

III

STUDIES AND ARTICLES

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POLITICAL MORALITY AND NEUTRALITY

ABSTRACT

The article gives the reasons why a distinction between political morality and ethical conceptions needs to be drawn, as well as the reasons for which political liberalism is a substantial moral conception, and as such in tension with certain understandings of the neutrality. Further, the text analyzes the definition of personality through capacity for action (above all ethical). Recognition of this capacity is necessary, but not sufficient to attribute to a person a special status from the standpoint of political morality, since individuals also must be capable to coordinate their ethical actions with moral principles of others. Further, the text critiques Charles Larmore's moral grounding of the theory of justice on respect of persons by arguing that the concept of respect should be considered as part of the complex interrelationships with other moral concepts, such as equality. In this way, neutrality regarding content of respect, as well as neutrality regarding capacity for ethical action turns out to be insufficient.

KEYWORDS

political morality,
neutrality, ethics,
capacity for action,
respect

Introduction

Political morality, as is understood here, is concerned with the normative basis of fundamental political principles. However, aside from this sense, political morality can be comprised of multiple meanings and can refer to different topics. In the first sense, the concept refers to the morality of particular policies and programs. It can endorse a “realistic” approach, according to which moral categories are considered in the context of *realpolitik*, be used in relation to non-normative elements in politics, such as interests and social power, or as a complementary or discordant part of *techné* or mode of governance.¹ It can be assumed that there is an expectation to act in just way when the practice inevitably includes compromises and relations of domination, and therefore the acts of the state should, alongside legality, entail legitimacy or normative justification of the policy as well. In the second meaning, political morality concerns the moral basis of citizenship, that is the ethical characteristics or virtues which are necessary for members of different social groups or proponents of diverse conceptions of good to achieve social cooperation in a

1 For this relationship of morality and politics see collection of articles *Politics and Morality* (Primorac 2007).

democratic community (Dagger 1997; Galston 1991; Dunn 1990). Although such virtues might not be treated in a strict republican sense as implying activism, political arrangement is unsustainable as far as there is no aptitude among people for the acceptance of dialogue with co-citizens, cooperation with others as equal partners, genuine commitment to the common good and willingness to accept risk for its realization. The third meaning of political morality is concerned with the normative significance of political institutions and their functions. Legitimacy can be ascribed to institutions because they are constituted in accordance with procedures which are ingrained as fair and impartial by peers, while it can be considered as morally insufficient if particular institutions are constituted in accordance with a cosmological order or convictions on their validity based exclusively on tradition. Such a meaning of morality is deployed in the analysis of democracy and majority rule – in argumentation if and why democratic adjudication is highly acceptable and superior to other political decision-making (cf. Brennan and Lomasky 1993; Vernon 2001).

In line with Rawls' understanding, political conception of justice, as is conceived in this article, is morality for political, social and economic institutions and it refers to the "basic structure" of a modern constitutional democracy" (Rawls 1983: 224). His idea of the theory of justice as freestanding conception indicates its independence from conceptions of good existing in a particular society – it is not derived from wider doctrine. However this theory is sufficient to affirm values which persons in the political domain accept as valid, and give them priority in relation to other values which oppose them. In this article, political morality and liberal political morality are taken interchangeably, considering liberalism as the most developed normative political theory, and the most plausible theory which clarifies political morality. Liberal theories of justice are moral theories because they comprise ideas on how society should be organized, as well as an assessment of if accepted norms of social organization correspond to liberal moral norms; also, they are grounded upon central moral concepts of rights, freedom, fairness, impartiality, equality, respect etc., and by means of them undertake to formulate principles of justice; finally, they comprise a particular conception of personhood, endeavouring to find the answer to the question of which virtues are complementary to just institutions, that is, which properties of the human character are necessary for a just political arrangement be feasible and sustainable.

This article will analyze the morality of basic principles of political structure in the context of substantial and permanent disagreement on ethical norms in a given society. Political morality and particular ethical conceptions function in separate social spheres, they differ in comprehensiveness, generality and potentiality of consensus regarding their norms. Political morality is concerned with the political sphere, its norms are valid for all members in a political framework. They are generally obligatory, can be transformed to statutory requirements, and, in as much as they are formulated clearly, coherently and impartially, reasonable agreement can be achieved concerning basic norms, and rational person would have no valid reason to refuse them. Ethical conceptions are valid in the domain of particular communities (or for a specific group of people that share particular ethical convictions), they are obligatory only for the members of a particular group and do not bind non-members to their support or endorsement; also, force should not

be used to compel members to follow ethical principles. Ethical norms are deeply controversial and – in a situation when individuals have the possibility of choice and the right to use the reason freely, i.e. in such a way they acknowledge as correct – it cannot be expected that endorsed values will converge and the people will achieve general consensus on ethical values and norms in toto.²

