrict the class of responsible individuals (or the class of actions for which someone is responsible) too much. Not only is it important that we hold people responsible when it is appropriate to do so because it's morally appropriate (Benson 2004), but it is also crucial that we appreciate women's status as morally responsible agents because this comes with an appreciation of the constraints their preferences and choices place on us—constraints which have historically been largely ignored. Friedman (2003) builds on this idea when she explains that, historically, women have not been thought of as full moral agents, and as a result their preferences and choices have not been respected. She argues that the "surest and most plausible" way to justify taking women's choices seriously is by appealing to their agency as autonomous individuals. She maintains that, as a result, we have good reason to choose a content-neutral theory of autonomy over a more restrictive, substantive one.

To sum up, then, on this line of argument it is disrespectful to deny that the *self-confident*, *self-guiding*, *oppressed* individual is autonomous because in doing so we are thereby denying their moral agency. Not only does it seem to be a failure of appraisal respect to deny that an agent is responsible for her actions when, intuitively, she is responsible, but there is further concern that by denying her agency we are denying that we should pay her recognition respect by properly responding to her avowed preferences and choices. Plausibly, by denying the legitimacy of a person's preferences generally, we are suggesting that it is permissible to treat the person in ways that conflict with what they say they want. Thus, it seems as though more

restrictive theories of autonomy provide moral justification for the mistreatment and abuse of women and other oppressed individuals.

The problem with this objection to substantive theories of autonomy is that it is only effective if autonomy and moral responsibility are indeed related in certain ways. But there are respectable arguments out there—like Arpaly's (2003) and Oshana's (2002)— for the conclusion that autonomy and responsibility are not so closely tied. So if we are debating what autonomy is, intuitions about who is morally responsible and who is not won't be relevant unless either 1) we have arguments that establish that any conception of autonomy must be importantly tied up with moral responsibility (and an argument of this sort does not, to my knowledge, exist), or 2) the theory of autonomy being considered is *meant* to be related to moral responsibility. If a theorist has no intention of theorizing about both autonomy *and* moral responsibility, then objecting to their theory because of its counter-intuitive results regarding moral responsibility will be unfair. It seems to me, then, that it is only once we know what autonomy is (and what moral responsibility is) that we can determine how they are related. For this reason, it seems to me a mistake to appeal to our intuitions about who is morally responsible and who is not in our defense of one theory of autonomy over another.

Regarding the concern about denying the moral rights of non-autonomous individuals, this concern doesn't arise unless we first establish that autonomy and moral responsibility are related in certain ways or unless the theory of autonomy is meant to have some important relationship with moral responsibility. In fact, when people do talk about who has moral rights and who does not, to the degree that autonomy is relevant at all, people seem to think that it is the *capacity* for autonomy that makes it the case that one has moral rights rather than the

achievement of autonomy.[4] In addition, on most, if not all, theories of autonomy, autonomy comes in degrees. Perhaps there is a threshold one must meet in order to count as autonomous at all, and perhaps this is also the point at which one has any moral rights at all, but this is perfectly consistent with the claim that a person who lacks some degree of autonomy still has certain moral rights and is due a certain amount of respect.

Answer 3: Denying Personhood Altogether

A third way in which a denial of autonomy might involve a denial of appropriate recognition respect arises if we take autonomy to be a defining feature of persons, such that lacking autonomy entails lacking personhood. In Darwall's terms, supposedly non-autonomous individuals would not be provided with recognition respect as a person and so would not be included in our deliberations in the ways that persons ought to be. It is initially plausible enough that autonomy is the defining feature of persons, such that anyone who lacks autonomy is thereby not a person. This seems to be more or less what Kant had in mind, and many capacities often described as constitutive of autonomy are also often thought of as constitutive of personhood—for example, things like reasoning in certain ways, reflecting in certain ways, or being sensitive to certain kinds of reasons. But it is clear that the *self-confident*, *self-guiding*, *oppressed* individual *is* a person, and to deny that they are would be to deny that they deserve to be taken into consideration in our deliberation in ways that, of course, they do deserve. It seems quite plausible, then, that if a denial of autonomy entails a denial of personhood, then substantive theories of autonomy do disrespect many of those whose autonomy it denies.

[4] See, for example, Benson 2014, 101; Friedman 2003, 23; Killmister, 2013.

