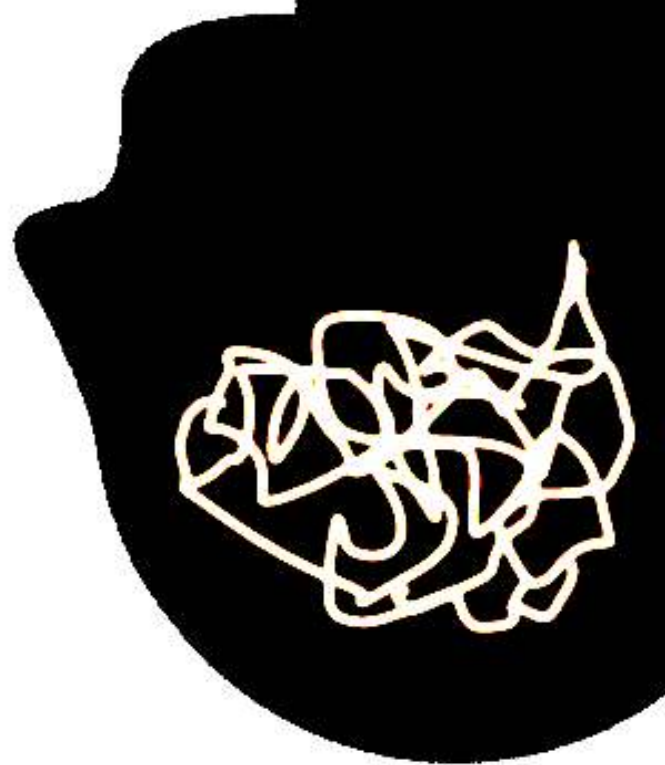
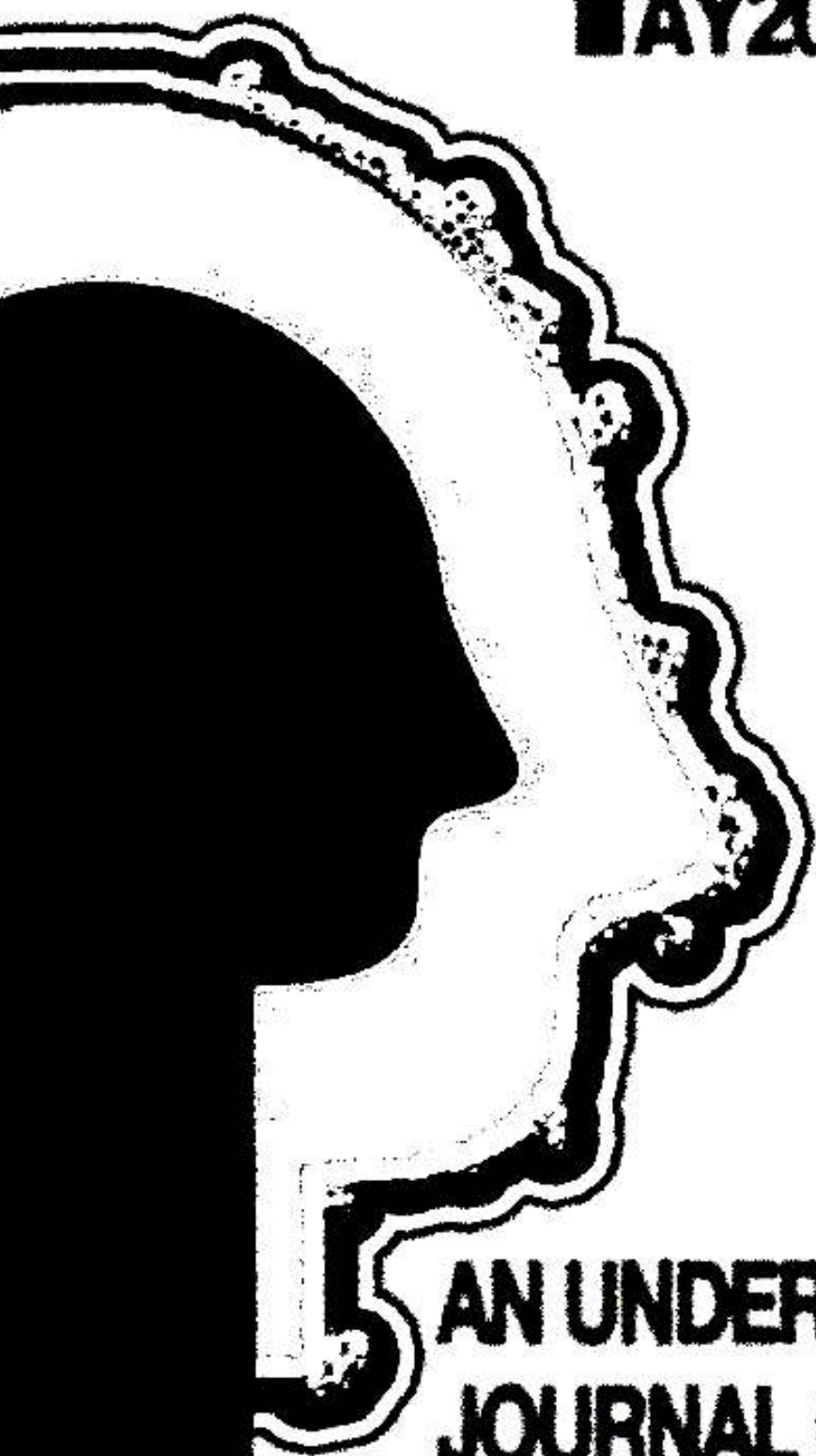


# Republic

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AN UNDERGRADUATE  
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I'd like to extend my sincerest gratitude to my co-editors, Morris and Dineshraj, for their time, effort, and dedication in reviewing these papers. I'd also like to thank everybody who placed their faith in us and submitted their works for consideration. The enthusiasm and ambition of the NUS PPE community will always be the driving force behind *Republic*, for now, and ever.

We hope that you'll enjoy reading *Republic* Volume 2 as much as we did.

Faith Chng  
Publications Director  
3rd PPE Club

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# THE ECONOMIC CONSEQUENCES OF THE PEACE: AD HOMINEM OR REASONABLY CRITICAL?

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## Abstract

The events at the 1919 Paris Peace Conference disillusioned many delegates, including John Maynard Keynes, who left the Conference before it was concluded. He then went on to pen *The Economic Consequences of the Peace*, in which he argued that the Treaty was too harsh on Germany and did not make any plans for Europe's recovery. His work was met with both widespread praise and criticism. While some were impressed with his logical and honest analysis of the Conference, still others condemned it as propaganda that aimed to undermine the leaders of the Allied Powers. This paper thus seeks to explore the objectivity of the arguments he made in order to understand its persisting and widespread influence on the academic world today.

**Keywords:** *Economic implications, Fairness, Paris Peace Conference, Treaty of Versailles*

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## Introduction

The First World War left Europe extensively damaged. The Allied Powers – including Britain, France, Italy, and the United States – barely won through a ceasefire. This prompted the Paris Peace Conference in 1919 to formulate the Treaty of Versailles, which aimed to stipulate the terms of the ceasefire with their enemy, Germany, while making arrangements to create a new Europe.<sup>1</sup> Unfortunately, the varied and unresolvable differences between the victors made many delegates disappointed with the Conference and Treaty, including British economist John Maynard Keynes.<sup>2</sup> After the Treaty was signed, Keynes published *The Economic Consequences of the Peace* in which he criticised the Treaty for its excessively harsh demands on Germany and lack of provisions to restore Europe's economy.

This essay seeks to explore whether Keynes was fair and balanced in his evaluations. In other words, were Keynes' predictions reasonable based on the information he had at that time? In addition, did he account for and present alternative arguments fairly to prove that his

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<sup>1</sup> John Maynard Keynes, *The Economic Consequences Of The Peace* (repr., Palgrave Macmillan, 2019).

<sup>2</sup> Harold Nicolson, *Peacemaking, 1919*. Constable, 1944.

arguments are stronger? This essay will focus on three main arguments Keynes made, arguing that his criticism of the Treaty of Versailles was largely unfair. Firstly, Keynes criticised the Treaty for intending to cause Germany's economic downfall without considering France's and Britain's pressing national concerns after the war.<sup>3</sup> Next, his prediction that the Treaty's reparations and export restrictions on Germany would be the cause of the Second World War ignored the fact that Germany's repudiation of their defeat had already caused rifts between the German public and the Allied Powers. Germany's economic problems – which had, in part, been caused by the Treaty – merely served as a factor that further strained the existing tensions. However, given that Germany was already experiencing inflation in 1919 while the actual value of the reparations was not yet finalised, Keynes was not unreasonable in predicting that the reparations were likely to bankrupt Germany's economy.

### **The “Carthaginian Peace”**

The decisions made by the leaders in the Conference, especially that of Lloyd George and Clemenceau, were in line with their national interests after the war and not intentionally meant to cripple Germany's economy, as Keynes had claimed. Keynes argued that the Treaty was a Carthaginian peace that aimed to utterly destroy Germany.<sup>4</sup> According to him, Clemenceau was acutely aware of France's disadvantage in numbers and resources to its neighbour Germany, thus he wanted to crush Germany's power by taking away its important territory and resources through the Treaty.

Keynes' argument is unfair as it assumes that Clemenceau was obsessed with completely destroying Germany, when Clemenceau's actions were in fact driven by a pressing need to fight for France's survival. Macmillan states that, after the war, France's economy and its population suffered more losses than its allies and Germany.<sup>5</sup> France's coal mines, its main source of economic activity, had been flooded; and a larger fraction of France's population had been lost to the war, as compared to their allies. Thus, France had the most to lose if the Treaty was lenient and aided Germany's recovery. She also asserts that France had a historical fear of Germany's power. These factual premises sufficiently imply that Clemenceau insisted on a harsher Treaty as he believed France was alone in having the most to lose if Germany recovered quickly. Thus, his main priority was for the Treaty to

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<sup>3</sup> John Maynard Keynes, *The Economic Consequences Of The Peace*.

<sup>4</sup> Keynes.

<sup>5</sup> Margaret MacMillan, *Paris 1919* (repr., New York: Random House, 2002).

diminish Germany's power to a level France was comfortable with, not to destroy Germany.<sup>6</sup> In fact, while Birdsall agrees with Keynes that France had originally wanted to destroy Germany to secure its survival, France eventually settled for a promise of military protection from America and Britain in the Treaty.<sup>7</sup> This compromise shows that Clemenceau was more interested in ensuring his nation's future security than in destroying Germany.

With regards to the British Prime Minister Lloyd George, Keynes claimed that George was only interested in swiftly producing a Treaty to appease the resentful English public, therefore was open to a Carthaginian Peace.<sup>8</sup> However, Lloyd George's actions in the Conference suggest that Keynes' argument was unfair. According to Nicolson, George had requested lighter terms for Germany during the Conference using the influence of the British empire.<sup>9</sup> Unfortunately, he was heavily criticised by the British media for not acting out of the interest of his people. As the Prime Minister, George was forced to remain accountable to his vindictive electorate by ceasing his advocacy. As a British delegate to the Conference, Keynes' criticism of George failed to consider the limited agency George had as the leader of his country. Thus, Keynes' assertions of the Treaty as a Carthaginian Peace were unfair as they dismissed the practical concerns the French and British leaders faced.

### **Reparations as the cause of Germany's economic downfall**

On the other hand, Keynes was reasonable in predicting that the Treaty's reparations demand was likely to bankrupt Germany's economy given the information he knew in 1919: not only was Germany experiencing post-war inflation, but the actual value of reparations also had not been confirmed even after the Treaty was signed. In his book, Keynes asserted that the Treaty's reparations demand to Germany was unreasonable given Germany's economic situation after the war.<sup>10</sup> According to him, this demand held Germany accountable to pay an excessive sum as compensation for damage done to the winners in the war. However, Germany could only afford reparations using income from their exports to other European countries, exports which the Treaty had specifically banned. Thus, Germany could

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<sup>6</sup> Sally Marks, "Mistakes And Myths: The Allies, Germany, And The Versailles Treaty, 1918–1921," *The Journal Of Modern History* 85, no. 3 (2013): 632-659, doi:10.1086/670825.

<sup>7</sup> Paul M. Birdsall, "Versailles Twenty Years After—A Defense," in *The Versailles Settlement—Was It Foredoomed To Failure?* (repr., D.C. Heath and Company, 1960), 24-30.

<sup>8</sup> John Maynard Keynes, *The Economic Consequences Of The Peace*.

<sup>9</sup> Harold Nicolson, *Peacemaking, 1919*. Constable, 1944.

<sup>10</sup> Keynes.

only fulfill the reparations by printing more money, thereby risking its long-term economic survival.