These qualities are ideal type ones, and more meticulous analysis can reveal that in concrete cases political morality has certain properties in common with ethical conception and, vice versa, particular ethics have the features of general morality, as well as those which belong to special cases of political morality. The norms of morality such as those concerning rights, justice or freedom of speech can be controversial, as people will disagree overwhelmingly on the questions of, for example, animal rights, a statute of limitations in common law or the content of hate speech.³ Also, it can be stated that contemporary philosophical and religious ethics share a common minimal moral core, such as respect to the right to life and freedom of movement, as well as condemnation of torture and slavery. Furthermore, despite a generality, obligatory nature of the norms of political morality is confined to a given group, therefore it is considered as unjustified when states with just laws, free media and fair democratic procedures of political adjudication attempt to impose the character of their institutions in other, illiberal or less democratic states. On the other hand, in ethical systems fair relationships to non-members and coexistence

2 The goods that are generally accepted as agreeable and objective can be listed, such as knowledge, realization of certain personal and social relationships, cultural achievements, life in accordance with autonomously chosen values etc. (cf. Parfit 1984; Brink 1989: 231; Arneson 2003: 215-216), however an agreement on ethical values and norms will not be achieved *in toto*. Ethical systems are all-encompassing, they entail additional obligations, regulations, norms and values, not only the above mentioned generally desirable goods. An integral part of numerous religions is the prohibition of blasphemy (the third commandment in Decalogue is proscription of this kind), the norm which does not have moral content and which, from a moral standpoint, might be rejected as incompatible with the more important value of freedom of speech. Concerning philosophical theories, utilitarian imperative to enhance general well-being and/or prevent misery could be presumed by many people as too demanding a duty which deters people from those projects which are not intended for the prosperity of all. Finally, ethical norms which are accepted as customs of the local community are an amalgam of those norms which correspond to morality and morally neutral habits or modes of community members' interaction which could be different while at the same time not becoming more or less moral – only from an external standpoint could it be possible to discern which modes of interaction should be mandatory. Therefore, the existence of a common moral core in various ethics still cannot be an argument on behalf of the proposition that an appropriate (or the best) conception of good can be installed as a basis for the normative constitution of political arrangement.

3 However, the argument (posed by some liberals) for the neutrality of political morality in relation to philosophical, religious or ideological stances is still viable, regardless of the objection that political concepts such as fairness and equality are, similarly to ethical concepts, deeply contested. Blasphemy is unacceptable as a norm of justice not only due to its permanent contestability, but also, as it has been said, because it collides with the fundamental norm of freedom of expression. Thus, defenders of neutrality towards ethical conceptions can argue that the reason why principles of justice cannot encompass conceptions of good is not the incontestability of the former and the lack of consensus of the latter. See Lecce 2008.

with those who do not share certain ethical convictions are often incorporated. Despite the fact that some ethics are local, intended for regulating the behavior of people in smaller communities, secular and religious ethics can undoubtedly be universalistic, and, at least according to their own interpretations, many of them claim to be applicable to all persons at all times.

The distinction between morality and ethics is of particular importance in the dispute between neutral liberalism and its claim that political norms (and, accordingly, state actions) should be neutral concerning ethical conceptions which exist in a society, and perfectionism, claiming that states ought to promote honourable activities, while discouraging less commendable ones. Neutral liberalism and perfectionism offer different assessments on *if* and *to what extent* strict separation of political morality from particular visions of the good life is justifiable. Those theoretical positions give different answers to the question can adequate ethical conception be fundamental to political morality, as well as if the state can be justifiably allowed to sanction particular conceptions of good, or to treat them differently – to promote particular values and visions of the good life while discouraging less valuable or worthless ones. As is well-known, starting with Rawls' texts after *Theory of Justice*, liberalism begins to self-define itself as a political theory, independent of any comprehensive theory, including liberalism itself as a specific ethical, ideological and philosophical doctrine. Regardless, if theory of justice is further developed in the direction of neutrality or is criticized from the perfectionist standpoint, the distinction between morality and convictions on the good life turns out to be indispensable in order to formulate political theory as adequate for ethical value pluralism in modern societies.

Specificity of political morality as constitutive in the political domain does not imply diminishing the significance of individual and collective choices concerning the good life. The proponents of neutral liberalism (starting with Isaiah Berlin and his concept of “negative freedom” which is political in its nature and neutral in relation to the good life) argue that there are numerous reasons why it is not only allowable, but also necessary for persons to pursue morally commendable aims. A neutral position means that the state is not entitled to suppress particular conceptions of good if the majority consider them as undesirable. Nevertheless, the situation is less clear when worthless visions of human good are concerned – some theoreticians of neutral liberalism argue that it is right to discourage such visions, at the same time claiming that it cannot be justifiable to enforce stronger legal repression towards them, such as prohibition.

