

# THE DECENT SOCIETY



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"Translated by Naomt Goldblum

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*For Mira, Yotam, Tamar, and Ruth*

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# Preface

Some twenty years ago I accompanied Sidney Morgenbesser to the airport. In the lounge, while waiting for his flight, we discussed Rawls's theory of justice, which had deeply impressed us both. Before parting, Morgenbesser announced to me-as well as to all the other passengers that the urgent problem was not the just society but the decent society. To this day I am not sure what he meant by this, but the expression made a great impression on me. This book owes its existence to that remark of Morgenbesser's. I myself owe Morgenbesser much of my philosophical apprenticeship and not a few of my social persuasions.

The idea of the decent society appealed to me, but for many years I was not able to flesh it out. Gradually conversations I had with Palestinians (luring their uprising (the Intifada) in the occupied territories, as well as conversations I had with new immigrants to Israel from the countries of the defunct Communist bloc, convinced me of the centrality of honor and humiliation in the lives of people-and, consequently, of the importance that ought to be allotted to the concepts of honor and humiliation in political thought. Thus the idea was born of the decent society as a society which does not humiliate.

This book is not, however, about the Intifada or the downfall of Communism: these serve as illustrations only. Yet the book was written with the Israeli reader in mind, and it was written in Hebrew. It was David Hartman, among others, who convinced me that there might be a wider audience for the notion of the decent society than the Hebrew reading public. With his active encouragement and through the Shalom Hartman Institute in Jerusalem which he directs, a translation was sponsored. Naomi Goldblum bore the brunt of the task and carried it through with dedication.

Friends who read various drafts of the book helped me a great deal: Maya Bar-Hillel, Moshe Halbertal, David Heyd, Joseph Raz, and Michael Walzer. I want to thank them all. My wife, Edna Ullman-Margalit, my life partner and my work partner, helped me in the larger contours as well as in the smaller details. To thank her is not enough.

Institutions also helped. My stay as a Visiting Fellow at St. Antony's College, Oxford, provided me with a decent society for writing large chunks of this book. The pleasant library of the Van Leer Institute in Jerusalem, where I have been spending most of my waking hours for many years, made it possible for me to write more. Other support was provided by the Center for Rationality and Interactive Decisions of the Hebrew University of Jerusalem. The finishing touches were given to the book in the warm and wonderful home of my friends Irene and Alfred Brendel in Hampstead. All of them have my gratitude.

This is not a textbook. The length of the various chapters and sections reflects not their relative weight but, rather, what I felt I had to say about their topics. I believe every sentence of this book to be true. I also believe that there are sentences in this book which are erroneous. This state of affairs is referred to by philosophers as the Preface Paradox. Whatever the logical status of this paradox, it is clear to me that it well reflects my own state of affairs.

I have written this book out of conviction. Conviction does not make one immune to error; if anything, it enhances its likelihood. I do not doubt that this book contains errors. I only hope that it contains enough truth.

Jerusalem

August 1995

**Last night the Sheik went all  
about the city,  
lamp in hand, crying, "I am  
weary of beast and  
devil, a human being is my  
desire."**

Rūmi (1207–1273)

# Introduction

What is a decent society? The answer I am suggesting is roughly the following: A decent society is one whose institutions do not humiliate people. I distinguish between a decent society and a civilized one. A civilized society is one whose members do not humiliate one another, while a decent society is one in which the institutions do not humiliate people. Thus, for example, one might think of Communist Czechoslovakia as a nondecent but civilized society, while it is possible to imagine without any contradiction a Czech Republic which would be more decent but less civilized.

Social institutions can be described in two ways: abstractly, by their rules or laws, or concretely, by their actual behavior. Analogously, one can speak of institutional humiliation by law, as manifested by the Nuremberg Laws or those of apartheid, in contrast to concrete acts of institutional humiliation, such as the Los Angeles police officers' treatment of the black motorist Rodney King. In the concrete description of institutions the distinction between a noncivilized and a nondecent society is blurred. My interest in institutions is focused on their concrete aspect, and so this distinction may become blurred quite often in this book. But even if it is not always clear how the distinction applies in particular cases, it is nevertheless a distinction with merit. The idea of a civilized society is a microethical concept concerned with the relationships between individuals, while the idea of a decent society is a macroethical concept concerned with the setup of the society as a whole.