Contrary to Keynes, Peukert asserts that the reparations were within Germany's ability to pay since the reparations were divided into A, B, and C bonds, and the Allied Powers had only expected to receive A and B bonds to be paid in annual installments.<sup>11</sup> Thus, Germany could have afforded reparations if it raised taxes.<sup>12</sup> However, as the new government did not want to impose taxes for fear of public rejection, they resorted to a "cheap-money policy"<sup>13</sup>: as Germany began to experience post-war inflation, the government allowed the currency to depreciate to make their exports cheaper and promote export sales. This suggests that it was the government's mishandling of its economy that made the reparations unaffordable for Germany.

However, these arguments are made in hindsight and are insufficient to prove that Keynes' prediction was unfair. Given the information Keynes had on Germany's economic situation and limited policy choices, he was fair in predicting that the reparations would devastate Germany's economy. According to Fergusson, Germany was already suffering from inflation in 1919 because the war was financed solely through printing money.<sup>14</sup> Germany could only survive after paying reparations through export sales to Europe, but France's and Britain's tax policies impeded Germany's exports.<sup>15</sup> Thus, it was reasonable for Keynes to conclude that Germany could only choose to print more money for reparations while hoping that the increasing inflation would lessen the real value of their debts. At the same time, Keynes' prediction was based on calculations performed with significantly larger estimates of the reparations since the actual sum had not been finalised. These estimates from the Conference were ten times more than the final amount. Thus, Keynes' evaluation that the Treaty's reparations demand could destroy Germany's economy was within reason.

### **Treaty as the cause of World War Two**

That being said, Keynes' prediction that the Treaty's harsh regulation of Germany could incite another World War was unbalanced. He failed to consider the fact that Germany

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<sup>11</sup> Detlev Peukert, *The Weimar Republic: The Crisis Of Classical Modernity*. (repr., Hill & Wang., 1992).

<sup>12</sup> Sally Marks, "Mistakes And Myths: The Allies, Germany, And The Versailles Treaty, 1918–1921," 632-659.

<sup>13</sup> Peukert, 63.

<sup>14</sup> Adam Fergusson, *When Money Dies: The Nightmare Of The Weimar Collapse.*, 1st ed. (repr., PublicAffairs, 1975).

<sup>15</sup> Eberhard Kolb, *The Weimar Republic* (repr., London: Routledge, 2005).



was bitter towards the Allied Powers as the former did not accept their defeat. Keynes argued that with the Treaty's reparations demand and restrictions on Germany's trade, Germany's export-oriented economy would be completely ruined, forcing the government to use inflationary policies to save the economy.<sup>16</sup> The hyperinflation in Germany would then likely lead to mass starvation and death in Germany, driving the desperate to "overturn the remnants of organisation."<sup>17</sup>

The occupation of the Ruhr valley in 1923 suggests evidence for Keynes' argument. In 1923, France occupied the Ruhr valley for its resources as they did not receive reparations from Germany punctually. In retaliation, the German government ordered Germans to adopt a policy of passive resistance toward French authorities. This halted coal production in the region, cutting off tax revenue from the Ruhr. However, the government had to increase expenditure to compensate the workers for their lost wages (Kolb, 2005).<sup>18</sup> Thus, the government was forced to print money both for the citizens and for reparations, aggravating existing inflation. The increasingly unstable economy made the public more resentful towards the Weimar Republic and the Treaty, a resentment that was fully realised in the Great Depression when the public was influenced to "accept Hitler's thesis that the victors of 1919 would yield only to force and never to reason."<sup>19</sup>

Conversely, Marks argues that German resentment towards the Allied Powers, which had begun before the Peace Conference, was a more significant cause of World War Two.<sup>20</sup> The citizens had never accepted defeat even before the Conference as the war ended with the Imperial Reich uninvaded and the victors only occupying a small German territory. Furthermore, the German army had also spread rumours of the *Dolchstoß* myth, claiming that its loss to the Allies was not due to battle but betrayal by political leaders. This myth made the German public even less likely to accept the peace terms "based on the presumption of defeat."<sup>21</sup> At the same time, it made them disillusioned with their new leaders.<sup>22</sup>

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<sup>16</sup> John Maynard Keynes, *The Economic Consequences Of The Peace*.

<sup>17</sup> Keynes, 176.

<sup>18</sup> Eberhard Kolb, *The Weimar Republic*.

<sup>19</sup> Paul M. Birdsall, "Versailles Twenty Years After—A Defense," 30.

<sup>20</sup> Sally Marks, "Mistakes And Myths: The Allies, Germany, And The Versailles Treaty, 1918–1921," 632–659.

<sup>21</sup> Zara Steiner, "The Treaty Of Versailles Revisited," in *The Paris Peace Conference, 1919: Peace Without Victory?* (repr., Palgrave, 2001), 18.

<sup>22</sup> Adam Ferguson, *When Money Dies: The Nightmare Of The Weimar Collapse*.



Evaluating both sides, while the Treaty could have been a trigger for the rise of Hitler's regime, Germany's resentment towards the Allied Powers from the start was the precondition for the Second World War. The Weimar hyperinflation led to the Second World War precisely because the Germans were resentful towards both the victors and their government. In this sense, Germany's hyperinflation, in part brought about by the Treaty's reparations demand, might just have been the final straw that prompted the Germans to follow Hitler. In comparison, Germany's grievances towards the Allied Powers had already been established since the day they were abruptly informed of their defeat. As such, Keynes' prediction about the next World War was unfair as he did not consider the more pertinent precondition that was Germany's dissatisfaction with the Allied Powers after the war.

### **Conclusion**

After evaluating Keynes' arguments in *The Economic Consequences of the Peace*, this essay believes that his criticism of the Treaty was largely unfair. He made sweeping claims of the leaders creating a "Carthaginian Peace" through the Treaty without accounting for the practical concerns their countries faced. His bold assertion that the Treaty could cause the Second World War did not consider that Germany was already embittered from its loss in the first. That being said, given Germany's inflation in 1919 and the unconfirmed value of reparations, he made a sensible prediction that the reparations could ruin Germany's economy. This essay demonstrates the importance of evaluating Keynes' writing in context. Less emphasis should be placed on the accuracy of his predictions given the limited information he had at that time. Instead, contemporary readers should keep in mind his intention in writing the book, which was to warn the public against assuming that the Treaty would guarantee Europe's recovery and world peace.

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# RECONSIDERING THE MORAL PERMISSIBILITY OF THE DEATH PENALTY

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## Abstract

The death penalty has been a topic of contention since its conception, with arguments being levied for and against its use on various grounds and moral frameworks. Amongst this would be the argument from grounds of anecdotal evidence where the death penalty is justified. This paper examines these views and finds no significant evidence that the death penalty deters murder. It thus asserts the reconsideration of the death penalty in contemporary lawmaking.

**Keywords:** *Cost-benefit, Death penalty, Moral permissibility, Utilitarianism*

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## Introduction

The first recorded occurrence of the death penalty dates as far back as the 16th century B.C.<sup>1</sup> Given its long-standing history, it is noteworthy that consensus on its moral permissibility is yet to be found in contemporary society. Pojman argues in favour of the death penalty on the basis of “anecdotal evidence” which he believes is a “commonsense argument.”<sup>2</sup> He also explains that the death penalty acts as an efficacious deterrent due to the assumption that people innately fear death the most Pojman therefore suggests that potential murderers would account for it as a cost of their transgressions in what he terms as the cost-benefit schema, which consequently warrants its permissibility.

This paper, therefore, endeavours to evaluate the validity and sufficiency of Pojman’s argument through a closer analysis of findings related to the death penalty in the United States, in particular by assessing the effectiveness of the death penalty in deterring murders. It argues that Pojman’s justification, that the death penalty is morally permissible based on “anecdotal evidence,” is not convincing as this justification lacks empirical support and does not account for murders that take place without regard to the cost-benefit schema. On the

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<sup>1</sup> Rebecca Steffoff, *Furman V. Georgia* (repr., Tarrytown, NY: Marshall Cavendish Benchmark, 2008).

<sup>2</sup> Louis Paul Pojman, “For The Death Penalty,” in *Death Penalty: For And Against* (repr., Rowman & Littlefield Publishers, 1998), 45.

contrary, Pojman's argument *appears* to be sound on the fundamental basis of utilitarianism in that the death penalty aims to increase net social utility.

### **Lack of Empirical evidence**

Firstly, Pojman's argument based on "anecdotal evidence" in itself lacks empirical evidence to prove the efficacy of the death penalty's deterrent nature in relation to murder. The essentiality of empirical evidence is crucial in justifying a claim, especially one which involves the ability to legitimise the taking of human life. Therefore, the lack of empirical evidence in support of Pojman's argument is noteworthy. For instance, Haag and Conrad present quantitative empirical data which revealed that there was no tangible difference in homicide rates for states that implemented the death penalty as compared to those that did not.<sup>3</sup> They demonstrated this through a statistical comparison of homicide rates in Michigan (a non-death penalty state) versus Ohio and Indiana (death penalty states) between 1920 to 1974, which found that homicide rates were not reduced by the presence of the death penalty.<sup>4</sup> This implies that the death penalty is, contrary to Pojman's claim, an inefficacious deterrent due to its apparent inability to reduce the frequency of murder. Therefore, the inadequacy of empirical evidence in support of the death penalty renders Pojman's "deterrence-oriented rationale" for the death penalty questionable, even though its moral principles appear to be faultless.<sup>5</sup> As such, the absence of empirical support in favour of Pojman's argument during the time in which he placed forth his argument renders it questionable and hence unconvincing.

Moreover, recent empirical evidence from 1990 to 2018 has interestingly revealed a positive association between homicide rates and the implementation of the death penalty in states.<sup>6</sup> In brief, this means that states which implemented the death penalty saw higher rates of homicides than those that did not. This signals a clear reversal of expectations pertaining to Pojman's argument in that the death penalty not only fails to effectively deter murder but can even be said to exacerbate its frequency. According to Bowers and Pierce, this phenomenon

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<sup>3</sup> John P. Conrad and Ernest van den Haag, "Deterrence, The Death Penalty, And The Data," *The Death Penalty: A Debate*, 1983, 133-156, doi:10.1007/978-1-4899-2787-3\_8.

<sup>4</sup> Conrad and van den Haag, 136.

<sup>5</sup> Matthew H. Kramer, "Deterrence Through Capital Punishment," *The Ethics Of Capital Punishment*, 2011, 32, doi:10.1093/acprof:oso/9780199642182.003.0002.

<sup>6</sup> "Murder Rate Of Death Penalty States Compared To Non-Death Penalty States," Death Penalty Information Center, 2021, <https://deathpenaltyinfo.org/facts-and-research/murder-rates/murder-rate-of-death-penalty-states-compared-to-non-death-penalty-states>.

can be explained by what they term as the “brutalization effect,” which posits that institutionalised executions potentially signal a devaluation of human life to the society in which they are implemented.<sup>7</sup> This view is further elaborated upon by Bedau who explained that this is a consequence of the death penalty cheapening the *sanctity* and *dignity* of human life.<sup>8</sup> This implies that the implementation of the death penalty can unintentionally communicate to society that human life is violable and, hence, that the elimination of human life can be justified. This, therefore, illuminates that, contrary to Pojman’s “commonsense argument,” the death penalty can be said to ironically perpetuate the frequency of murder rather than deterring it. As such, the availability of present-day empirical evidence in opposition to Pojman’s claim not only illuminates the latter’s insufficiency but serves to reveal its counterintuitive implications.

### **Irrationality amongst criminals**

Secondly, the crux of Pojman’s argument rests on the assumption that criminals are able to conduct risk assessments of the crimes they may commit, which does not always bear out in reality. Pojman’s assumption is explained by Wilson and Herrnstein who posit that potential criminals have the ability to deliberate between crime and “noncrime,”<sup>9</sup> and this decision is made on what Pojman terms as a cost-benefit schema. Pojman’s argument presupposes that potential murderers have the ability to factor in the consequence of committing murder (supposing that they are caught). As such, the death penalty which results in the irreversible loss of a transgressor’s life significantly increases the *cost* of committing murder, therefore implying that the implementation of the death penalty as the most severe consequence would serve to effectively deter potential murderers. This in turn suggests that the death penalty is morally permissible as it acts as a meaningful deterrent to premeditated murder.

When examined in greater detail, however, Pojman’s claim is limited as it fails to account for murders that transpire without regard to a cost-benefit schema. If a murderer is unable to effectively consider the consequences of committing murder, it would be morally impermissible to exercise the death penalty against them on the basis of this claim. This

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<sup>7</sup> William J. Bowers and Glenn L. Pierce, “Deterrence Or Brutalization,” *Crime & Delinquency* 26, no. 4 (1980): 453-484, doi:10.1177/001112878002600402.

<sup>8</sup> Hugo Adam Bedau, “Capital Punishment,” *Oxford Handbooks Online*, 2009, 720-728, doi:10.1093/oxfordhb/9780199284238.003.0028.