However, it would be misleading to describe political morality as “thin”, claiming that it should be confined to principles and measures which are indispensable for the coexistence of different individuals or groups, that is, reduced to rules of impartial conflict-resolving between them. In accord with Rawls and Larmore, Nagel remarks that liberalism is not just a doctrine of tolerance: liberals have their specific values and normative systems. Liberal impartiality is a substantive moral position.⁴ Dworkin claims that liberalism is not a metaethical conception which describes in which way moral reasoning is used in political argumentation and persuasion, but

4 See Nagel 1987: 217 and 240. Cf. also Rawls (1993, 1996: 11 and 147) concerning the claim that political liberalism is a moral conception.

it is value laden itself as this stance takes a particular side in moral disputes. Liberalism endorses neutrality not because, as he wrote, “there is no right or wrong in political morality, but because that is what is right” (Dworkin 1985: 203). Having in mind the substantiality of the liberal theory of justice, its most integral part is concept of personhood, which is based on the assumption that people have a particular moral abilities, which enable them to enact those interactions with others which will be based on respect and mutual recognition as equals and on acknowledgement of basic freedoms for all.

Capacity for Self-imposed Ends

As the specificity of human beings, Kant considered their capacity to set ends for themselves (Kant 1991: 195, MS 6: 392), a standpoint which was adopted by later Rawls and numerous other liberals as well. Human actions are aimed at some goal or purpose, but the very existence of intentional behaviour is not the sole condition of moral actions as people have to be capable of choosing goals by themselves, i.e. autonomously, and also includes mandates that goals should be the result of rational choice. Human beings are not slaves to irrational impulses, passions and urgencies, nor to the external forces and circumstances. In this sense, individuals cannot be dependent on externally imposed goals, hence the valuable purposes are only those which are chosen after rational scrutiny. Therefore, free, rational and autonomous beings will constitute arrangements in which equal opportunities to form spheres of freedom are conceived in such a way that compulsion will not be used to impose a specific conception of good. By Rawlsian interpretation, Kant’s principles emphasize that it will be requisite to rule out any political system based on a particular comprehensive worldview (see Caranti 2017: 23). A legal and political systems should be neutral regarding those worldviews, as it should guarantee a persons’ right to form, develop and follow particular visions of good. Concisely expressed, by enforcing a particular ends or conception of good, respect for the autonomy and self-determination of all persons who follow a different conceptions of good will be invalidated, and consequently this enforcement will be immoral (Kant 1991: 187, MS, 6: 381).

Caranti in his insightful study of Kant’s political philosophy identifies three problems with which an agency-based approach is confronted, the approach according to which the distinctive feature of a human being is agency, that is, capacity to act on self-imposed ends.⁵ The first problem is identified by Danto (1984) in his critique of Gewirth’s underlining of agency, which is analogous to Kant’s: contrary to Gewirth and Kant, agency is not a moral condition because even slaves have agency, as well as the required skills and education, which make them useful and valuable to their master. However, it cannot be stated that slaves’ rights and dignity are respected, and that they are treated as commendable human beings. The second problem is torture: by proclaiming that torture is bad and should be outlawed,

⁵ Caranti 2017: 44. Although, Caranti in his critique has in mind a different case of agency-based justification for general human rights, which is not the topic of this article, it also concerns agency as the capacity to set ends as a reason for special ethical and legal treatment of the agency-holder.

we are not demanding the banning the torture exclusively because it deprives persons of their capacity for meaningful action (this is not even the main reason why we should consider torture as evil), but because to inflict hurt and suffering is bad intrinsically. The third problem is that children and mentally impaired persons, in as much as they are not able to form and give justification for their goals, should not be entitled to human rights and should not be granted special respect. In this way, those three problems imply that a person's capacity to act ethically can not be counted as a condition for the ascription of exclusive dignity to those beings, because in this way moral status is ascribed unjustifiably to some, and unjustifiably taken from others, and it exaggerates the moral significance of the capability to act on self-imposed ends.