However, no substantive theory of autonomy makes the exercise of autonomy a necessary condition for personhood, and in fact, no content-neutral theories do either. It is acknowledged across the board that insofar as autonomy is relevant to personhood, it is the *capacity* for autonomy that is relevant.[5] The very individuals who worry that denying autonomy will lead to disrespect of persons maintain that non-autonomous persons are still persons deserving of respect. Friedman, for example, acknowledges this when she notes that "Many philosophers agree that respect is owed to persons simply by virtue of their potential for being autonomous, whether or not this potential is ever actualized" (22), and while she thinks there are some additional forms of respect above and beyond this basic respect for persons that the exercise of autonomy might warrant, this is a separate point. For while we may owe some individuals positive appraisal in virtue of their exercise of autonomy, a recognition and respect of their moral rights is often thought to be warranted simply in virtue of their capacity for autonomy.

Answer 4: Burdening the Oppressed

A fourth answer to the question of why it might be disrespectful to deny that the *self-confident*, *self-guiding*, *oppressed* person is autonomous is that in denying that they are autonomous, we are suggesting they are failing in some way and that they thereby have some reason to remedy the situation so that they can become (more) autonomous. But since this person is oppressed, and features of her oppression explain why we are inclined to deny that she is autonomous, it seems as though we are placing more burdens on victims of oppression than we are placing on those who benefit from this oppressive system. On the face of it, this seems unjust. Meyers expresses this concern when she claims that "to avoid having their autonomy

[5] Again, see Benson 2014, 101; Friedman, 23; Killmister, 2013. Also see Buss, 1999.

downgraded by a value-laden or value-saturated account of autonomy, women facing entrenched patriarchal institutions and repressive practices would be obliged to devise individual workarounds consonant with progressive values. In my estimation, then, such theories load too much of the work of fighting injustice onto vulnerable individuals" (133). According to Meyers's line of objection, if we deny that the oppressed are autonomous, we are somehow downgrading their moral status, and if they are to bring their moral status back up to the ideal level, they must take on additional burdens that it is unjust for them to have to take on given the cause of their supposed lack of autonomy in the first place.

This argument relies on a number of controversial claims, including the following: 1) We have a moral obligation to protect and/or restore our autonomy, 2) Our obligation to protect and/or restore our own autonomy is greater than the obligation that others have to us to protect and/or restore our autonomy, and 3) It is disrespectful to maintain that a person has an obligation when that obligation arises as a result of oppression. Friedman's argument seems to rely on all three of these claims being true, but a proponent of substantive theories of autonomy would be free to reject any one of these three claims. I am inclined to agree with (1), but I think that (2) and (3) are false.

Consider claim (2) first: Our obligation to protect and/or restore our own autonomy is greater than the obligation that others have to us to protect and/or restore our own autonomy. If the explanation for the loss of our autonomy is oppression, then it seems very plausible to me that those causing and/or benefiting from oppression have as much of—if not more of—an obligation to protect and/or restore the autonomy of the oppressed by fighting oppression as the oppressed do. If this is right, then the oppressed will not have a disproportionate amount of responsibility for fighting oppression on substantive theories of autonomy, as Meyers claims.

Consider next claim (3): It is disrespectful to maintain that a person has an obligation when that obligation arises as a result of their own oppression. There are many well-respected arguments for the claim that the oppressed do have certain obligations that arise from their own oppression. Tommie Shelby (2007) and Bernard Boxill (1976), for example, both argue that the oppressed have certain obligations to maintain and express their self-respect, perhaps in the form of protest. And Carol Hay (2013) has argued that women have an obligation to resist their own sexual harassment in order to protect their autonomy. She notes that while this obligation may be unfair, "unfair obligations are obligations nonetheless" (106). She also argues that, if oppression does indeed burden oppressed individuals with unfair obligations, we should not ignore this for the sake of those who suffer under these unfair obligations. "I do not want to excuse or justify the ways in which [patriarchy] harms women. If it turns out that one of the ways that patriarchy harms women is that it burdens them with unfair obligations, then this is just one more reason to eliminate it" (106). So rather than thinking that it is disrespectful to the oppressed to claim that they have these obligations, Hay thinks that it is simply acknowledging a truth. And while it is unfair to the oppressed that they now have these obligations as a result of oppression, ignoring the obligations is simply failing to properly recognize just one additional way in which oppression harms the oppressed—namely, by saddling them with unfair obligations.