<sup>9</sup> James Quinn Wilson and Richard Julius Herrnstein, “Wilson, J. Q., & Herrnstein, R. J. A Theory Of Criminal Behaviour,” *In Crime And Human Nature*, 1985, 41-66.

would be analogous to an individual receiving punishment for doing something that they did not even know was considered to be wrong. For instance, Heilbrun reports that homicides can occur due to temporary passion induced under exceptional circumstances, and these homicides belong to what are more commonly known as “crime[s] of passion.”<sup>10</sup> Similarly, Morse states that mentally impaired criminals (murderers included) lack rational cognisance.<sup>11</sup> These examples vividly illustrate a flaw in Pojman’s argument, namely that he assumes that potential murderers possess the capacity to partake in risk assessment. In the examples given, would-be murderers fail to take the consequence of the death penalty into account, rendering it an inefficacious deterrent. This further demonstrates the limitations of Pojman’s claim in favour of the death penalty.

### **Maximising Social Utility?**

On the contrary, Pojman suggests on utilitarian grounds that the use of the death penalty maximises social utility by discouraging, and hence, reducing the frequency of murder, which warrants its permissibility.<sup>12</sup> It is therefore important to note that utilitarianism is a doctrine that postulates that action is justifiable insofar as it improves net utility, which can be measured as benefiting the majority of society in the form of social utility. This suggests that the implementation of the death penalty is morally permissible so long as it decreases the rate of homicides in communities, which results in a tangible increment in social utility. As such, it is noteworthy that reduced crime rates (murders included), do in fact increase social utility. Krulichová revealed that reduced crime rates increase the “life satisfaction”<sup>13</sup> and “subjective well-being”<sup>14</sup> of individuals residing in societies that experience it as they feel safer. Hence, Pojman’s argument from a utilitarian standpoint appears sound in that the death penalty benefits the majority of society through increasing the quality of life of citizens, given that it effectively reduces homicide rates.

### **Economic Cost associated with the Death Penalty**

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<sup>10</sup> Alfred B. Heilbrun, Lynn C. Heilbrun and Kim L. Heilbrun, “Impulsive And Premeditated Homicide: An Analysis Of Subsequent Parole Risk Of The Murderer,” *The Journal Of Criminal Law And Criminology* 69, no. 7 (1978): 108, doi:10.2307/1142500.

<sup>11</sup> Stephen J. Morse, “Mental Disorder And Criminal Law,” *Journal Of Criminal Law And Criminology* 101, no. 3 (2011): 886-901.

<sup>12</sup> Louis Paul Pojman, “For The Death Penalty,” 22-51.

<sup>13</sup> Eva Krulichová, “Life Satisfaction And Happiness: Discussing The Impact Of Fear Of Crime And Victimization,” *AUC PHILOSOPHICA ET HISTORICA* 2018, no. 2 (2018): 23-37, doi:10.14712/24647055.2018.2.

<sup>14</sup> Krulichová, 23-37.

However, the sheer economic cost of implementing the death penalty serves instead to tangibly reduce social utility. According to a financial analysis by McFarland, the implementation of the death penalty results in significant increases in expenditure by the state.<sup>15</sup> It was also highlighted that “each death penalty inmate [costs] approximately \$1.12 million more than a general population inmate.”<sup>16</sup> This is attributed to higher legal and pre-trial costs, jury selections, appeals, etc.<sup>17</sup> These findings, therefore, suggest the need to reconsider Pojman’s claim that the death penalty does indeed improve social utility, as the death penalty is seen to inflict a quantifiable financial burden on citizens. Furthermore, given the aforementioned high cost of each death penalty inmate/case, this entails economic opportunity costs for the federal government. This means that there is, consequently, a likely decrease in government expenditure on other public goods and services such as healthcare and education, which would have served to increase net social utility. As such, the implementation of the death penalty can result in a decrease of net social utility instead, which casts doubt on Pojman’s argument on utilitarian grounds.

### **The flaws of Utilitarianism**

Furthermore, Pojman’s argument on utilitarian grounds is morally questionable as it propounds that any form of punishment is justifiable so long as it reduces more evil than it in itself perpetuates. Pojman himself acknowledges that utilitarianism “seems to allow for the punishment of the *innocent* if that will deter others from crime.”<sup>18</sup> This view is corroborated and furthered by Lacey who went on to explain that punishment of the innocent is not a punishment at all, as the innocent did not commit a transgression to begin with.<sup>19</sup> This critically illuminates that the utilitarian argument myopically focuses on the *outcome* of preventing murder through the use of the death penalty as a deterrent rather than on the very notion of *justice*. This not only disregards the intrinsic value of human life, but also counter-intuitively undermines the initial aim of the death penalty’s implementation to prevent the loss of innocent human lives. Hence, Pojman’s argument proves on utilitarian grounds to be morally impermissible as it views the possible execution of innocent human lives as justifiable so long as it acts as an instrument for overall societal benefit.

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<sup>15</sup> Torin McFarland, “The Death Penalty Vs. Life Incarceration: A Financial Analysis,” *Susquehanna University Political Review* 7, no. 4 (2016): 46-70.

<sup>16</sup> McFarland, 46.

<sup>17</sup> “Costs: Studies Consistently Find That The Death Penalty Is More Expensive Than Alternative Punishments.” Death Penalty Information Center, 2022, <https://deathpenaltyinfo.org/policy-issues/costs>.

<sup>18</sup> Louis Paul Pojman, “For The Death Penalty,” 23.

<sup>19</sup> Nicola Lacey, “State Punishment: Political Principles And Community Values,” 1988, doi:10.5860/choice.26-1749.



## **Conclusion**

In conclusion, Pojman's argument, that the death penalty is morally permissible on the basis of "anecdotal evidence," is not convincing as it lacks empirical support to establish the death penalty's deterrent nature. It also presupposes that potential murderers possess the ability to engage in a cost-benefit schema, which does not always bear out in reality. Furthermore, Pojman's alternative argument on utilitarian grounds is unconvincing as the death penalty can be seen to reduce net social utility rather than to increase it. In addition, utilitarianism is morally questionable in this context as it views the potential execution of innocent individuals as justifiable. This paper, therefore, illuminates a need to correct the normative belief that the death penalty deters murder and consequently benefits society as a whole. As such, it is imperative to reconsider whether the death penalty should indeed be implemented in our societies and the world as a whole.

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# A NORMATIVE ANALYSIS OF EPISTEMIC DEFERENCE IN THE WORKPLACE

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## **Abstract**

The workplace is the site where power asymmetries exist in the form of superior-subordinate relations. These asymmetries can be justified on the grounds of epistemic deference (ED), with the superior being the “expert” and the subordinate being the “layperson,” notwithstanding several normative concerns. I construe ED as a justifying clause that allows experts to have more power than lay people when it comes to decision-making where their expertise is concerned. This paper explores the normative concerns faced by ED and how it weakens justifications for these asymmetries. I propose that formulating well-defined job scopes in employment contracts helps ameliorate these concerns. I then assert that neither a hard nor soft limit on an employer’s ability to task their employees to do is desirable. I rationalise this by arguing that the former limits the employer's ability to exercise discretionary power to ask employees to do tasks beyond their job scope for good reasons, while the latter increases the likelihood of employers abusing their power.

**Keywords:** *Epistemic deference, Power asymmetries and hierarchies, Relational egalitarianism, Superior-subordinate relations*

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## **Introduction**

Epistemic deference (ED), as I shall construe it, refers to the notion that those with relevantly superior expertise, talent, or ability, should have more decisional power and authority than lay people in domains where their expertise is concerned. In the context of the workplace and within firms, ED is relevant because power asymmetries and hierarchies (superior-subordinate relations) are often morally justified by virtue of ED. For instance, the ideal superior should possess “relevantly superior expertise, talents, and abilities” whereas the ideal subordinate should be equivalent to the layperson.

However, ED in the workplace faces many normative concerns. To illustrate this, I will first elaborate on the justification for ED and how it relates to the workplace. Next, I will analyse how the power asymmetry between superiors and subordinates might pose a problem for firms in preventing and mitigating oversight by superiors. Thereafter, I examine why

identifying genuine experts is morally important to ensure power is legitimately exercised within the firm. Finally, and perhaps most importantly, I consider how the power exercised by superiors might have negative spillover effects in domains irrelevant to the superiors' expertise.

### **Justification of ED and how it relates to the workplace**

Before discussing the normative implications of ED in the workplace, it is useful to explain the intuition behind ED. ED is a doctrine that states that power should be distributed according to expertise and merit. The intuition behind ED in the workplace is that ED arguably engenders the best economic outcome for the firm. When superiors have more power in shaping decision-making, we expect better quality decisions and outcomes to occur.

However, it is important to note that ED alone might not always be sufficient to engender good economic outcomes for firms. Exogenous variables like the functional diversity (which refer to the differences in how people represent problems and solve them) of a firm's employees can also affect whether the firm can attain good economic outcomes, with studies<sup>1</sup> showing that functionally diverse groups can outperform homogeneous groups under certain conditions. To illustrate this point, consider this simple model:

*Task: Solve problem X*

*Case 1: 1 expert and 5 laypeople (Homogenous group)*

*Case 2: 1 expert and 5 laypeople (Functionally diverse group)*

Assuming that agents across both groups are equally able, since both cases distribute decision-making power based on ED, we should expect both groups to have roughly equivalent performance in solving problem X. However, this might not be true if case 1 is a homogenous group while case 2 is a functionally diverse group, and task X is best solved using a rich diversity of perspectives and frameworks on X. Functional diversity is thus shown to be one of many variables that can affect the firm's economic outcome, hence illustrating that ED is not the only decisive factor in affecting a firm's economic outcome.

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<sup>1</sup> Lu Hong and Scott E. Page, "Groups of Diverse Problem Solvers Can Outperform Groups of High-Ability Problem Solvers," *Proceedings of the National Academy of Sciences* 101, no. 46 (August 2004): pp. 16385-16389, <https://doi.org/10.1073/pnas.0403723101>.

### Problems posed by power asymmetry

I now turn my attention to how ED in the workplace might make it hard to prevent and mitigate epistemic mistakes by superiors. This is caused by experts being fallible. If ED gives superiors too much power relative to lay people and there are insufficient and ineffective safeguards against epistemic error, then we can expect the frequency and magnitude of errors in the workplace to be severe. Call this the Epistemic Error Problem.

A case study would be the tragic Challenger space shuttle disaster. Although the cause of the disaster stemmed from both technical and organisational failure, it is acknowledged that the latter was the more prominent cause<sup>2</sup>. On the night before the launch, low-level engineers were concerned with the O-ring seals in the solid-rocket boosters exceeding their structural threshold in extremely cold temperatures. While there was a conference call at night with the top executives, the top executives failed to appreciate the seriousness of the engineers' concern for the O-rings and decided to continue with the launch. The Challenger disaster exemplified how the vast power asymmetry between the executives and engineers allowed the former's ill-considered decision to override the latter's legitimate concern, resulting in the catastrophic disaster.

One possible solution to the Epistemic Error Problem is to adopt collective decision-making procedures, where everyone — both superiors and subordinates — is given equal voting ability. However, such a procedure is not desirable, as it goes against the goal of achieving the best economic outcome for the firm. Since experts tend to be in the minority and lay people tend to be in the majority, we can expect that collective decision-making will be skewed towards the influence of the latter. Hence, the economic outcome would be inferior or suboptimal. An interim conclusion is that collective-decision making might help reduce errors from experts, but this comes at the greater cost of the firm incurring efficiency losses.

Alternatively, there might also be value in giving more power to lay people to influence decision-making. From this view, power shouldn't be equally distributed but rather power differential should be narrowed so that laypeople can have a greater say in decision-making. Sometimes, subordinates might possess certain kinds of knowledge that are

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<sup>2</sup> Joseph Lorenzo Hall, "Columbia and Challenger: Organizational Failure at NASA," *Space Policy* 37 (2016): pp. 127-133, <https://doi.org/10.1016/j.spacepol.2016.11.001>.

not privy or accessible to their superiors. One example is how subordinates tend to possess a more intimate and micro understanding of the issues on the ground due to their job scope being more immersed with day-to-day operations. On the other hand, superiors tend to be disconnected from micro considerations, since their managerial roles require them to oversee and monitor various micro-level tasks. Call this the divergence in superior-subordinate knowledge.

The problem of divergence in superior-subordinate knowledge might be extremely accentuated in big companies where there exists a steep hierarchical gap. In such companies, the top executives might not sufficiently understand all the intimate details on the micro level, such as how best to optimise micro-level tasks. Hence, giving more lay people power in decision-making would help firms to better identify micro-level costs and problems, which results in a better economic outcome.

However, ED might also allow superiors to address the divergence in superior-subordinate knowledge through learning about the latter's job scope. While plausible, since superiors would likely gain only a theoretical understanding of their subordinates' job scopes and likely be hampered in their ability to discover and remediate the micro-level costs and problems, such an assertion might be logically false.