In the next section I will challenge Caranti's argument, not in order to defend the flawlessness of the Kantian position, but to reinterpret the concept of capacity, since additional conditions are requisite for ascribing moral status to a capacity for self-imposed ends. Concerning the first problem, slaves are not treated as independent persons, as having the opportunity of self-determination, so it will be inappropriate to claim that they have agency in Kant's sense. This example rather confirms the validity of an agency-based approach, because the slave is not an autonomous agent, but the subject or instrument for achieving someone else's goals, those which the slave did not formulated or choose. The other two objections overlook that agency as an action on self-imposed ends is the reason for particular respect for an individual, which nevertheless does not imply nullifying other considerations towards children, mentally impaired persons or animals. Unwarranted infliction of pain, torture and mutilation of humans as well as animals is morally wrong, but only to beings with developed intellectual capacities can self-determination be attributed, they can be humiliated, disrespected, insulted or degraded (as is obvious, the vocabulary referring to immoral treatment is very developed and nuanced in the case of higher human capacities), which means, to inflict hurt on them in indirect sense. Human beings should be treated as valuable *also because* of the capability to follow their ends, and it is always wrong to disrespect this capacity when beings have it. To ascribe special status to agency as the capacity to determine the purpose of actions, form a worldview and follow autonomously chosen projects does not mean nullifying the values of children, mentally incapacitated persons or non-rational living beings in general. Moreover, this does not mean prioritizing rational creatures as beings capable of ethical agency. Respect for those beings is adjoined as something additional to the moral status that human beings already have.

Kant, as well as Rawls, holds that persons should be treated with dignity and their right to freedom has to be recognized in order to give them the opportunity to develop their moral capacities.⁶ As autonomous choice is treated as valuable, it is necessary to draw distinction between freedom as plain self-determination and freedom as autonomy in the sense of moral choice, or a capacity for moral actions. Kant introduced the latter capacity because plain capability for self-determination still does not indicate that a subject's action are in accord with moral imperatives:

6 The freedom is "independence from being constrained by another's choice" and this independence is our "original right" we have "by virtue of our humanity" (Kant 1991: 63, MS 6: 237).

persons can also be committed to immoral goals and their life purposes can be meaningless. The capacities can also have a specific sense, such as capacity for artistic production which although can be intrinsically praiseworthy, is not relevant morally, as this production is not primarily intended to influence the behavior of other persons and to shape relationships between them. Furthermore, artistic creativity can stem from different motives such as art for art's sake, or even for profit. Numerous Renaissance masterpieces were created owing to Maecenas' wealth, which can be, by applying exclusively ethical criteria, appraised negatively notwithstanding great intrinsic value of the work. As is well-known, Kant excluded extra-moral motivation from moral actions and related it with heteronomy: actions which are not motivated by good will can be worthy only contingently, as they are generated in consequence of ethically irrelevant factors, albeit not due to intentional acknowledgement of ethical imperatives.

Hence, the capability for praiseworthy acts is still not valuable morally, and in the same vein a capacity is not regarded straightforwardly as moral if the subject utilizes it autonomously. The approach of newer theories to autonomy and self-determination are considerably wider than Kant's, as they do not define those concepts exclusively by moral categories, i.e. by those which govern interpersonal relationships. Autonomously chosen care about physical well-being, self-improvement and self-education, can be valuable and can be purposes which are worthy to aspire to, and, in addition, they can be appraised as valuable in virtue of the very autonomy of choice, but this self-determination is ethically related to person involved and directly concerns only the individual who is making those choices. Nevertheless, from Kant's standpoint, an individual should be respected as the subject of projects – moral, ethical or extra-ethical – who is capable of forming, reflecting or revising them and deciding on their acceptance or refusal, whereby a considerable limiting of this freedom is regarded as incompatible with morality. The question is, however, whether respect for autonomy, including person's capacity for rationality and reasonableness, as well as appraising such abilities as commendable, are a sufficient conditions for morality and are required regardless of their use – is there an obligation to neutrality concerning the content of those capacities?

Concerning neutrality as the ethical condition in forming and pursuing conceptions of good, two problems can be emphasized. The first one is the assumption that there are primary goods as neutral conditions for acquiring the capacity to form a conception of good, and that there is unanimous agreement about their indispensableness; the second problem with neutrality is concerned with respect to a vision of good or life projects as such. The first problem stems from the Rawlsian liberal-neutral comprehension of fair distribution of primary goods. It assumes that, in the absence of particular goods, such as freedom of speech, a basic right to self-expression, equal liberty and right of assembly, it would not be possible in a full sense to form, develop and maintain ethical visions, and, therefore, principles such as equal liberty are grounded in neutral values.⁷ Just distribution of primary goods should be general and universal enough to enable everyone to form and pursue the vision of a good life, and it is a formal condition which must be fulfilled. This condition is much less controversial, and to a considerably greater

7 On this interpretation of Rawls' primary goods see de Marneffe 1990: 257.

extent acceptable than “positive” or “material” ones, such as equal access to education, the right to unbiased and as much as possible objective media, the provision of resources that exceed bare necessities, proper amount of leisure time needed for deliberation, as well as the possibility of obtaining enough information, knowledge and skills necessary for pursuing personal or collective projects. Those conditions on which there is widespread disagreement, however, are no less important than primary goods in order to form and achieve personal or collective projects. Insofar as freedom of speech, assembly and other basic liberties are more than self-contained values, and have to be guaranteed and maintained as inevitable conditions of the capacity for self-imposed ends, those conditions also assume those goods on which there is no unanimous agreement.