So it seems to me that Meyers is right that the oppressed have an obligation to fight oppression, though again, proponents of substantive theories may want to reject this claim. But even granting that the obligation does exist, it does not follow that the oppressed have *more* of an obligation to resist oppression than anyone else, and it also does not follow that asserting that this obligation exists would be disrespectful. There is significant precedent for arguing that

oppression produces new obligations for the oppressed, and while these obligations might be *unfair*, it does not follow that acknowledging them is disrespectful.

Section IV: Supposed Failures of Appraisal Respect

Answer 5: Overlooking Certain Capabilities

A fourth consideration that is often appealed to in support of choosing a content-neutral theory of autonomy is that a person can have some important capacities for self-guidance without meeting some of the more stringent requirements in substantive theories, and for the substantive theory to deny that the person is autonomous is to overlook or deny the importance of the self-guiding capacities they do have. To overlook or deny these capacities would be disrespectful because it would be a failure to positively appraise them as a self-guiding individual.

Uma Narayan argues that portraying women's choices in this way is to adapt what she calls "the engulfing view," according to which oppressed women "are capable only of zombielike acquiescence to patriarchal norms… This engulfing view portrays women's desires and attitudes as 'not really their own' in any meaningful or legitimate sense, reducing them to mere symptoms of their being individuals-subject-to patriarchy" (422). Thus, by claiming that many of oppressed women's choices are not autonomous, we risk denying their agency altogether. We risk failing to recognize the ways in which women consciously and rationally deliberate among their options, and while these options may be unjustly limited, women are nonetheless capable of navigating them, on Narayan's view, as full-fledged agents.

Friedman shares this concern about substantive theories of autonomy. She grants that theories like Stoljar's are able to accommodate *one* "feminist intuition"—Stoljar's term for the intuition that choices motivated by oppressive socialization are not autonomous—but argues that there is another feminist intuition that can only be accommodated by more lenient theories of

autonomy—namely, that "traditionally subordinate feminine lives nevertheless can and do often nonslavishly embody and express values worth caring about" (Friedman, 25). According to these lines of argument, when we deny that the *self-confident*, *self-guiding*, *oppressed* person is autonomous, we thereby fail to appreciate any of the significant ways in which she is self-guiding, or any of the important skills she has that allow her to effectively navigate the difficult choices she faces. She may even develop skills that are lacking in those who have more power—and whom we may therefore be more inclined to call "autonomous"—because her ability to live in accordance with her values may depend on her engaging in more self-reflection than more privileged others need to engage in. She may have to pay more attention to what she really cares about and give more conscious consideration to the ways in which her set of options might hold her back or help her in various ways. To deny that she is autonomous, according to Narayan, Friedman, and others,[6] is to deny or overlook her possession of these skills, and respecting her requires us to acknowledge and appreciate the value of these skills.

But denying that an individual lacks autonomy to some degree, by itself, does not necessarily involve overlooking or denying the self-guiding skills they do have. Autonomy is a complicated phenomenon, and any theory of autonomy has multiple requirements that must be met in order for a person to qualify as meeting some significant threshold of autonomy. For any theory, a person may meet some of those requirements but not others and so lack autonomy to some degree. On Friedman's own content-neutral theory, an agent is more autonomous with respect to a choice the more the agent reflectively endorsed the values that motivated that choice. So Friedman would claim that many, if not most, agents lack some degree of autonomy, but it does not follow from this that she is ignoring the degree to which they *are* autonomous.

[6] See, for example, Serene Khader (2012).

Similarly, for Meyers's content-neutral view, being autonomous involves having multiple skills, but there's no reason to think that having some of these skills entails having all of them.

The same is true for substantive theories of autonomy. They contain multiple requirements for an agent to meet some crucial threshold of autonomy, but an agent can be more or less autonomous to the degree that they satisfy those requirements. Thus, the Deferential Wife will show some degree of autonomy on the basis of her ability to reflect on her choices and act in accordance with the one that will most likely allow her to achieve her goals, but she will lack autonomy to the degree that her goals are shaped by problematic socialization that undermines her sense of self-worth (or whatever other substantive requirement we have in place).

To claim that an agent fails to meet some important threshold of autonomy is not to deny that they meet *any* of the requirements set forth by the relevant theory of autonomy. Many substantive theorists take care to point out the valuable skills possessed by individuals they claim are not fully autonomous.[7] And content-neutral theorists themselves must accept this claim because they maintain that autonomy comes in degrees as well. As a result, they had better not maintain that to deny full autonomy is to deny any autonomy at all, because this argument could be used against them just as well as it could be used against the proponents of substantive views. In the end, while it may be disrespectful to overlook or deny someone's estimable self-guiding skills, claiming that they lack some degree of autonomy does not, in itself, do this.