### **Ensuring power is legitimately exercised in the workplace**

In the previous section, I examined how ED might make it hard to prevent and mitigate epistemic mistakes by superiors. Notwithstanding how ED might contribute to unchecked errors by superiors in the workplace, suffice it to say that ED is still the default way in which most firms organise themselves. After all, ED is arguably the most reliable way for firms to maximise their chances of success. If so, then firms need to identify genuine experts to maximise their chances of success. However, I will now argue that there is an even more fundamental normative reason for why identifying genuine experts is important.

As mentioned before, some power asymmetries and hierarchies are morally justified by ED. I will go one step further to argue that power asymmetries and hierarchies in the workplace can only be justified by ED. In other words, any other basis or grounds invoked to justify power asymmetries in the workplace are arbitrary and illegitimate. Hence, it is important to ensure that superiors are truly experts; otherwise, non-experts in the "superior"



role can exercise power over others without the basis of ED. The normative force to avoid unduly subjecting subordinates to unmerited superiors, therefore, requires firms to ensure only those with the right skills and expertise should fill the higher-end positions.

To remedy this issue, I propose making the promotion criteria in firms more transparent, clearly promulgated, and known to all. This helps to ensure everyone in the firm can assess whether the alleged expert meets the criteria required for their position/role. Hypothetically, such power asymmetries in the workplace may not always need to be justified by ED, with privately-owned family businesses or firms (where decision-making power tends to be distributed based on family ties and kinship, independent of whether people have the prerequisite knowledge or skills) being such an example. Since the institution of family is the site for parents to transfer resources to their children, and the institution of private property protects the right of business owners to have the freedom to make decisions, ED seems to threaten the institution of family-owned businesses.

Often, the dilemma is accentuated when the firm in question is a large-scale family-owned corporation that provides important or essential goods or services to the economy. Moreover, the common ownership of many subsidiaries by a large family conglomerate means that errors in one company can have many ripple effects across other subsidiaries. It is, therefore, in the public interest to enforce ED in such large-scale family corporations to reduce the likelihood of epistemic error, since the error would have a devastating social and economic impact (e.g. incompetent management of Facebook might cause billions of users' data to be jeopardized or many to become unemployed).

Fortunately, most large-scale companies are publicly owned. The need for the company to be accountable to shareholders thus often results in ED taking precedence over distributing power based on family ties. Furthermore, the profit-maximising nature of firms also serves to incentivize the remaining family-owned businesses to adopt ED. Nonetheless, we might need government intervention to ensure family corporations, generally, conform to ED, while giving some leeway for these businesses to deviate from ED.

### **Power exercised by superiors, and its negative spillover effects**

Ideally, ED should strictly entail the exercise of power by experts in only domains where their expertise is relevant. In reality, however, power is often exercised by experts over

lay people in other domains that are irrelevant to their expertise. This is a phenomenon that is prevalent not only in the workplace but also in political systems. Due to its nature to cause externalities, let us call this the problem of negative spillover effects.

One way to illustrate this point is to use the Socratic ship analogy. Socrates invites us to consider whether we should allow anyone to be in charge of a ship. Though the intuitive answer is no (as only those with the relevant knowledge and expertise in seafaring should be in charge), the captain's overriding authority causes us to challenge our assumptions. While said authority applies to any domain that involves ship navigation, there are often spillover effects of authority to other domains irrelevant to ship navigation. For instance, the captain might have more power over his subordinates in deciding the design of their uniform, the type of food they eat, or what colour the ship should be painted.

One reason for this would be domains (in which epistemic deference should be applied) often not being clearly defined in the workplace, enabling experts to — intentionally or unintentionally — exercise undue power over and beyond their epistemic domains. A related catalyst for the aforementioned reason is that it is often difficult to completely detach epistemic deference from practical deference. For example, giving deference to experts for their expertise is inextricably accompanied by showing greater respect and deference in day-to-day social interactions. This can be understood in terms of “credibility excess,”<sup>3</sup> where too much trust is placed in experts, which in turn, translates to too much deference and power given to experts.

One way to ameliorate this problem would be to formulate more clearly defined job scopes in employment contracts; this helps ensure that superiors don't exercise undue power over their subordinates by asking them to perform tasks outside their job scope. I (for argumentation's sake) argue that consent to a well-defined contract, in the absence of deception or coercion, would solve the problem of negative spillover effects in the workplace.

This might help but the terms of the contract are often not perfectly implemented in practice. Even if contracts can be perfectly implemented, it might be impossible and perhaps

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<sup>3</sup> Rachel McKinnon, “Epistemic Injustice,” *Philosophy Compass* 11, no. 8 (2016): pp. 437-446, <https://doi.org/10.1111/phc3.12336>.

imprudent to set a hard limit on a subordinate's job scope. For one, what we ideally want is a soft and malleable limit, given that we want experts to have some discretionary power, considering that experts might sometimes have good reasons to ask lay people to do tasks beyond their scope of responsibility, even if lay people themselves are unable to see those reasons.

An interim conclusion is that the limits specified must not be overly restrictive or overly permissive. If it is the former, limits might be too much of a constraint on ED, which reduces economic outcomes in the workplace. If it is the latter, limits might result in greater abuse of political and social power by superiors. Further, it might be impossible to come up with a universal limit for job scope since the limits will vary across the diverse and varied nature of jobs/occupations. If we go with subjective and case-by-case considerations of limits, we should also strive to identify morally relevant factors to explain why there are different limits across roles/positions.

### **Should the state or the employer have discretionary power?**

As mentioned before, it might be desirable for superiors to exercise discretionary power over subordinates. However, a further question is whether the state or the employer should determine the conditions in which it is morally permissible for superiors to exercise this power. I suggest that the employer should generally have more power in deciding this.

For one, the state faces an epistemic challenge because it only has general and abstract information, whereas the employer has local and specific information about the situation. Since the nature of situations where discretionary power is applied tends to be unconventional and unprecedented, judgments concerning the use of discretionary power would require an intimate, first-person acquaintance with the situation. Consequently, employers are better positioned to accurately determine when it is morally permissible to use discretionary power.

### **Inter- and Intra-case comparison of limits**

It is useful to consider an intra- and inter-comparison of limits. The former refers to one job/occupation, whereas the latter refers to the comparison of differing limits across various jobs/occupations. In the intra-case, there might be differing limits even within the same job/occupation based on the circumstances. Consider the profession of a nurse. In a

life-or-death situation in the operating theatre, a surgeon might require certain assistance that goes beyond the traditional job scope of the nurse. However, in ordinary circumstances, doctors may not necessarily rightfully request the same kind of assistance from nurses. In the inter-case, what is considered within limits in one profession might be considered beyond limits in another profession. Consider the profession of athletes. The team's coach might exercise power to strictly control the athletes' diet and nutrition intake. However, in most other conventional office-bounded professions, it is egregious for superiors to do the same act.

### **The negative spillover caused by power**

To illustrate this externality, let us consider the relationship between a lecturer and their students. In this relationship, there is a hierarchy in terms of ED. The former resembles the “expert,” whereas the latter resembles the “lay people.” While the hierarchy is justified by ED, ED is itself justified by the fact that this way of social organisation in a classroom setting is best for achieving the intended learning outcomes.

I now consider some actions that the lecturer can rightly perform using their power based on ED. This would include the ability to decide on the format of assessment, the kinds of questions to set in the exam paper, the specific content taught, the learning outcomes, and the pedagogy used. We might think it is morally permissible or within the rights of the lecturer to unilaterally make decisions on these matters, without any consultation with their students. In these instances, there are no spillovers as power is exercised in the domain of the lecturer's expertise.

Now, I examine actions that the lecturer is morally forbidden from doing. These include asking students to run personal errands for them or demanding students attend classes in the middle of the night. These areas violate ED because there are negative spillover effects in the exercise of power by lecturers in irrelevant domains.

The most interesting of them all, are actions that lie on the fringes between what is acceptable and unacceptable. These actions are intermediate cases that do not lie on either ends of the spectrum — hence, it is debatable whether these actions constitute negative spillover effects in how power is exercised. Examples include the extension or overrunning of class time by half an hour, the stipulation that students should attend extra classes on the

weekends, where the failure to attend would negatively affect their participation grade, or asking students to perform a simple favour or task.

### **Solutions to address negative spillovers of power**

When outlining the area of responsibility for a subordinate, we are usually concerned with the domains that lie in the grey area. We want these boundaries to be *softly* defined so that experts are still able to exercise discretionary power in certain reasonable ways to achieve the desired outcome. Yet, we must be cautious of creating overly permissive limits that would allow negative spillover effects. One way is to establish a workplace culture where superiors need to justify their use of power in domains within the grey area. Superiors should be morally responsible to give good reasons to support their exercise of power. In particular, superiors must explain how their use of power will bring about better outcomes.

Nonetheless, one objection is that this might impose unrealistic constraints on superiors to justify every single act. Sometimes, actions in the grey area need not be problematic in and of themselves. For example, asking a simple favour from someone is not necessarily problematic, as it is acceptable for people to ask favours from their acquaintances or friends. This is especially so when superiors have dual identities — they might be both friends and superiors to their subordinates. Hence, it might be problematic to demand superiors to constantly monitor their interactions in the grey area.

### **Limitations with addressing negative spillovers of power**

One problem with addressing negative spillovers of power is that the continued use of power in grey area domains might become accepted as the norm over time due to hedonic adaptation. Hedonic adaptation refers to the changing of one's preferences and expectations to adapt to changing circumstances. The problem with hedonic adaptation is that subordinates might start off feeling unfairly treated when their superiors exercise power in irrelevant domains. Due to hedonic adaptation, however, negative spillovers of power might become normalised and permissible in the eyes of the subordinate over time. This is because subordinates might subconsciously make the limits of a grey area more permissible, and in the process of doing so, turn what was initially undoubtedly unacceptable into acceptable.

There is also a strategic feasibility constraint<sup>4</sup> in establishing the culture mentioned in section seven. In particular, implementing the aforementioned culture requires a top-down approach by discrete agents like superiors. Since the culture would curb the power and influence of superiors, superiors might have a vested interest in continuing to perpetuate spillovers of power.

## **Conclusion**

To summarise, this paper has sought to provide a normative analysis of epistemic deference in the workplace. Several normative concerns have been raised in this paper — notably, the epistemic error problem, the divergence in superior-subordinate knowledge, the tension between ED and family-owned businesses, and the negative spillover effects in irrelevant domains.

While there are no hard and fast solutions to all of the aforementioned problems, it is hoped that re-directing and re-focusing egalitarian thinking and priorities to the workplace would produce greater progress in agitating toward a more egalitarian workplace. As the workplace is the preeminent site where power asymmetries and hierarchies are most prevalent, it should be the object of concern for relational egalitarians. For luck egalitarians, they should be concerned with minimizing bad brute luck in the workplace (shattering glass ceilings, eradicating discriminatory and oppressive cultures), while ensuring conditions for people to exercise their option luck, such as creating mobile corporate ladders for people to ascend based on their effort. Lastly, proponents of pre-distribution might be concerned with increasing the bargaining power of subordinates. Ultimately, the workplace should be of significant concern to all kinds of egalitarians — thus, it is an area that deserves more significance in the egalitarian literature.

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<sup>4</sup> Jurgen De Wispelaere and José Antonio Noguera, “On the Political Feasibility of Universal Basic Income: An Analytic Framework,” *Basic Income Guarantee and Politics*, 2012, pp. 17-38, [https://doi.org/10.1057/9781137045300\\_2](https://doi.org/10.1057/9781137045300_2).

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# BALANCING PARTIALITY AND RESPONSIBILITY

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## Abstract

Creating a more egalitarian, fair world first requires changing the way individuals regard social responsibility. A “Social Compass” is required to give guidance as to what we owe each other. This paper examines how we might begin to reconcile partiality for our loved ones with egalitarianism. The paper also posits empirical policies for society to take as first steps to create a more egalitarian world.

**Keywords:** *Egalitarianism, Equality, Partiality, Responsibility, Social Compact, Social Compass*

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## Introduction

The issue of distributive justice is vast and diverse. Some of the concerns human societies face regarding inequality stem from individual behaviour – how we *choose* to act. Others are a result of the institutions and structures of our modern capitalist world order. To tackle the gargantuan undertaking that is building a more egalitarian, fair, and just world, we will require a multitude of strategies. Since the structures of the world will not change overnight, it is important to identify the first steps to take in building such a world. To borrow from Wright’s image of the social compass<sup>1</sup>, this paper will not attempt to draw a detailed map of an egalitarian society of the future. Instead, this paper will first explore how a social compass built upon an ethos of relational egalitarianism<sup>2</sup> sensitive to responsibility can guide our efforts toward reducing distributive injustice. Thereafter, I examine several empirical policies that seem promising as possible first steps for societies to take (in directions that align with the established social compass, towards a more egalitarian world).