The second problem of the condition of neutrality in an individual’s forming and pursuing the visions of good is related to the question if it is possible to respect a person while not respecting their beliefs. In moral action, i.e. conduct intended towards other person(s) it is expected of the individual to give reasons for acting in a certain way, or to explain the reasons for adopting particular norms of actions towards certain person(s). If person does not appreciate the requirement to provide justification for her attitude towards me, she will treat me similarly to “mindless objects”, as if my rational abilities are not pertinent (McCabe 2000: 326). When somebody claims that she has a right to express her opinion, she is not only claiming that nobody should restrict her for publicly endorsing the opinion and compel her to abandon certain convictions, but she “is insisting that his/her/opinions properly track his/her/ own deliberations.”⁸ Persons deserve to be treated as rational, as well as reasonable beings, those who are able to form, endorse and defend particular moral principles through arguments – otherwise they would be treated paternalistically in the same way as children (in the case of human beings not considered as fully rational) or as psychopaths (when persons are not accepted or recognized as reasonable, i.e. capable of ethical conduct).

However, is ascription (no matter how well corroborated) of rationality to persons and acknowledgement of their capacity to act according to moral norms enough to qualify those persons as capable for intersubjective deliberation which would lead to social cooperation on fair basis? Only superficial neutrality could be fulfilled by this indifference regarding the way in which persons’ capabilities are used, as well as regarding content of the conceptions of good which persons with mental abilities of rationality and reasonability endorse.

Political morality assumes that additional conditions should be fulfilled considering respect for the individual as moral person capable for cooperation with other members of society. To recognize the citizens as fully moral persons is to respect them, first, as rational beings, second, as beings competent to set ethical goals which they are aspired to accomplish and, third, as beings capable to endorse, affirm and maintain moral standards. The citizens should espouse those standards on coherent manner (which is demand for political sphere) and they have to adjust

8 Gauss 2003: 150. Similarly, Galston claims that we respect a person by giving her the best reasons which we can provide regardless of whether or not she accepts those reason as valid. Our attitude towards her should be as if she is endowed with a sense of justice and is capable of decisions in accord with reasonable moral principles (Galston 1991: 109).

them with principles of justice (which is of particular importance for political morality). Or, as Rawls claims, persons should have “sense of justice” as the ability to understand the conception of justice and to act in accord with its principles.⁹ This condition can be understood more fundamentally – that respect for the person as capable to form higher moral abilities depends on the very content of endorsed moral norms, and the respect of those capacities as such is not identical with the respect from the point of view of political morality. Person’s rationality and capacity for reasonableness have the value from the stance of political liberalism as long as person is capable to espouse the conceptions of good compatible with claims of justice affirmed by other persons. Others are obliged to give reasons for their conceptions and can point to deficiency of my assessment, eventual illogicality of my judgements, to the wrongness of my assumptions, to prejudices or partiality, but if I am still continuing to rely on my unreasonable claims, other persons can ignore them. Nothing is indicated in favor of the assumption that in this case actions towards me will be disrespectful and others would treat me similarly to an object.

Respect as basic moral requirement

One of the theoreticians engaged intensively on elaboration of political liberalism as the full-blown moral theory is Charles Larmore, who is endeavour to redefine Rawls’ idea of theory of justice in direction of more underscored moral foundation of this political theory. Political liberalism is autonomous or freestanding in relation to comprehensive metaphysical or naturalistic theories, ideologies or religious beliefs, but it is not freestanding in regard to morality (Larmore 2008: 149. and 162). At the heart of liberalism is the respect for persons – it has a quality of moral principle and itself is independent not only of visions of good, but also regarding procedurally correct decisions, “will of the people”, as well as regarding common ground or agreement which could be achieved as a result of debate, coordinating the statements and contrivance of shared values. Though he is undertaken to constitute political liberalism through moral categories, Rawls – in Larmore’s interpretation – insisted on procedural character of justice, while omitting special status which respect have.¹⁰ In his theory it can be discerned a tension between political will and moral principles which have to be independent of this will, and this is displayed in Rawls’ understanding of original position. On one hand, it is assumed that persons

9 See Rawls 1993, 1996: part 3, lecture 8.; Rawls 1971: ch. VIII. Larmore as well emphasized that somebody’s particular (or all) beliefs does not deserve respect, but only capacity of the person to form a coherent worldview, whereby the respect to other person is related to hers capability to elaborate standpoint which is worthy of respect (Larmore 1987: 64). If Larmore’s standpoint associate with Rawls’, it will mean that moral feature of reasonableness as capability to form and endorse conception of good is connected with rationality (as coherence in forming and endorsing), but also with ultimate condition that conceptions are worthy of respect, i.e. they are not dissonant with “sense of justice” or capability to political morality.