Answer 6: Failure to Positively Appraise Them as a Person

A final reason one might think it is disrespectful to deny the autonomy of certain individuals is that it entails a failure to positively appraise them *as a person*, and we owe this

[7] See, for example, Benson, 2014; Oshana, 2006; Stoljar, 2014.

form of respect to the *self-confident*, *self-guiding*, *oppressed* person. In the same way that we seem to show respect to someone when we call them "brave" or "noble," so too do we seem to show them respect when we call them "autonomous." Friedman suggests as much when she claims:

> Autonomy has something to do with the respect owed to persons as persons. Many philosophers agree that respect is owed to persons simply by virtue of their potential for being autonomous, whether or not this potential is ever actualized. Nevertheless, someone's actual manifestation of autonomy may warrant yet another form of respect, also connected to sheer personhood. (22)

While it is not immediately clear what, exactly, the relationship is supposed to be here between manifesting autonomy and being a person, Friedman seems to think that there are multiple kinds of respect that are due to persons as persons. While some of these forms of respect are due to us in virtue of our being persons-capable-of-autonomy, other forms of respect are due to us only in virtue of our being persons-manifesting-autonomy.

Perhaps the idea is something like the following: if a person is brave and has integrity, then we could respect them *as a person* in virtue of their being brave or in virtue of their integrity. But if they *deserve* to be respected for their integrity and we only respect them for their bravery, then perhaps we have disrespected them in some sense. Similarly, perhaps all persons deserve some form of respect in virtue of their *capacity* for autonomy, but they deserve additional appraisal respect as persons in virtue of *manifesting* autonomy. When we respect them only in virtue of the former and not the latter, then perhaps we disrespect them. So the complaint seems to be that the *self-confident, self-guiding, oppressed* individual deserves a certain kind of appraisal respect as a person that they are deprived of when we deny their autonomy.

Of course, any theory of autonomy is going to deny the autonomy of some individuals—even content-neutral ones—so the problem can't be that any time we deny that someone is autonomous we are disrespecting them in this way. It is only when it is *inappropriate* to deny their autonomy that we disrespect them by expressing this negative appraisal or lack of positive appraisal. The remaining questions, then, are 1) Is it necessarily the case that when we deny that someone is autonomous we express a negative appraisal of them or fail to express a positive appraisal of them? And 2) If so, is it inappropriate to do this with the *self-confident*, *self-guiding*, *oppressed* person? In the remainder of this section, I will consider both of these questions in turn. I will argue that while it is implausible that we express a negative appraisal of someone merely by denying that they are autonomous, it is plausible that we express a failure to have a positive appraisal of them in doing so. However, it is perfectly appropriate to fail to have this positive appraisal of the *self-confident*, *self-guiding*, *oppressed* person in virtue of their autonomy if, in fact, they are not autonomous.

In considering what we express when we claim that someone is not autonomous, it will be helpful to start with an example. This example comes from Stoljar's discussion of women who had abortions after freely engaging in sex with men without using contraception despite its availability (Stoljar 2000). The choice to engage in this risky behavior may seem like an irrational one, but Kristin Luker, in her discussion of these women, argues that in fact their choices were rational given the costs of using contraception that stem from the stigmatization of sexually active women in our society. While Stoljar agrees with Luker that these choices are rational, she argues that they are, nonetheless, non-autonomous; this is because the women interviewed had internalized false norms of feminine sexuality and were motivated by them in their choice to engage in this risky behavior.

It is clear in this case that it is not the women's fault that they internalized these norms and thereby failed to make a fully autonomous choice, and it need not tell us anything interesting about their moral characters. They are, in some sense, victims of an unjust system. They are lacking a capacity that they would be better off having because society got in the way of them attaining it. They are certainly not blameworthy for their lack of autonomy in this case, and I hope it is clear that when Stoljar claims that they are not making an autonomous choice, she is not blaming *them*. Instead, she is negatively evaluating the socialization that prevented them from achieving autonomy and the society that continues to bring women up in this way. The majority of the cases that proponents of substantive theories rely on to motivate their views are of this kind; the person who lacks autonomy is not to be blamed for this failure, but instead some individual(s) in their lives or society more generally is. We might even be impressed with the ways in which they are able to navigate their options given the values that have been imposed on them, so we may positively evaluate them while still maintaining they are not fully autonomous. Clearly, then, it is possible to maintain that someone is not autonomous without having a negative evaluation of that person.