## The Social Compass

John Roemer argues that without an ethical system to guide beliefs, clever individuals will always find ways to accumulate advantages regardless of the policy or system adopted.<sup>3</sup> I

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<sup>1</sup> Erik Olin Wright (2006). “Compass points: Towards a socialist alternative.” *New Left Review*, (41), 93.

<sup>2</sup> To build on the foundations of my first essay exploring relational egalitarianism combined with Scanlon’s urgency of interest.

<sup>3</sup> *John Roemer IPSP Interview. YouTube*, 2015. <https://youtu.be/RWW8GHaNSAk>.

agree with his sentiments, hence the first step in trying to build a more egalitarian world must be to identify a guiding ethos most can agree with - A social compass that serves to inform us whether policies and behaviour are taking us towards or away from such a world. Many Luck-egalitarian arguments are concerned with considerations of personal responsibility and the moral irrelevance of luck in the advantages that come from birth circumstances. While an egalitarian ethos needs to be responsibility-sensitive, I believe that the luck egalitarian position is flawed for two reasons. First, a preoccupation with the metaphysical distinction between option luck and brute luck misses the point of why we value choice and personal responsibility in moral considerations. The second is the near impossibility of truly eliminating inequality of opportunity due to birth circumstances and upbringing. As such, I believe that a responsibility-sensitive, relational egalitarian view better captures our intuitions for why responsibility matters and provides a more realistic way to explore social and institutional reform. The latter point is critical as it does not require a completely new approach to how our societies and institutions are currently structured. Tearing down injustices with sudden revolutionary change in our institutes seems like a panacea solution for distributive injustice, but, in reality, sudden change is difficult to enact and sustain. Firstly, it will require an immense amount of political and social momentum as well as a vast amount of resources to enact many of the solutions proposed by luck egalitarians. Secondly, building an ethos to guide human behaviour also requires buy-in from societies, which will take time to change people's minds from the dominant capitalist ethos in the world. Adopting an ethos built on relational egalitarian grounds, however, does not subject us to these issues. All it requires is that we consider carefully what we owe to each other based on the urgency of interest. Since change can come from how individuals make life choices and how we approach our relationships with other people, responsibility-sensitive relational egalitarianism is thus much easier to implement from our current starting position of a primarily capitalistic world.

## **Responsibility**

There is something intuitively valuable about being able to tie personal responsibility to the advantages that one is born into. However, luck egalitarianism, in its preoccupation with the distinction between brute and option luck as well as the concern of what one is *truly* responsible for, loses sight of what we find morally important about personal responsibility

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and choice. Trying to eliminate luck means one becomes mired in the epistemic problem of moral luck and free will.<sup>4</sup> Beyond concerns that true distinctions between option and brute luck are ultimately impossible to distinguish,<sup>5</sup> this focus misses the point. Even if causal determinism is true and there was no such thing as free will, choice can still have value, especially when grounded in the representative and symbolic expression of one's character regardless of metaphysical origins<sup>6</sup>. The metaphysical approach to determining responsibility falls short because it is primarily asocial and independent of social relations and interaction.<sup>7</sup> Because it is too preoccupied with *how* choices are made, this approach is detached from *why* we make choices - the reasons for our moral intuitions towards responsibility in the first place. Understanding responsibility through the lens of interpersonal demands of justice<sup>8</sup> better captures our intuitions of why responsibility matters in the real world. When we judge someone for moral responsibility, we are evaluating how they have acted as per what is expected of them. While luck may be a mitigating factor in our moral judgements, it is at best a periphery consideration. Justice is a question of whether moral agents have treated each other with due respect, not the distribution of resources alone. The value of respecting choice arises from our chosen practices – the way we hold people responsible, and not from any underlying metaphysical truth concerning luck.<sup>9</sup>

In accordance with holding people responsible for the choices they make, I would like to posit a different understanding of the relationship between personal responsibility and the advantages granted at birth. Given the difficulty in eliminating natural advantages we might consider to be morally arbitrary, it would perhaps be much more prudent to examine the relationship between personal responsibility and birth advantages from a different angle. While it is true that the advantages that come from one's birth circumstances are morally

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<sup>4</sup> McTernan, Emily. "How to Be a Responsibility-Sensitive Egalitarian: From Metaphysics to Social Practice." *Political Studies* 64, no. 3 (2015): 748–64. <https://doi.org/10.1111/1467-9248.12208>.

<sup>5</sup> Bognar, Greg. "Catering for Responsibility: Brute Luck, Option Luck, and the Neutrality Objection to Luck Egalitarianism." *Economics and Philosophy* 35, no. 02 (2018): 259–81. <https://doi.org/10.1017/s0266267118000226>.

<sup>6</sup> In Christopher Nolan's *TENET*, this sentiment is expressed as such: "What's happened, happened, it's an expression of faith in the mechanics of the world, not an excuse for doing nothing."

<sup>7</sup> Arneson, Richard J. "Luck Egalitarianism—a primer." *Responsibility and Distributive Justice*, 2011, 24–50. <https://doi.org/10.1093/acprof:oso/9780199565801.003.0002>.

<sup>8</sup> Anderson, Elizabeth. "The Fundamental Disagreement between Luck Egalitarians and Relational Egalitarians." *Canadian Journal of Philosophy Supplementary Volume* 36 (2010): 1–23. <https://doi.org/10.1080/00455091.2010.10717652>.

<sup>9</sup> Scanlon, T. M. "What We Owe to Each Other," 2000. <https://doi.org/10.2307/j.ctv134vmrn>.

arbitrary due to their disconnect from personal choice, it does not mean that they are morally irrelevant to one's personal responsibilities. It is perhaps the talents and advantages that one is given that creates an obligation towards those around them. What matters when we consider natural talents and other circumstantial advantages is not the presence or cause of such inequalities, but how these advantages are *used*. Most would agree that advantages gained as a result of personal merit are just. If we consider these justly-gained advantages as payment for the benefits to society as a result of personal choice, we should perhaps think of morally arbitrary advantages as a sort of social debt that one owes to those around him. If we consider interest urgency,<sup>10</sup> an individual who is granted natural talents and generally better off in the world would conceivably have demands that can be made of them.

A possible objection is that this might be overly demanding of the talented, well-off children born into the world – the slavery of the talented.<sup>11</sup> How might we expect to hold people accountable for things that they have no control over or any personal choice in the circumstance? I argue that we already do this and yet, our world does not resemble one where the talented are oppressed. We already have an understanding that the more one is able to do for others, the more they should be reasonably expected to do so<sup>12</sup>. This is one of the key driving intuitions behind ethical arguments like Peter Singer's Drowning Child. If it is in our power to mitigate or prevent evil; *including those that arise from distributive injustice*, we ought, morally, to do so.<sup>13</sup> This means that natural talents and privileges can be justified as long as one acknowledges the responsibilities that come with such a position. Individuals can be reasonably entitled to consider what they want to do with their advantages, but this core personal interest must be balanced against the urgency of societal interests. If we return to Anderson's example of Sue, the talented gardener;<sup>14</sup> society can make a claim upon Sue's responsibility to aid those around her should an urgent need arise. If a pandemic occurred, it would be unjust for Sue to remain a gardener. If she had the ability to be a doctor and save lives, Sue would be morally obligated to do so, as long as she properly considers those

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<sup>10</sup> Scanlon, T. M. "Preference and Urgency." *The Journal of Philosophy* 72, no. 19 (1975): 655. <https://doi.org/10.2307/2024630>.

<sup>11</sup> Vonnegut, Kurt. *Welcome to the Monkey House*. S.I.: VINTAGE CLASSICS, 2021.

<sup>12</sup> "With great power comes great responsibility" encapsulates this sentiment well.

<sup>13</sup> Singer, P. (1972). Famine, affluence, and morality. *Philosophy & Public Affairs*, 1(3), 229-243.

<sup>14</sup> Anderson, Elizabeth. "The Fundamental Disagreement between Luck Egalitarians and Relational Egalitarians." *Canadian Journal of Philosophy Supplementary Volume* 36 (2010): 1–23. <https://doi.org/10.1080/00455091.2010.10717652>.

around her to be moral and social equals with preferences worthy of equal regard. Even though Sue is not directly responsible for the plight of the sick, she would still have wronged them by failing to help while she had the ability to do so.

## Partiality

Roemer identifies meritocracy and partiality (seeking welfare for oneself and close kin) as the guiding principles behind capitalism.<sup>15</sup> These are principles that most people currently subscribe to in the prevailing ethos behind our capitalist institutions. However, there is a deep conceptual conflict between the equality of opportunity espoused by the value of meritocracy and the concept of partiality. The family as the primary social unit that exercises partiality is incompatible with the idea of equal opportunity for all. When we consider the moral arbitrariness that comes with the circumstances of one's birth, we must consider more than the direct economic inequality that results from wealth inheritance. Unequal opportunity also comes from differences in upbringing and inherited natural talents. These are differences that cannot be solved solely with an insurance scheme<sup>16</sup> or the redistribution of resources. We could consider a world with extremely high inheritance taxes or a complete ban on the intergenerational transfer of wealth. Even then, there would be multiple ways inequality of opportunity could arise apart from purely economic means. The type of upbringing, the quality of education and the natural genetic endowments that one receives can all be considered an unequal advantage in life as well.

Imagine a world, where the family unit is abolished and there is no form of inheritance. Every child born into this world will have had their natural inequalities corrected for with genetic engineering before being raised by the state, to be given equal opportunities in education and upbringing. This could be a possible world where the luck egalitarian's ethos is realised, where the only determining factor for reward and advantage in life comes from factors that one can be held solely responsible for. While brute luck arising from birth circumstances will have mostly been corrected, I feel that such a world would seem impoverished due to the lack of parental relations and familial partiality. More pertinently, regardless of whether you think that such a picture would be utopian or dystopian, it must be

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<sup>15</sup> Roemer, John E. "Socialism Revised." *Philosophy & Public Affairs* 45, no. 3 (2017): 261–315. <https://doi.org/10.1111/papa.12089>.

<sup>16</sup> Dworkin, Ronald. "What Is Equality? Part 1: Equality of Welfare." *The Notion of Equality*, 2018, 81–142. <https://doi.org/10.4324/9781315199795-6>.

acknowledged that this imagined world is vastly different from the one that we currently live in. The amount of structural reform required in our institutions and societies to achieve this Luck-Egalitarian-inspired world will at the very least, be an immense, near-impossible undertaking. Furthermore, there is real concern that even if the family as an institution was abolished or reformed significantly, the root cause of unequal opportunities that arise from upbringing - partiality - would not be removed. Gheaus argues that the upbringing of children will always result in inequality of opportunity because of partiality and the unequal ability of caretakers to nurture children.<sup>17</sup> Removing the family unit would simply result in human partiality being channelled into other forms such as deference towards religious or social institutions and interpersonal relationships. No amount of societal and institutional reform will truly eliminate inequality in upbringing. Partiality is a part of human nature that remains a significant roadblock to the realisation of a world free of inequality of opportunity and thus incompatible with many versions of luck egalitarianism. Another moral concern is whether we should consider partiality as a problem to be removed at all. Brighouse & Swift argue that the family, as a social unit, is uniquely able to generate “familial relationship goods”.<sup>18</sup> The partiality that comes with familial love is an intrinsic good that many people value, perhaps even outweighing the value we might place on equality of opportunity.

On the other hand, relational egalitarianism can accommodate the human tendency of partiality to an extent. Taking an interpersonal-centric view of distributive justice requires us to carefully consider what we might owe to another person based on a hierarchy of interest.<sup>19</sup> If we acknowledge that familial relations hold some weight in this hierarchy, we can grant that members of our family may reasonably demand more favours from us. A level of partiality is thus preserved within this system. Yet, we must temper this with further weighted considerations of what we may owe others who we may be impartial towards. For example, consider a modification of Singer’s *Drowning Child* where two children are drowning in a pond in front of you and you only had the ability to save one of them.<sup>20</sup> If one was your child, it might be morally permissible and perhaps even obligatory (depending on the amount of

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<sup>17</sup> Gheaus, Anca. “What Abolishing the Family Would Not Do.” *Critical Review of International Social and Political Philosophy* 21, no. 3 (2017): 284–300. <https://doi.org/10.1080/13698230.2017.1398449>.

<sup>18</sup> Brighouse, Harry, and Adam Swift. “Family Values,” 2014. <https://doi.org/10.23943/princeton/9780691126913.001.0001>.

<sup>19</sup> Scanlon, T. M. “Preference and Urgency.” *The Journal of Philosophy* 72, no. 19 (1975): 655. <https://doi.org/10.2307/2024630>.

<sup>20</sup> Singer, Peter. “Famine, Affluence, and Morality.” *International Ethics*, 1986, 247–62. <https://doi.org/10.1515/9780691241869-014>.

weight one places on familial partiality), to save your child over the kid stranger. Further imagine that in a different scenario, both children have fallen out of a tree. Your child, while hurt, is not severely wounded and is at no risk of death. On the other hand, the kid stranger is. In this case, it would not be permissible to choose to attend to one's child over the stranger whose interest in life is much more urgent.