10 Larmore 2008: 150. Emphasizing the foundational role of respect in contemporary liberalism is already present in Larmore’s book *The Moral of Modernity*, whereby it is evident (and he admits that) this idea is adopted from Dworkin’s political philosophy. Cf. Larmore 2008: 148.

in this position are reasonable, and not only rational and competent to follow their own interests. As reasonable, they have particular moral sensibility, potential and willingness to coordinate their actions with others, and they can conduct their acts according to principles of cooperation. In order to be justifiable for all, those principles have to be constituted on certain moral assumptions, in absence of which they would not achieve principles of justice based on fairness (see Larmore 2008: 151). On the other hand, when Rawls states that principles of political justice are freestanding and doctrinary autonomous, “freestanding” does not mean independence from comprehensive doctrines only, but from “moral requirements externally imposed” as well (Rawls 1993, 1996: 98). He agrees with Habermas that the source of validity of the basic principles of justice rest in consensually constituted political will that are antecedent in relation to moral norms.

Even value pluralism is controversial doctrine – it can be convenient starting point for the explanation of disagreement, but on value pluralism cannot be based liberal form of political life as fair, as well as stable, that is, on which the consensus of the persons endorsing different ethical comprehension would be constituted (Larmore 2008: 142; Larmore 1996: ch.7). Pluralism is not a norm: liberals argue that pluralism is a fact of modern society which should be acknowledged, but it has to be appreciated only when it is reasonable or when it is constituted on the moral core. This moral core of political liberalism is “a principle of respect of persons” (Larmore 2008: 143) which, in contrast with other political principles, its validity does not draw from the fact that it is the result of the consensus of reasonable people. Respect for the people put us under obligation independently from our will and the agreement of citizens that respect is honourable: respect is external and antecedent in relation to collective will. Only on this way political liberalism can be constituted as moral theory, otherwise it will be just one of *modus vivendi* doctrine, in which liberal principles, such as two principles of the justice as fairness, are chosen in order to balance individual interests of participants in social cooperation. Or, as Larmore argued in his critic of Habermas, only if it has moral foundation, people’s sovereignty can achieve the ideal of democracy to which persons aspire (Larmore 2008: 159).

Nevertheless, in Larmore’s conception the role which specific ethical, ideological or religious conceptions have for constituting and maintaining of liberal political arrangement is unspecified. In order to be relevant for stability, respect should be interpreted in such a way that its validity would be appreciated by adherents of different conceptions of good, therefore only those conceptions should be considered as reasonable which in their foundations have equal respect. If we adopt this stance, there is threat that almost all religions would fail the test. Confucianism, instead of equal respect, emphasize hierarchy, while Hindu religion, which is based on Vedas as holy scriptures, entail extreme disrespect towards pariah. Abrahamic religions were interpreted in most of their history in such a way that they approve slavery, and they did not oppose it in a long period of time. Almost all of them were accused of promulgating disrespect for gentiles and infidels – religions as such, therefore, do not incline to the respect for the other person or universal respect to humanity as such. Also, the principle of equal treatment of all people cannot be deployed when it comes to interpersonal relationships which religions promulgate. For example, certain interpretations of religious teaching states that in

their religion women are highly respected, even if their status is much lower than status of men – they cannot be ministers, choose their partners, went out not accompanied by men etc. – which indicate that to respect somebody does not necessarily mean to treat somebody as equal.

As primarily political norm, respect, as Larmore noticed, does not express or is based on a comprehensive moral philosophy, which means it is not bind to one type of ethics, but it is encompassed in variety of diverse and mutually incompatible ideas of human good.¹¹ Moreover, duty to respect other persons is also part of those theories and ideologies which presume that embedment and belonging to group or community are essential for moral conduct, although not critical stance or reflexion. Being attached to tradition and communally accepted norms does not imply refusal of liberal values (despite the fact that conceptions which emphasize belonging often affirm traditional hierarchy of social roles), and endorsement of individualism can imply elitism and repudiation of the values of common people. It could be assumed that Larmore's theory conflate critical attitude towards traditions as methodical stance (as well as the way to achieve social goods, legitimacy of governance, fair policy etc.), with individualism as ethical position which, in its extreme variant, deny common good. However, the collective goods can be accepted as relevant for moral thinking, while they are transmitted by tradition and mediated by critique at the same time: whether it makes sense to attribute relevance to traditional values and norms, it is because they have stood the test of time, and they withstand critique and challenges which are set by new conditions.