The second option is that in maintaining that someone lacks autonomy, we are failing to have a positive appraisal of them as a person in virtue of their autonomy. To remind us, we can have a positive appraisal of someone as a person in virtue of any number of positive attributes they might have—usually virtues. Here the idea is that deeming someone autonomous and positively appraising them go hand in hand, and it seems plausible enough to me that this is so. I assume that anyone who works on autonomy takes autonomy to be a good thing, and while I'm not convinced that we always have a positive attitude toward someone to some degree whenever

we deem them autonomous (as appraisal respect of persons, by definition, requires),[8] it seems like a possibility worth taking seriously. The remaining question is just whether we ought to have this attitude of positive appraisal that comes only with deeming someone autonomous whenever they are *self-confident*, *self-guiding*, *oppressed*, or some combination of these, so I take this up next.

The self-confident person is the person who believes that she is autonomous, self-guiding, or otherwise in control of the course of her life and the choices she makes. But it is implausible on any approach to autonomy that we owe a person the positive appraisal that comes with deeming them autonomous merely because they believe they are autonomous. Even the proponents of the content-neutral views have objective standards that must be met for a person to count as autonomous, so the appeal to self-confidence alone will not get us far.

A second possibility is that we owe it to those who meet some specified standards of self-guidance to positively appraise them in the special way that we positively appraise autonomous individuals. The problem here is that we have to figure out which standards of self-guidance a person must meet in order to be due this positive appraisal, and it isn't clear why we shouldn't just go with those standards of self-guidance that qualify one as autonomous. Of course we can positively appraise a non-autonomous person on the basis of her abilities to self-reflect, rationally consider her options, or prioritize various of her values, but I see no reason to think that we owe her the special kind of positive appraisal that we are supposing only comes with deeming someone autonomous unless she is, in fact, autonomous. If this is right, then we should

[8] For example, I doubt that we have appraisal respect for the fully autonomous, completely evil person *as a person* (though we may positively appraise them *in their capacity for self-guidance*).

first determine what it takes to be autonomous, and only then will we know whether we are disrespecting someone by failing to deem them autonomous.

Perhaps the situation is different if the person has *self-guidance* and *self-confidence*. For in a case like this, she believes she is autonomous and she has some good reason for thinking that she is. Even still, any theory of autonomy will have objective standards, so even a content-neutral theory will have to deem some *self-confident*, *self-guiding* people non-autonomous. This is because, while the individual may meet *some* plausible standards of autonomy, they may not meet the standards that the proponent of the relevant view endorses. While there is a disagreement here between the *self-confident*, *self-guiding* individual and the proponent of the relevant theory of autonomy, I see no reason to think there is anything disrespectful going on. The case seems parallel to a case of someone writing about the wrongness of meat-eating, all the while there are meat-eaters out there who take themselves to be doing nothing wrong. Certainly, the writer does not owe it to the meat-eater to respect them as a person in virtue of their proper treatment of animals, even though the meat-eater may think they are deserving of this respect. Of course, the writer may still owe the meat-eater respect as a person in virtue of other positive traits they may have.

The third possibility is that we owe it to oppressed individuals to positively appraise them as autonomous so long as it is features of their oppression that seem to us to undermine their autonomy. This might initially seem plausible because it is not their fault that they fail to meet the requirements that we have mind, but we must remember that a lack of a positive appraisal is not the same as a negative appraisal. We can recognize that it is not their fault that they do not meet the relevant standards, and we can positively appraise them as a person for all kinds of other skills and praiseworthy attributes they may have.

Rather than thinking that denying autonomy in a case like this is disrespectful, it seems to me that this is what properly respecting the person requires. Her access to a moral good is being blocked by unjust institutions, and to ignore that injustice and pretend she has all the self-guidance a person could want for the sake of being nice seems patronizing and counter-productive. As Oshana says of an oppressed woman from her examples, "[w]e can call [her] whatever we want, but doing so will make no difference if her social situation and the institutions that support that situation continue to undermine autonomy" (2006, 101). Calling the *oppressed* individual "autonomous" won't fix anything, but perhaps acknowledging the degree of self-guidance she ought to have access to but lacks will go some distance toward remedying the injustice and strengthening her sense of self-worth.[9]

Conclusion

In closing, allow me to summarize the main arguments of this paper and to briefly expand on them a bit by describing my own substantive theory of autonomy and the ways in which I believe it shows due respect to the oppressed. I have argued that, in spite of the prevalence of the appeal to "disrespect" as an objection to substantive theories of autonomy, it is rare for those who wield this objection to make clear what they have in mind. In an attempt to determine what the substance of this objection is, I have looked for possible answers to the following questions: 1) What features must persons have in order for respect to require us to deem them autonomous?