Relational egalitarianism is also compatible with the idea of meritocracy. If we acknowledge that just reward comes from recognising the amount of positive social good that one generates, reward and merit can be preserved as key incentive mechanisms for our economies.<sup>21</sup> Economic inequality that arises from differences in income will be justified if the income one earns reflects the real impact of their job on others around them. This would include the sacrifices that one makes in the service of their community and the benefits that help others. When we consider meritocracy in a morally questionable light, it is not simply because the talented earn more income, it is because we feel that the difference in income does not accurately reflect the actual difference in the amount of social good generated. This is an empirical problem that arises because people who are in positions of power seek more personal advantage than justified by the work they do. Societies will need to re-evaluate how we value certain jobs and reward individuals based on the amount of good workers actually generate for society. Economic inequalities that arise from the different values that people generate for societies are not *conceptually* unjust. It is fair that one is rewarded based on what one achieves. However, this must be measured by the value that is generated for society in the spirit of cooperation and not in the vein of self-serving, advantage-accumulating behaviour. If everyone becomes more aware of their responsibilities and what they owe to other people, inequalities and unjust power distributions would be reduced.

Thus, a relational egalitarianism ethos built on the conception of an interpersonal view of justice, that uses 'interest urgency' to decide what is reasonably demanded of one another, is largely compatible with many of our current intuitions regarding personal responsibility, partiality, and meritocracy. This social compass is not too far from what many people today would already consider just, making it much easier for most people to accept. As a society, we require tweaks to our current intuitions about what inequalities we might

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<sup>21</sup> Sen. A. "Merit and justice." In Kenneth Arrow, Samuel Bowles, & Steven Durlauf, *Meritocracy and Economic Inequality*, 2000.



consider just and unjust on top of an understanding of one's social responsibility to treat others as equals worthy of empathy.

### **Opening Gambits**

#### **Tax Wealth more and income less**

In line with the idea of merit and reward for the good that one generates for society, we should also increase wealth tax and decrease income tax on top of current progressive taxes structures. Since income stems from the value that one generates for society, we should decrease the amount of income taxed. Income reflects the personal effort and responsibility that one exercises in producing collective value better than capital. While capital returns do reflect some trade-offs in the risk an individual makes while purchasing capital and creating value in the economy, it should be taxed more since returns on capital are less closely tied to the value that one's personal effort creates. Labour is also a resource that is much more fairly distributed, despite differences in talents and education. Thus, it is ethically more sound to tax capital to reduce economic inequalities that hinder relational equality. Taxing wealth more also has the effect of making consumption relatively more attractive in comparison to saving. This might stimulate the wealthy to spend more of their income, making "trickle-down" economic policies more effective at redistributing wealth.

#### **Tax Inheritance, to a point.**

There is nothing wrong with individuals who are entitled to certain advantages as their birthright. For example, if your family purchases a piece of jewellery as an heirloom, it may be considered capital or wealth since it can be exchanged for income. In this case, however, it still seems wrong to demand that one cannot keep possession of such an heirloom. For many, the key motivation for working hard and generating value is to make the lives of their descendants better. There is nothing wrong with passing on a certain amount of advantage to our children, this is consistent with keeping some level of familial partiality in our relations. However, this advantage must not be too big. Economic inequalities that are too large will erode the communitarian ethos of society by creating other forms of social and moral inequality through stigmatising differences in status violations of procedural fairness.<sup>22</sup> Too much unearned privilege will be harmful to empathy and threaten the sense of social

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<sup>22</sup> Scanlon, T. (2003). "The Diversity of Objections to Inequality." *The Difficulty of Tolerance*, 2003, 202–18. <https://doi.org/10.1017/cbo9780511615153.012>.

responsibility that one should feel for their fellow man. A potential solution would be to cap the amount of inheritance that can be passed from one generation to the next, just enough for the transmission of *some* advantage by virtue of familial partiality and parental love but not so much that one is elevated to an unacceptable level of power over others. The empirical challenge with these suggestions lies in deciding between what wealth should be deservedly passed on and what should not, on top of determining just how much to tax wealth and income.

## Equalising opportunity through education

### Early childhood education

Social democratic welfare states have shown good progress in mitigating intergenerational inequalities stemming from one's family background with policies focused on early childhood education. There is much empirical data to suggest that one of the best ways to reduce inequality of opportunity is for the state to invest directly in children from an early age.<sup>23</sup> Comprehensive school systems and extensive early-childhood education are among the educational policies that have shown the best results, this includes widespread availability of parental leave, provision of high-quality childcare facilities at a reasonable price and late-tracking<sup>24,25</sup> These policies that focus on early childhood education are especially important due to evidence pointing at formative education being the largest state-controlled factor that decides a child's quality of upbringing. By ensuring that every parent has access to affordable and quality childcare, the state can reduce the number of unequal opportunities that every child will face. Late-tracking is also conceptually consistent with both reducing inequality of opportunities as well as reducing social inequalities that students may face when being placed into different school types. The distinction of 'Elite' schools creates an unequal social relationship if students tie their moral and social worth to the type of school they attend. Thus, delaying the separation into different school types creates a more egalitarian outcome where young students have a longer period of relatively equal quality education and academic status.

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<sup>23</sup> Sørensen, Annemette. "Welfare States, Family Inequality, and Equality of Opportunity." *Research in Social Stratification and Mobility* 24, no. 4 (2006): 367–75. <https://doi.org/10.1016/j.rssm.2006.09.001>.

<sup>24</sup> Streaming children into different school types at a later age.

<sup>25</sup> Schütz, Gabriela, Heinrich W. Ursprung, and Ludger Wößmann. "Education Policy and Equality of Opportunity." *Kyklos* 61, no. 2 (2008): 279–308. <https://doi.org/10.1111/j.1467-6435.2008.00402.x>.

### **Tuition & private education**

Attempting to ban tuition and private education as opportunity markets is both infeasible and undesirable. For some people, tuition and private education serve as an equalizer to correct for the inadequate quality of education they may receive in public schools. There is also something intuitively antithetical to the spirit of education in disallowing opportunities for people who want to improve. This will be an unacceptable case of levelling down for the sake of equality of opportunity<sup>26</sup> and an outcome that few egalitarians would argue for. The solution that is left, will be to crowd out these opportunity markets by improving the quality of public education. A possible approach would be decreasing class sizes. A big difference between private education and public schools is often the level of individual attention students are given. Decreasing the size of classes may lower the partiality gap shown to students between public and private schools, giving teachers the time and ability to focus more on each child more equally.

### **Conclusion: Social Reform in a complex world**

Jacob Barrett argues that because of the level of complexity of the real world, problem-solving approaches to social reform that focus on remedying current injustices are, at best, temporarily satisfactory.<sup>27</sup> On the other hand, ideal theory approaches which focus on outlining the best institutional arrangement for egalitarianism are empirically impractical and epistemically overdemanding for beings like us. Barrett proposes that a better way to approach institutional and social reform is to make our institutions self-improving and progressive in design.<sup>28</sup> This would entail instilling our institutions with the flexibility to adapt to problems as they arise, implementing solutions in a self-selecting process that helps us to learn from our successes and failures. Short-term remedial solutions to injustice would thus be treated as an experimental hypothesis to see what kind of solutions work in addressing certain problems. Instead of trying to draw out a static map of the best institutional arrangement, the long-term theoretical approach to institutional arrangement should be a consideration of how to make our institutions more effective and efficient in this self-selecting process. The real world is volatile and constantly changing - there is little

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<sup>26</sup> Ong, Ye Kung. "Dealing with Two Paradoxes of Singapore's Education System." *Today Online*, <https://www.todayonline.com/commentary/broad-agreement-meritocracy-and-inequality-key-developing-better-education-system>

<sup>27</sup> Barrett, Jacob. "Social Reform in a Complex World." *J. Ethics & Soc. Phil.*, Vol. 17 (2020): 103.

<sup>28</sup> Barrett, Jacob. "Social Reform in a Complex World." *J. Ethics & Soc. Phil.*, Vol. 17 (2020): 103.

reason to hope that a static conception of ideal institutional arrangement will hold up to changing circumstances. It is better to create systems that acknowledge the fluctuating nature and complexities of the world, adapting our approach towards distributive justice suited to the conditions of the time.

To come full circle on the analogy of hiking as finding our way towards the destination of building a more egalitarian world. We will require a compass to guide us in the right direction, the courage to venture out and take uncertain first steps in the hope that it will bring us closer to our destination, and finally the sense to look up from our compass and our footsteps to consider our surroundings every once in a while. Only when we do so shall we know if we are lost and require a new direction to move towards.

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# JUSTIFYING EMPIRES AS LEGITIMATE FORMS OF POLITICAL ORGANISATIONS

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## **Abstract**

Empire today is regarded almost universally as an illegitimate form of political organisation, being by definition unjust and therefore unethical. This is hardly surprising considering how empire has, since the fifteenth century, been increasingly associated and arguably even synonymous with colonialism. This paper argues that the popular view of empire offers a simplified and presentist interpretation of a concept whose existence predates colonialism by millennia, and in so doing contends that empire can be justified as legitimate on both ethical and legal grounds.

**Keywords:** *Colonialism, Commensurability, Economic, Empire, Ethical, Historical, Humanitarian, Justification, Legal, Legitimacy, Modern, Presentism*

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## **Introduction**

Empire today is regarded almost universally as an illegitimate form of political organisation, being by definition unjust and therefore unethical. This is hardly surprising considering how empire has, since the fifteenth century, been increasingly associated and arguably even synonymous with colonialism. Characterized by both the latter's near-universal designs and application, and distinguished by its establishment of racial hierarchies, empire as presently understood acquires a distinctly global dimension, delineating Western colonizers against their non-Western colonies in unequal and frequently brutal relationships of territorial expansion and economic exploitation. Based on this characterization, neither the exploitative nature nor the violent realities of empire favor its political justification. I argue, however, that the popular view of empire conflates this characterization with its formal definition and consequently offers a simplified and presentist interpretation of a concept whose existence not only predates colonialism by millennia but also succeeds it. In so doing, I contend that empire, insofar as it can be formulated beyond the limited temporal and modal frameworks attributed to it by colonialism, can be justified as a legitimate form of political organisation on both ethical and legal grounds.

Contemporary commentators on empire recognize it predominantly through the lens of colonialism, a political and economic project of European origin that emerged with the discovery of the New World and declined in the two decades of rapid decolonization following World War II. Despite having become practically obsolete, colonialism continues to exert profound influence in contemporary analyses of empire due to both the former's universalist designs and universal application across continents and civilizations, famously articulated in the designation of the British Empire as one "on which the sun never sets."<sup>1</sup> The magnitude of this influence has been accompanied by a consensus both popular and academic on the illegitimacy of colonialism and, by extension, empire. Specifically, its universalist designs are predicated on racial theories incommensurable with our own, and its universal application has often been realized through violent and unethical colonial practices. Given the divergence of both colonial theory and practice from contemporary ethical standards, a strong case can be and has been made against the political legitimacy of its empires.

This case, however, rests on two flawed assumptions of empire. The first concerns the conflation of colonialism with the formal definition of empire, which disregards both pre-colonial and post-colonial empires and hence severely limits its analytical scope. The second adopts a presentist approach towards empire, undermining its historical claims to justification on the grounds of incommensurability with contemporary ethical standards. Both assumptions, therefore, ascribe incomplete frameworks to empire, which in turn weakens the case against its legitimacy. In both pre-colonial (historical) and post-colonial (modern) empires, ethical and legal arguments in support of their justification can be made. Where ethics is concerned, historical and colonial empires are theoretically justifiable with recourse to their prevailing belief systems, though less so in practice, whereas modern empires are justifiable on the grounds of humanitarian intervention and economic convergence. Similarly, the legal justification of empire can be sought in the commensurability between empires and their prevailing international legal orders.