The concept of a decent society may be compared and contrasted with other evaluative terms—for example, that of a proper society as one that adheres to due process, or that of a respectable society as one that protects its citizens' respectability. But the most important comparison is between a decent and a just society. Clarifying the concept of a decent society requires not only elucidating the contrast between decent and nondecent societies but also comparing it with other social notions, whether rival or complementary. I do not explicitly compare the notion of a decent society with alternative social notions aside from that of a just society, but I mention the possibility of comparison in the hope of illuminating it throughout the book.

In Part I, I discuss the reasons for feeling humiliated. I begin with two radical claims. One is that of anarchism: the very existence of governing institutions is a reason for feeling humiliated. The other is that of Stoicism: no governing institutions can provide reasons for feeling humiliated. Both of these extreme claims are rejected in favor of the assertion that governing institutions do not necessarily humiliate people, but they are able to do so.

The concept of a decent society, I maintain, is not necessarily connected with the concept of rights. Even a society without a concept of rights can develop concepts of honor and humiliation appropriate for a decent society. The appropriate concept of honor is the idea of self-respect, as opposed to self-esteem or social honor.

Part II deals with the question of what justifies according human beings respect. Three types of justification are presented. The first is a positive sort, which relies on a common human trait due to which people deserve to be respected. The second is a skeptical justification, which casts doubt on the possibility that such a trait exists, and suggests the attitude of respect itself as the source of respect. The third is a negative justification, which claims that there is no positive or skeptical justification for according humans respect, but there is a justification for avoiding humiliating them.

In Part III, I discuss the idea of humiliation as the rejection of a person from the human commonwealth and as the loss of basic control. I show how these two aspects of humiliation are manifested concretely in social setups as the rejection of specific forms of life in which people express their humanity.

Part IV deals with the way major social institutions, such as those involved in welfare or punishment, must act in a decent society. I do not attempt to cover all social institutions (housing, for example, is not discussed), but a wide variety of institutions is surveyed.

The book is thus divided into two main sections. The first three parts deal with humiliation; the fourth part discusses its institutional manifestations. At the end of the book I compare the decent society with the just society. Every just society must be a decent one, but the opposite does not hold.

I have not set an upper or lower limit on the size of the social units that are candidates for decent societies, but in the modern world the natural choice is societies on the order of magnitude of a nation. Smaller social units will not quite do. One reason for this is that the conditions for nonhumiliating life today require at least the ability to read and write, as well as some basic technical skills, which in turn require a relatively advanced educational system. It is difficult to provide such an educational system in a small society. Nations are also of interest for another important reason. States are supposed to have a monopoly on the use of force, and they quite often actually do. Thus the state has an especially great potential, both normatively and factually, for institutional humiliation.

I began with a rough characterization of a decent society as a nonhumiliating one. Why characterize the decent society negatively, as nonhumiliating, rather than positively, as one that, for example, respects its members? There are three reasons for this: one moral, one logical, one cognitive. The moral reason stems from my conviction that there is a weighty asymmetry between eradicating evil and promoting good.<sup>1</sup> It is much more urgent to remove painful evils than to create enjoyable benefits. Humiliation is a painful evil, while respect is a benefit. Therefore eliminating humiliation should be given priority over paying respect.

The logical reason is based on the distinction between goals which can be achieved directly and intelligently and those which are essentially by-products and cannot be achieved directly.<sup>2</sup> People who want to be spontaneous, for example, cannot do so directly by deciding to. The most they can do is pretend to be acting spontaneously. Spontaneity is essentially a by-product rather than a primary goal. According people respect may also be essentially a by-product of one's general behavior toward people, while this is not true of nonhumiliation. Perhaps there isn't any behavior that we can identify as extending respect (in the sense that there are specific acts that we identify as bestowing military honor, such as saluting). Perhaps we simply grant respect through acts intended for other purposes, so that the respect granted is only a by-product. In contrast, there are specific acts, such as spitting in someone's face, that are humiliating without being by-products of other acts.