[9] Killmister (2013) makes a similar point when she claims that it is better to maintain a more difficult to achieve theory of autonomy than to accept a weaker one because having higher standards will make us more motivated to rectify the injustices that prevent people from meeting them.

And 2) Why is it that excluding people with these features is disrespectful? Based on claims made throughout the literature, the possible answers to the first question seemed to be: *self-confidence*, *self-guidance*, or *oppression*.

However, in considering a number of different reasons for thinking that it would be disrespectful to deny that a person with all three of these qualities is autonomous, I argued that none of them is plausible. I argued that we only have good reason to think that it is disrespectful to deny someone's autonomy if they *are* autonomous. As a result, rather than starting by determining whom we would disrespect by denying their autonomy and building our theory of autonomy based on those results, we should instead start by determining what autonomy is. Once we have a set of criteria for determining who is autonomous, we can use that same set of criteria to determine who, on the basis of respect, we should deem autonomous. And to the extent that respecting the oppressed is relevant to our theories of autonomy, it is arguable that substantive theories of autonomy do a better job than content-neutral ones of capturing what it would take for our society to properly respect the autonomy of oppressed individuals.

Consider, for example, my own substantive view of what autonomous choice involves. I maintain that autonomy is a moral concept that picks out the kind of self-guidance the self-respecting person engages in. It seems to me that a person cannot be fully self-guiding unless they have respect for themselves as moral persons, as reasoners, and as a particular individual with particular preferences, values, and goals. If we lack respect for ourselves in these ways, then we will fail to take ourselves to have the authority to guide the course of our own lives. If we lack respect for ourselves as reasoners, for example, then in undervaluing our capacity as reasoners we may decide to give control of the course of our lives over to someone else; alternatively, we may simply consistently fail to think through our possible options and the

effects those options might have on our lives more generally. And if we lack respect for ourselves as moral persons or as individuals whose preferences matter, then we may fail to pursue our own goals for the sake of helping others pursue theirs or perhaps even simply to avoid making others uncomfortable. Alternatively, we may fail to construct a self-conception that includes our own preferences, goals, and values altogether in favor of constructing a self-conception that is built on pleasing and supporting others.

If we lack self-respect in any of these ways, and if the best explanation for our choice includes this lack of self-respect, then I maintain that our choice thereby lacks autonomy. Of course, a person could lack respect for themselves as reasoners but still have respect for themselves as moral persons, for example, so we may have certain very important self-guiding capacities while still falling short in important ways. And since oppression often functions by undermining the self-respect of members of oppressed groups, it will turn out that many oppressed individuals are thereby lacking autonomy to some degree. But it seems to me that acknowledging this is necessary for getting clear about the extensive harms that oppression causes. Part of what makes oppression so fundamentally bad is that it undermines individuals' self-guiding capacities and pushes them to fit a mold of what members of their group are "supposed" to be like. It convinces people that their dreams and goals are unattainable—perhaps because they are incapable of achieving them, or perhaps because other people's dreams and goals simply matter more than theirs. It instills in people the idea that they have value to the degree that they play a relevant role well, or to the extent that those in power take them to have value, and thereby encourages them to form their life plans around what others expect or want from them. Oppression functions in large part by undermining people's self-respect, and thereby

undermining their ability to guide the course of their lives in important ways.[10] This is part of why oppression is so bad.

So if we ignore the harm that oppression does to the self-guiding abilities of the oppressed for the sake of respect, then it seems to me that we are doing more harm than good. We are failing to acknowledge some of the most fundamental harms that oppression causes, and we are suggesting that an oppressed individual has all the self-guiding abilities they could reasonably want even when oppression is preventing them from having many of the self-guiding abilities enjoyed by those with more power. Respecting oppressed people, it seems to me, requires us to acknowledge their value even when they do not; it requires us to take seriously the harms that oppression has caused them, even if they either don't see it as a harm or would prefer not to think of it as one. We can't fix our oppressive society if we refuse to acknowledge the ways in which it is broken.

[10] Of course oppressed individuals often have certain very strong self-guiding abilities as I noted in Section IV.

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