Also, in such conceived stability of political arrangement the premise of equality is tenuous, and conceptions based on tradition can, but also cannot entail or appreciate it, whereas liberalism in particular variances (including Larmore's theory) does not emphasize its relevance sufficiently. Premise of equality, however, is inseparable from critique, as it is almost always debatable what equality is at issue, as well as its extent and optimality. Whether it concerns political theory and philosophy, or it concerns political discourse, dispute on meaning of equality, including equality of respect, is perpetuated incessantly. Respect is, therefore, a controversial concept and has to be interpreted in a proper way in order to acquire status of relevant moral value in constitution of political arrangement. The question "which respect" is indispensable and from it depends if it inclines to equality, or to perpetuation of the traditional forms of hierarchy, repression and submission, even when it is declamatory insisted on giving honourable status to other persons. Apparently, we are often confronted with disrespect towards persons which is repugnant as such, but, in order to be accepted as valuable relationship, every type of respect should correspond to particular criteria of equality, and it is commendable when ethical or political action aspire to equalization of respect.

11 Larmore 2008: 164–165. Furthermore, persons which endorse those ideas should nevertheless be respected: "Others are due equal respect by virtue of their capacity for working out a coherent view of the world and indeed of good life, whether or not they exercise this capacity autonomously or experimentally, or through the uncritical acceptance or traditions and forms of life" (Larmore 1987: 65). It is odd, however, if liberal neutrality imply indifference whether persons accept ideas of good life by autonomous choice, through reflexion and critical approach, or embrace them by blind obedience.

Realisation of justice should include assessment of the extent to which respect is actualised as egalitarian, bearing in mind that equality is one of the substantial features of liberalism. Vice versa, conceived as isolated from respect, equality which would not appreciate individual's particularity, aspirations, visions of goods etc. evidently will decline from ideals of justice which liberalism requires. The example of respect illustrates interconnections of components of liberalism, the need to reflect them, for conceptual refinement and marking the point on which they are manifested as vague and insufficient. The overemphasis and overlook of particular components is often related to a general tendencies liberalism's, such as the evolution of Rawls' liberalism from comprehensive to political, which, as critics emphasized,¹² lost egalitarian component, being contended with equality in political rights. However, moral constitution of political liberalism on plain respect can even more have inegalitarian connotations.

Conclusion

To distinguish respect as an independent moral category from the corpus of moral concepts (as a starting point or as the aim to which moral acts should tend to), while not paying a due attention to moral reflexion of its content and relationships with other moral categories, is the consequence of neutrality conceived as excluding of disputes concerning the meaning of the respect of people. Related to this, the necessity of this excluding is explained as a neutral approach to conflicting conceptions of good. As shown before, neutrality perceived in such way is, similarly, complacent with the existence of subject's formal capacity to agency as the condition for the moral treatment of a person. In contrast with this conception, it should be assumed that person, in order to be worthy of respect in public sphere from the standpoint of political morality, should espouse the particular moral standards compatible with principles of justice possessed by others and endorse them in a coherent manner.

Neutrality, including liberal one, was often identified with tolerance and pluralism, or with exposition of morality as "thin", regulating the coexistence of various social groups with manifold potentially conflicting ethical conceptions, whereby the addition of other moral values complementary to the former ones was considered as a divergence from liberal precepts. As a consequence, liberals have been frequently presented as those who know *against* what they are, but not *for* what they are. However, as it was noticed, tolerance is not the only value of liberalism, and the values of pluralism and tolerance should be reflected along with various forms of equality, respect, freedom, self-governance etc. From the standpoint of morality germane for political sphere, neutrality, in so far as comprise tolerance and appreciation of pluralism only, is not sufficient and political liberalism as a moral theory has to rely on a wider whole of values.

¹² For example, Barry (1995) and Bernard Williams (2014: ch. 63) claimed that in Rawls' book *Political Liberalism* redistributive implications have been set aside.