The third, cognitive, reason is that it is easier to identify humiliating than respectful behavior, just as it is easier to identify illness than health. Health

and honor are both concepts involving defense. We defend our honor and protect our health. Disease and humiliation are concepts involving attack. It is easier to identify attack situations than defense situations, since the former are based on a clear contrast between the attacker and the attacked, while the latter can exist even without an identifiable attacker.

All these are reasons for choosing to characterize the decent society negatively rather than positively. In a positive characterization, a decent society is one that accords respect through its institutions to the people under its authority. As we shall see, it will sometimes be necessary to use this positive characterization of the decent society as well as the negative one we began with.

I have tried not to classify the decent society under the familiar "ism"s of liberalism or socialism. If labels cannot be avoided, then the one that best fits my idea of a decent society is "Orwell's socialism," as opposed to Orwellian socialism. The latter is the animal farm of equal and more equal, rather than a human society of equal human beings. Orwell is certainly an important source of inspiration for the idea of the decent society, and in the sense that Orwell was a socialist, the decent society embodies Orwell's socialism.

# *The Concept of Humiliation*

I

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# Humiliation

## 1

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Humiliation is any sort of behavior or condition that constitutes a sound reason for a person to consider his or her self=respect injured.

This a normative rather than a psychological sense of humiliation. On the one hand, the normative sense does not entail that the person who has been provided with a sound reason for feeling humiliated actually feels that way. On the other hand, the psychological sense of humiliation does not entail that the person who feels humiliated has a sound reason for this feeling.

The emphasis is on reasons for feeling humiliation as a result of others' behavior. Feelings have not only causes but also reasons. There is a sound reason for feeling afraid free-roaming tiger. Under normal circumstances there is no sound reason for feeling afraid 'a common housefly. Ofcourse, not only behavior is liable to humiliate people. Conditions of life are also capable of providing sound reasons for feeling humiliated. Conditions are humiliating, however, only if they are the result of actions or omissions by human beings. Conditions ascribed to nature cannot be considered humiliating on my view. Richard III, who was so deformed that even dogs in his vicinity snarled at him, had an excellent reason for bemoaning his bitter fate, but he lacked a sound reason for feeling humiliated, as long as we ascribe his deformity to nature rather than to any action or omission by human beings. Only humans can produce humiliation, although they need not actually have any humiliating intent. There can be no humiliation without humans to bring it about, but there can be humiliation without humiliators, in the sense that the people causing the humiliation did not intend to do so.

There is a secondary, metaphorical, sense in which people see the very conditions of human existence, such as old age, handicaps, or ugliness, as reasons for feeling humiliated. The secondary or metaphorical sense of

humiliation is not humiliation in my use of the term. This is because the secondary sense involves humiliation as a result of natural life conditions. The difference between my use of the term and that of people who use it in its secondary sense is not that I require the existence of a humiliator while they do not. The difference is in our view of nature. They do not consider nature a neutral agent; they consider it to be guided by God. Thus in their view there is someone who can use the conditions of nature to humiliate or exalt people. It is possible that what lies behind this view is a hidden assumption that God is the humiliator.

A decent society is one that fights conditions which constitute a justification for its dependents to consider themselves humiliated. A society is decent if its institutions do not act in ways that give the people under their authority sound reasons to consider themselves humiliated.

This proposed account of humiliation, and thus of the decent society, stands in need of much clarification and explication. It is worth beginning, however, by confronting this account with two diametrically opposed reactions that can serve as warning signals. The first is anarchism, which claims that any society founded on ruling institutions is by definition a humiliating society. This view maintains that any society with permanent institutions necessarily consists of rulers and ruled, and that to be ruled is a sound reason for feeling humiliated. At the opposite end of the spectrum is Stoicism, which claims that no society can be humiliating, because no society can provide a thinking person with good reasons for feeling humiliated. The reasoning behind this view is that humiliation is an injury to a person's self-respect, and self-respect is tautologically the respect persons accord themselves without needing the opinion of others. Self-respect is independent of any action or omission by other people toward one, whether one is a slave like Epictetus or an emperor like Marcus Aurelius.