### **The Ethical Justification of Historical Empires**

In arguing for the ethical justification of historical and colonial empires, commentators may consider the commensurability of these empires with the latter's

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<sup>1</sup> George Macartney, *An Account Of Ireland In 1773. By A Late Chief Secretary Of That Kingdom.* (repr., Gale ECCO, Print Editions, 2010), 55.



prevailing belief systems. According to Anthony Pagden, the Roman Empire, whose imperial “language and political models”<sup>2</sup> came to “dominate the discursive practices”<sup>3</sup> of colonial Europe, was predicated on the Aristotelian belief in “natural slavery” which distinguished “rational” rulers from “irrational”<sup>4</sup> slaves and hence legitimized its rule. The subsequent rise of Christianity as Europe’s dominant religion retained this belief: Christendom, as a “cultural, moral and finally political order with no natural frontiers,” had an “obligation to extend the empire” to non-Christians denied access on the basis of “ignorance.”<sup>5</sup> The imposition of this belief within prevailing colonial “social imaginaries”<sup>6</sup> permits Mason Hammond to characterize imperialism as “missionary,”<sup>7</sup> a characterization premised on both the empire’s “higher culture” and its “sincere” imperative to “extend [the culture’s] benefits”<sup>8</sup> to its subjects. With the discovery of the New World that ushered in the Age of Discovery and, by extension, the imposition of imperial rule over increasingly non-European subjects, empire and race became closely intertwined concepts such that racial theories distinguishing between civilized whites and barbaric non-whites formed the ideological framework of what Duncan Bell terms the “hierarchical classification of peoples.”<sup>9</sup>

Given that this hierarchical classification of cultures and races within historical and colonial empires respectively is commensurable with the latter’s prevailing belief systems, a case for empire’s justification on ethical grounds can be made. Contrary to popular — and contemporary — arguments against empire on the basis of its racial theories, I suggest that commensurability between empire and its prevailing belief-systems forms the ethical basis for the former’s justification, and that imposing contemporary ethical standards onto pre-colonial and colonial empires to undermine their justification drastically simplifies the historical processes underlining empire. This simplification, in turn, is emblematic of a presentist approach towards historiography and therefore cannot accurately address the legitimacy of historical and colonial empires as political organisations. It is crucial, at this point, to note the difference between claiming that empire is *justified* on ethical grounds and

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<sup>2</sup> Anthony Pagden, *Lords Of All The World: Ideologies Of Empire In Spain, Britain And France C.1500-C.1800*. (repr., New Haven: Yale University Press, 1995), 11.

<sup>3</sup> Pagden, 12.

<sup>4</sup> Pagden, 21.

<sup>5</sup> Pagden, 30.

<sup>6</sup> Duncan Bell, “Ideologies Of Empire,” *Oxford Handbooks Online*, 2013, 629. doi:10.1093/oxfordhb/9780199585977.013.0012.

<sup>7</sup> Mason Hammond, “Ancient Imperialism: Contemporary Justifications,” *Harvard Studies in Classical Philology* 58 (1948): 106, doi:10.2307/310948.

<sup>8</sup> Hammond, 106.

<sup>9</sup> Bell, 630-631.

claiming that empire is *justifiable* on ethical grounds; where the former necessitates the justification of empire, the latter merely permits the possibility of justification based on empire's commensurability with its prevailing belief-systems. It is the latter, and not the former, which forms the subject of our inquiry.

There are, nonetheless, attacks on the justification of empire on the basis of its application, which has been empirically proven to be frequently brutal and therefore unethical. In the case of Spain's conquest of the Aztecs, for instance, the "gross atrocities"<sup>10</sup> perpetrated in the name of the former's "civilizing mission"<sup>11</sup> cannot be justified even by historical ethical standards. However, inasmuch as the practices of empires are often incommensurable with the latter's prevailing belief systems and hence prove unethical, the theories such practices are ostensibly based on remain coherently articulated within these belief systems, and hence permit empire's justification on ethical grounds.

### **The Legal Justification of Historical Empires**

Besides permitting the justification of historical and colonial empires on ethical grounds, commentators may do so on legal grounds. To the extent that an empire exists within its prevailing international legal order, it can conceivably be analyzed and justified on the latter's terms. For the purposes of our inquiry, this analysis and justification will be structured around two conceptions of international legal order: a state of anarchy, and as a balance of power.

It may be argued that historical and colonial empires within a state of anarchy can be justified on legal grounds, insofar as this anarchy precludes the recognition of other religions and empires as legitimate. A key turning point demarcating this state of anarchy from the subsequent balance of power is widely acknowledged to be the Peace of Westphalia in 1648, prior to whose emergence there existed an "ideal of imperial or religious unity" recognizing, implicitly, "only one center of power" as "fully legitimate."<sup>12</sup> This ideal, predicated on two modes of unity, consequently has two arguments. The first argument concerns imperial legitimacy, stemming from the absence of a "clear [political] hierarchy" among European rulers after the Roman Empire's dissolution which permitted and precipitated their imperial

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<sup>10</sup> Duncan Bell, "Ideologies Of Empire," 634.

<sup>11</sup> Bell, 634.

<sup>12</sup> Henry Kissinger, *World Order* (repr., New York: Penguin Press, 2015), 26.

“[maneuvering] for advantage.”<sup>13</sup> The second argument, bolstering the first, situates “medieval legal thought and practice” within the precepts of a “unified *Christianitas* predicated on hostility to infidels”<sup>14</sup> and consequently legitimizes empire both as political expansion and civilizing mission. Taken together, both imperial and religious arguments can justify the legal legitimacy of empire within a state of anarchy.

Similarly, the organisation of empire within a balance of power can be justified on legal grounds, with reference to the codification of international law *vis-à-vis* non-European states. The Peace of Westphalia, argues Henry Kissinger, affirmed “the state, not the empire” as the “building block of European order”<sup>15</sup> and in so doing accepted “multiplicity”<sup>16</sup> over imperial unity as its legal basis. Instead of undermining empire, however, this affirmation merely shifted its theatre of operations from European interstate rivalry to expansionism beyond its borders. Jennifer Pitts propounds two claims in support of empire’s justifiability beyond Europe’s political theatre. The first claim follows that the “view of global legality as a European order writ large” provided legal justification for the “right to dictate the terms of legal interaction” to the rest of the world through both treaties and “colonial conquest,”<sup>17</sup> whereas the second explicates the prevailing eighteenth-century “view that international law applied exclusively to states understood as equal and independent,”<sup>18</sup> conveniently excluding non-European ones from the balance of power. These two claims appear contradictory given that the former implies the application of European legal systems to non-European states, whereas the latter suggests otherwise. It should be noted, however, that the terms of legal interaction are not synonymous with the consistent application of European law in European and non-European states. The implication, therefore, is that empires could legally operate on non-European soil because the latter was simultaneously included under the former’s legal purview and excluded from its protection.

Having thus delineated possible ethical and legal justifications for historical and colonial empires, I now discuss the possibility of delineating such justifications for modern empires. The scope for justification here, compared with that of historical and colonial

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<sup>13</sup> Henry Kissinger, *World Order*, 13.

<sup>14</sup> Jennifer Pitts, “Empire And Legal Universalisms In The Eighteenth Century,” *The American Historical Review* 117, no. 1 (2012): 96-97, doi:10.1086/ahr.117.1.92.

<sup>15</sup> Kissinger, 26.

<sup>16</sup> Kissinger, 27.

<sup>17</sup> Pitts, 98.

<sup>18</sup> Pitts, 111.

empires, is greatly reduced, due in no small part to the incommensurability of both contemporary ethical and legal standards with pre-existing definitions of empire. Nevertheless, a case for empire's ethical and legal legitimacy can be made by redefining modern empires from historical ones.

The most striking feature of the modern empire lies in its divergence from colonial theories and practices, both of which are incommensurable with contemporary ethical and legal standards. The United Nations Charter, for instance, affirms the "equal rights and self-determination of peoples"<sup>19</sup> against the racial hierarchies integral to colonialism. It thus follows that astute and perhaps sympathetic analyses of modern empire will divest themselves of the colonial baggage long affixed to its name, defending its legitimacy on grounds coterminous — or at least not incompatible — with the aforementioned standards.

### **The Justification of Modern Empires on Humanitarian Grounds**

One such ground for the justification of modern empire limits it to the displacement of state sovereignty on the basis of humanitarian intervention. Such displacement remains the exception rather than the norm within international law, whose Westphalian origins generally preclude the violation of state sovereignty. The justification of humanitarian intervention, however, possesses both ethical and legal dimensions. In examining the former, Malvina Halberstam puts forth the argument that the UN Charter "[promotes] human rights"<sup>20</sup> and therefore provides an ethical basis for humanitarian intervention during instances of human rights violations. While not legally binding, the Charter's provisions reflect those of international law. Halberstam's contention that humanitarian intervention "to protect persons from imminent death or injury"<sup>21</sup> provided that the host state does not intervene and that the aggressor state withdraws after, therefore, carries both ethical *and* legal justifications. A less contentious argument cited by Nico Krisch, likewise, appeals to both ethical and legal criteria; this argument, originally evinced by Nicholas Wheeler, develops the criteria of "supreme humanitarian emergency,"<sup>22</sup> use of force "as last resort," respect for "limits of proportionality," and "high probability of a positive humanitarian outcome" as ethical

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<sup>19</sup> United Nations Charter, art. 1.2 (1945).

<sup>20</sup> Malvina Halberstam, "The Legality Of Humanitarian Intervention," *Cardozo Journal of International and Comparative Law* 3, no. 1 (1995): 4.

<sup>21</sup> Halberstam, 4.

<sup>22</sup> Nico Krisch, "Review Essay Legality, Morality And The Dilemma Of Humanitarian Intervention After Kosovo," *European Journal of International Law* 13, no. 1 (2002): 328, doi:10.1093/ejil/13.1.323.

justifications, while postulating legality as “merely optional,” but helpful, in “strengthening the legitimacy”<sup>23</sup> of humanitarian intervention.

Krisch himself remains critical of Wheeler’s proposed justifications of humanitarian intervention, charging them with ambiguity and a lack of generalisability. This charge, I contend, is premature in undermining the legitimacy of humanitarian intervention and, by extension, modern empire. As a proposed formulation of criteria to legitimize humanitarian intervention, Wheeler’s argument emphasizes the prescriptive rather than descriptive characteristic of its framework, wherein the ethics and legality of such intervention can be articulated; ethical and legal standards inform political realities as much as political realities inform them. Furthermore, the alleged ambiguity and lack of generalisability have nonetheless yielded descriptive results, as was the case with the UN Security Council decisively “condemning Iraq’s repression of the Kurds in 1991” and “authorizing force in Somalia in 1992.”<sup>24</sup> Consequently, the justification of the modern empire on the basis of humanitarian intervention can be made with reference to both ethical and legal arguments.

### **The Justification of Modern Empires on Economic Grounds**

Another ground for the justification of modern empire can be found in its legitimacy within the global economic convergence towards capitalism, a convergence especially prominent after the collapse of the Soviet Union. In the wake of decolonization, the right of national self-determination acquired greater legitimacy relative to colonial arguments for trusteeship, a legitimacy reflected in the UN General Assembly’s passing, in 1960, of Resolution 1514 which affirmed the former right and “transformed trusteeship into nothing less than a crime against humanity.”<sup>25</sup> The subsequent articulation of empire, hence, shifted the “rationale of benevolent transformation” from nation-building efforts towards wider “Keynesian development strategies,” and in so doing “[created] opportunities” for all societies under its U.S.-centric economic influence. As Kenneth Pomeranz submits, the resultant “global order of security and free markets” has been touted by American proponents of empire as grounds for the latter’s continued legitimacy. This legitimacy has both ethical and legal dimensions, although neither proves immune to controversy. The former, arguably, conflates cause and effect, elucidating the virtues of modern empire through its strategic

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<sup>23</sup> Nico Krisch, “Review Essay Legality, Morality And The Dilemma Of Humanitarian Intervention After Kosovo,” 328.

<sup>24</sup> Malvina Halberstam, “The Legality Of Humanitarian Intervention,” 6.

<sup>25</sup> William Bain, *Between Anarchy And Society* (repr., Oxford University Press, 2003), 134.

provisions in response to the demands of a capitalist world order, when it is equally tenable that empire imposes this very order on the wider world as grounds for its legitimacy. The latter, similarly, reflects primarily the ideological opinions of “American policymakers,”<sup>26</sup> thereby placing the justification of modern empire at risk of circularity. Despite these controversies, empire *per se* remains justifiable in economic terms, given that its practices have led to tangible and indisputably beneficial developmental outcomes across the globe; to resist this observation is, by and large, to embrace an ideological fealty at the expense of recognizing the distinction between imperial intentions and consequences.

## Conclusion

On the whole, it is possible to justify the concept of empire on both ethical and legal grounds, despite the apparent cognitive dissonance such justification engenders in contemporary academia. This cognitive dissonance stems in large part from the popular conflation of empire’s definition with its specific colonial iterations. The history of empire, however, is coterminous with the history of civilization, encompassing even before the advent of colonialism such empires as the Roman Empire and, subsequently, the Holy Roman Empire under Charlemagne. As a result, analyses of empire must contend with temporal and modal frameworks of empire beyond colonialism and, even where colonialism is concerned, observe the commensurability of its imperial frameworks within prevailing ethical belief systems and legal orders. Given that such commensurability undergirds both historical and modern forms of empire, and applies to both territorial and economic modes of empire, it can be argued that empire, by definition, bears no synonymy with unjust and unethical principles. It is in this sense that empires past and present can be justified as legitimate forms of political organisation, both ethically and legally.

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<sup>26</sup> Kenneth Pomeranz, “Empire & ‘Civilizing’ Missions, Past & Present,” *Daedalus* 134, no. 2 (2005): 43, doi:10.1162/0011526053887428.