References:

- Arneson, Richard, J. (2003), "Liberal Neutrality on the Good: An Autopsy", in Klosko, George and Wall, Steven (eds.), *Perfectionism and Neutrality: Essays in Liberal Theory*, Lanham: Rowman and Littlefield Publishers, pp. 191–218.
- Barry, Brian (1995), "John Rawls and the Search for Stability", *Ethics* 105 (4): 874–915.
- Brennan, Geoffrey and Lomasky Loren (1993), *Democracy and Decision: The Pure Theory of Electoral Preference*, Cambridge: Cambridge University Press.
- Brink, David O. (1989), *Moral Realism and the Foundations of Ethics*, Cambridge: Cambridge University Press.
- Caranti, Luigi (2017), *Kant's Political Legacy: Human Rights, Peace, Progress*, Cardiff: University of Wales Press.
- Dagger, Richard (1997), *Civic Virtue: Rights, Citizenship and Republican Liberalism*, Oxford: Oxford University Press.
- Danto, Arthur C. (1984), "Comment on Gewirth Constructing an Epistemology of Human Rights: A Pseudo Problem?", *Social Philosophy and Policy* 1 (2): 25–30.
- De Marneffe, Peter (1990), "Liberalism, Liberty, and Neutrality", *Philosophy and Public Affairs* 19 (3): 253–274.
- Dunn, John (1990), *Interpreting Political Responsibility*, Princeton, New Jersey: Princeton University Press.
- Dworkin, Ronald (1985), *A Matter of Principle*, Cambridge Mass. and London: Harvard University Press.
- Galston, William A. (1991), *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State*, Cambridge: Cambridge University Press, 1991.
- Gauss, Gerald F. (2003), "Liberal Neutrality: A Compelling and Radical Principle", in Klosko, George and Wall, Steven (eds.), *Perfectionism and Neutrality: Essays in Liberal Theory*, pp. 137–165.
- Kant, Immanuel (1991), *The Metaphysics of Morals (Die Metaphysik der Sitten [MS])*, Cambridge: Cambridge University Press.
- Larmore, Charles E. (1987), *Patterns of Moral Complexity*, Cambridge: Cambridge University Press.
- Larmore, Charles E. (1996), *The Morals of Modernity*, Cambridge: Cambridge University Press.
- Larmore, Charles E. (2008), *The Autonomy of Morality*, Cambridge: Cambridge University Press.
- Lecce, Steven (2008), *Against Perfectionism: Defending Liberal Neutrality*, Toronto: University of Toronto Press.
- McCabe, David (2000), "Knowing about the Good: A Problem With Antiperfectionism", *Ethics* 110 (2): 311–338.
- Nagel, Thomas (1987), "Moral Conflict and Political Legitimacy", *Philosophy and Public Affairs* 16 (3): 215–240.
- Parfit, Derek (1984), "Appendix: What Makes Someone's Life Go Best?" in: *Reasons and Persons*, Oxford: Oxford University Press, pp. 493–502.
- Primoratz, Igor (ed.) (2007). *Politics and Morality*, Basingstoke: Palgrave Macmillan UK.
- Rawls, John (1971), *A Theory of Justice*, Cambridge, Mass.: Harvard University Press.
- Rawls, John (1983), "Justice as Fairness: Political, not Metaphysical", *Philosophy and Public Affairs* 14 (3): 223–251.
- Rawls, John (1993, 1996), *Political Liberalism*, New York: Columbia University Press.
- Vernon, Richard (2001), *Political Morality: A Theory of Liberal Democracy*, London and New York: Continuum.
- Williams, Bernard (2014), *Essays and Reviews 1959–2002*, Princeton: Princeton University Press.

Michal Sládeček

Politička moralnost i neutralnost

Apstrakt

U tekstu se navode razlozi zbog kojih je neophodno povući distinkciju između političke moralnosti i etičkih koncepcija, kao i razlozi zbog kojih se politički liberalizam ispostavlja kao supstancijalna moralna koncepcija, pri čemu se javlja napetost između nje i određenih shvaćanja neutralnosti. Dalje se analizira određenje ličnosti kroz kapacitet za delanje (u prvom redu etičko), i obrazlaže se da je priznavanje ovog kapaciteta neophodno, mada ne i dovoljno da bi se osobi pripisao poseban status sa stanovišta političke moralnosti i da je za ovo pripisivanje takođe neophodno da pojedinac bude u stanju da usaglasi svoje etičke akcije sa moralnim principima drugih osoba. Takođe, u tekstu se kritikuje Larmoreovo moralno zasnivanje teorije pravde kroz poštovanje osoba, pri čemu se brani stanovište da pojam poštovanja treba razmatrati u sklopu kompleksnijeg međuodnosa sa drugim moralnim pojmovima, kao što je jednakost. Na taj način, neutralnost u pogledu sadržaja poštovanja, isto kao i neutralnost u pogledu kapaciteta za etičko delanje, se pokazuje kao nedovoljna.

Ključne reči: politička moralnost, neutralnost, etika, kapacitet za moralno delanje, poštovanje