"There is another view that should be considered, which I call the Christian view. In essence it is the idea that the most deadly sin is pride, and that pride can only be cured by humility. People who are subject to a humiliating society undergo an edifying experience in the war against pride. A humiliating society is a formative experience for those who are trying to become humble. A humble person has no sound reasons for feeling humiliated. A humiliating society hurts those who ought to be humiliated, namely proud people, while people of higher morality, namely humble

people, cannot be humiliated by others. Jesus' Via Dolorosa is a paradigm of experience with a continuous stream of humiliations:

And they stripped him, and put on him a scarlet robe. And when they had plaited a crown of thorns, they put it upon his head, and a reed in his right hand; and they bowed the knee before him, and mocked him, saying, Hail, King of the Jews! And they spit upon him, and took the reed, and smote him on the head. And after that they had mocked him, they took the robe off from him, and put his own raiment on him, and led him away to crucify him. (Matthew 27:28-31)

Even if this temptation was not a good reason for Jesus to consider himself humiliated, those who put the crown of thorns on his head had a sound reason for considering themselves humiliators. The lesson Christians are supposed to learn from Jesus' humiliating journey is to consider humiliating behavior as a trial rather than a sound reason for feeling humiliated. The fact that there is no such reason, however, does not absolve the humiliator of the grave sin of pride and arrogance, since the humiliating acts are intended to prove one's superiority over the other.

### Anarchism: No Governing Institutions Are Decent

Anarchists play the role in the political realm that skeptics play in the cognitive realm. Skeptics question the very existence of propositions that can be known-that is, beliefs that can be justified as knowledge in principle. They claim that no possible justification of a belief can turn it into knowledge. Analogously, anarchists are people who claim that no possible governing order based on force can be justified in principle. In science the skeptical claim is the so-called null hypothesis-namely, the claim that there is nothing to explain because the phenomenon that is supposed to be explained is merely a chance occurrence. Philosophical skeptics and anarchists each propose a "null hypothesis" in their own area: they claim there is nothing to justify. What seems to be a candidate for justification actually cannot be justified. If political philosophy attempts to answer the question, "What is the source of justification for political authority?," the anarchist retorts that there is no possible justification-political authority is it sad fact and not something that can be justified. The anarchist's null hypothesis is the following: no society with permanent (as opposed to ad hoc) institutions can be a decent society.

How can we understand the concept of humiliation underlying anarchist doubts about the possibility of a decent society? For the anarchist, humiliation means curbing the autonomy of individuals through coercive institutions. Governing institutions exercise their coercive power over the people subject to their authority by distorting the subjects' order of priorities. Distortion of the order of priorities through which people express their autonomy constitutes humiliation. Therefore coercion constitutes humiliation. The claim made by anarchists is actually even stronger: the very possibility of coercion-that is, the very fact that people are subject to the good graces of an authority-constitutes humiliation. In order for people under authority to be humiliated it is not necessary for the authority to actually be coercive-it is enough that it constitutes a permanent threat hanging over the people under the institution's authority.

I assume that even anarchists would agree that the referee in soccer, even though he has the authority to compel obedience-for example, to throw out a rowdy player-is not necessarily a humiliating institution. Anarchists would refuse, however, to see the institutions of a society which constitutes a state as similar to soccer referees. They do not accept the liberal idea of the state as a referee. Like Marxists, they believe that the state is an active player. Underlying this anarchist claim is the belief in a sort of "iron law of oligarchy," which states that whenever there are institutions there are always rulers and ruled.' Not only does each institution have its rulers and its ruled, but across the various institutions the rulers are the same rulers and the people ruled are more or less the same people too. Soccer-at least nonprofessional soccer-is not a typical case of a governing institution. Rather, it is a voluntary organization for a limited purpose, which can be (relatively) isolated from other ruling organizations. Ruling institutions-that is, those having the means to compel obedience-are actually oligarchies. And oligarchy means the systematic humiliation of people under the authority of permanent rulers.

The anarchist view I have presented here-which is not, as far as I know, a view advanced by any historical thinker-is based on problematic assumptions, some conceptual and some factual. One of the conceptual assumptions, for example, is that humiliation is any possible diminution of a person's autonomy. Another is that autonomy is expressed in a person's order of priorities, so that a distortion of this order constitutes humiliation.