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# NOT REAL, BUT ALIVE: EXAMINING THE PURSUIT OF AUTHENTIC IDENTITY IN *FREE GUY*

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## Abstract

The pursuit of authentic identity is closely linked with the question of agency, and this link is shown, in the film *Free Guy*, to validate the possibility of authenticity beyond that which is real. This paper offers a more sceptical reading of the film by subverting its triumphalist message — of a non-playable character in a video game attaining an authentic identity — through two arguments: one, on the character’s fundamental lack of agency, and two, on the film’s representation of the capitalist society, within which the video game is set, as inherently inauthentic.

**Keywords:** *Agency, Authentic identity, Capitalist realism, Capitalist society, Existential authenticity, Free Guy, Non-playable character (NPC)*

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## Introduction

What does the pursuit of authentic identity look like today? *Free Guy*<sup>1</sup>, an American action comedy film directed by Shawn Levy and released — after a year’s delay due to the COVID-19 pandemic — in 2021, confronts this question through its narrative of Guy (Ryan Reynolds), a virtual and non-playable character (NPC) in a video game who unexpectedly becomes the protagonist of the film and fights to save his world from irreversible obliteration. The film’s central tension, between Guy’s status as an NPC and his pursuit of authentic identity, stems from a more fundamental question of ontology: as an NPC, Guy does not exist in the real world, and his efforts to pursue an authentic, or real, identity for himself can never be successful. Nevertheless, the film appears to posit a triumphant resolution of this tension by according Guy the necessary agency to pursue an authentic identity and, simultaneously, redefining authenticity beyond that which is real. Such a resolution, I argue, might be too hasty a conclusion. Instead, I offer a more sceptical reading of *Free Guy* which subverts its triumphalist message, elucidating how this reading subtly limits the pursuit of authentic identity through Guy’s fundamental lack of agency, which then challenges his pursuit of

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<sup>1</sup> Shawn Levy, *Free Guy*, film (repr., Hollywood: Berlanti Productions, 2021).



authentic identity, as well as through its representation of capitalist society — of which Guy is a part — as inherently inauthentic.

### **The Pursuit of Authentic Identity in *Free Guy***

The narrative of *Free Guy* adheres to a monomythic template (or, more colloquially, hero's journey) which affixes Guy as its protagonist. Working as a bank teller in the video game *Free City*, he leads a routine and seemingly content life despite the daily harassment he faces — mainly in the form of bank robberies perpetrated by real-world players — and does not resist. When, one day, he encounters Millie (Jodie Comer) on the street, Guy recognises her as his idealised “dream girl”<sup>2</sup>; this encounter henceforth awakens in him a hitherto latent agency, which he exercises by resisting a bank robbery and stealing a real-world player's sunglasses. Through these sunglasses, Guy unlocks the playable and previously hidden dimensions of *Free City*, visiting new locations and completing missions in order to “level [...] up.”<sup>3</sup> These dimensions reveal, relative to Guy's existence pre-encounter (with its programmed interactions, routine day jobs, and absence of playable missions for NPCs), the possibility of more authentic experiences. At this stage, however, Guy's awakening is still incomplete; he does not recognise the fundamental distinction between real-world players and NPCs, attempting to cajole his friend Buddy (Lil Rel Howery), a security guard at the bank, into wearing sunglasses, and — more crucially — remains unaware that he is an NPC. Later, after he and Millie share a kiss, the latter discloses the truth: that she, a real-world player, cannot be with him, an NPC. This disclosure sends Guy into a state of existential despair, lamenting his inability to exist in the real world and, as a consequence, pursue an authentic identity. With Buddy's encouragement, Guy slowly reconciles himself to this inability and, despite it, pursues an authentic identity by heroically asserting personal agency: through resisting — alongside Millie and his fellow NPCs — a malevolent attempt to irreversibly obliterate the world of *Free City*. By the film's denouement, Guy saves the virtual world of *Free City*, parts ways with Millie amicably, and remains in the game, determined to forge an authentic identity for himself within it.

Seen in this light, *Free Guy* appears to validate Guy's pursuit of authentic identity despite his status as an NPC. This tension — between authenticity and inauthenticity — is predicated on the question of ontology. The film first depicts Guy's NPC status as inauthentic

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<sup>2</sup> Shawn Levy, *Free Guy*, 7:18.

<sup>3</sup> *Free Guy*, 28:01.

given its incommensurability with the real world which is, by definition, real and therefore more authentic. Subsequently, it attempts to sidestep this incommensurability through two means: asserting in Guy the necessary agency to pursue authentic identity, while redefining authenticity beyond that which is real. This twofold characterisation permits the pursuit of authentic identity by rendering Guy's agency commensurable with *both* his inability to exist in the real world and the authentic identity he nonetheless strives towards.

Such commensurability, it appears, is a definitive feature within the concept of existential authenticity articulated by sociologist Ning Wang in his 1999 paper, titled "Rethinking Authenticity in Tourism Experience." Wang posits existential authenticity as corresponding to an "*existential state of Being*" which can be "subjectively or intersubjectively sampled."<sup>4</sup> Wang further distinguishes this mode of authenticity from what he terms "object-related authenticity"; where object-related authenticity is concerned with the "attribute, or projected attribute, of objects," existential authenticity — as an "activity-related authenticity" — references a "*potential existential state of Being [...] to be activated.*"<sup>5</sup> Existential authenticity, therefore, permits the pursuit of authentic identity *through activity*, regardless of "whether [authenticity's] *objects* are real."<sup>6</sup> In other words, the subjective pursuit of authentic identity should, in theory, be independent of the authenticity — or lack thereof — that objectively characterises the society.

*Free Guy* demonstrates this independence between the subjective pursuit of authentic identity and the inauthenticity of NPC existence primarily through the development of Guy's character. Upon realising the true nature of *Free City* as a video game and his own existence as an NPC, Guy visits Buddy in the latter's apartment to lament his inability to exist in the real world and consequently craft an authentic identity for himself. "If you're not real, doesn't that mean that nothing you do matters?"<sup>7</sup> he entreats the puzzled Buddy. This line establishes, for Guy, a logical relationship between the antecedent of being "not real" and the consequent of having "nothing [he does] matter," thereby closely associating the question of realness with what "matters." Here, Guy's lament implicitly establishes a synonymy between the pursuit of authenticity and what "matters" insofar as it is his fear of not being able to exist

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<sup>4</sup> Ning Wang. "Rethinking Authenticity in Tourism Experience," *Annals of Tourism Research* 26, no. 2 (1999): 359, doi.org/10.1016/S0160-7383(98)00103-0.

<sup>5</sup> Wang, 352, my emphases.

<sup>6</sup> Wang, 359, my emphasis.

<sup>7</sup> Shawn Levy, *Free Guy*, 59:30 to 59:35.

authentically — that is, with Millie — which precipitates this lament. By transitivity, the inauthenticity of Guy’s NPC existence is what stymies his ability to pursue an authentic identity. Buddy, not fully cognisant of Guy’s predicament, nonetheless offers the latter consolation and inadvertently precipitates his moment of anagnorisis within the film’s monomythic template:

So what if I’m not real? [...] I am sitting here with my best friend, trying to help him get through a tough time. Right? And even if I’m not real, *this moment is. Right here, right now, this moment is real.*<sup>8</sup>

With this consolation to reinvigorate Guy towards renewing his pursuit of authentic identity, *Free Guy* adopts as its measure of this identity Wang’s existential authenticity, championing the experience of the “moment” as a marker of an activity-related authenticity. Consequently, Guy reconciles himself to his inability to live in the real world and decides to pursue an authentic identity predicated on activity. By playing the hero and actively resisting attempts to obliterate *Free City*, Guy displays an agency heretofore absent in his NPC existence and thus “activate[s]” an existentially authentic state within himself.

### **Guy’s Fundamental Lack of Agency**

This reading of *Free Guy*, however, comes across as too literal an interpretation of the film for two reasons. The first concerns the relationship between Guy’s agency and his pursuit of authentic identity which, I argue, belies a fundamental incommensurability between the two. That is, Guy’s agency is ultimately superficial; both his actions and his character design are *determined* by external factors. The second relates to the film’s representation of capitalist society which, I claim, delineates it as fundamentally *inauthentic* and therefore incommensurable with authentic identity. This incommensurability, likewise, is twofold: it stems from not just the film’s superficial presentation of the possibility of authentic identity, but also — at a somewhat meta-textual level — the relationship between *Free City* and its real-world players, a relationship which problematises the possibility of authentic identity under capitalist society. The film’s representation of capitalist society, then, is emblematic of what cultural theorist Mark Fisher — in his 2009 book *Capitalist Realism: Is There No Alternative?* — terms “capitalist realism,” in that it stealthily positions capitalism

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<sup>8</sup> Shawn Levy, *Free Guy*, 59:24 to 59:52, my emphases.

as not only “the only viable political and economic system,” but also a system that is “now impossible even to *imagine* a coherent alternative to.”<sup>9</sup> Capitalist realism, thus defined, permits neither an alternative to capitalism nor the *possibility* of such an alternative; its characterisation of capitalism, therefore, remains entrenched in what Fisher calls “a deeper, far more pervasive, sense of exhaustion, of cultural and political sterility.”<sup>10</sup> Insofar as the exhausting and sterile qualities of this description serve as antitheses to the “active” nature of authenticity, they tacitly challenge the subjective pursuit of authentic identity.

Before explaining the specifics of capitalist realism vis-à-vis *Free Guy*’s narrative at this juncture, I contend that the film nonetheless proffers that the pursuit of authentic identity remains limited due to the superficiality with which Guy’s agency — his actions, along with his character design — is endowed. Despite the film’s overarching triumphalism in according Guy the requisite agency to pursue an authentic identity, a closer analysis of Guy’s actions reveals a different perspective. Specifically, the agency Guy enjoys is superficial because his most pivotal actions are still externally determined, without his volition or consent. Tellingly, Guy’s first encounter with Millie — an encounter which catalyses his awakening — is borne out of contingency; Millie, a real-life player, enters the game of *her* own volition (and not Guy’s) whereas the latter, prior to the encounter, displays no such volition in his routinized, everyday existence. His agency further proves superficial when, later in the film, Millie’s real-world nemesis Antwan (Taika Waititi) reboots *Free City* and terminates Guy in the process. Guy wakes up in the rebooted game as a regular NPC with his memories prior to the reboot stored deep within his code to be relogged by nothing except physical contact with Millie — which is expressed through a passionate second kiss that, unsurprisingly, unlocks them. Like their first encounter, this kiss between Guy and Millie is an externally imposed event, a *deus ex machina* determined by Millie and *not* Guy. Here, perhaps, the *deus ex machina* characterisation proves revealing: the “god from the machine,” to translate the phrase from Latin, is not Guy or his fellow NPCs, but players from the real world.

Likewise, Guy’s agency is further rendered superficial by his character design. While he manages to achieve self-awareness about his identity as an NPC, this does not transform him, *prima facie*, into a real-world player. That is, Guy’s ontological make-up is still that of an NPC, and this make-up is therefore determined by external factors beyond his purview.

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<sup>9</sup> Mark Fisher. *Capitalist Realism: Is There No Alternative?* (Ropley: Zero Books, 2009), 2.

<sup>10</sup> Fisher, 2.

Even after gaining self-awareness, Guy never sheds his persona of an affable and kind-hearted “Blue Shirt Guy,”<sup>11</sup> progressing through the gameplay of *Free City* not through emulating the violent actions of real-world players but by “playing the hero”<sup>12</sup> and “being the freaking good guy.”<sup>13</sup> Superficially, of course, Guy playing the hero suggests that he possesses some agency, but his otherwise unchanging persona hints at a fundamental lack of agency *precisely* because he is unable to choose to be anything but “Blue Shirt Guy”; likewise, his name (“Guy”) evinces a genericness based on its widespread use as an indefinite object of salutation. Besides this inability to choose his persona, Guy also lacks agency on a broader level. His attraction to Millie, touted in the film’s opening minutes as “just a fantasy,”<sup>14</sup> is later revealed to be hardwired into his code by Keys (Joe Keery), a real-world game developer and Guy’s creator. Millie, the “girl of [Guy’s] dreams,”<sup>15</sup> is *really* the girl of Keys’ dreams, with Guy merely a “love letter”<sup>16</sup> from Keys to her. (Keys’ name is noteworthy: is it not Keys, as opposed to Guy, that holds the keys to Millie’s heart?) Even Guy’s agency, arguably, is borne out of a lack thereof. His character, prior to existing in *Free City*, was part of a scrapped project called *Life Itself* which showcased NPCs who “would grow and change and feel real”<sup>17</sup>; this engineering of agency in Guy, through *Life Itself*, consequently limits it. The superficiality of Guy’s agency, thus, limits his ability to activate an existentially authentic identity within himself.

Given this characterisation of Guy’s agency on both action and character design fronts as superficial, I offer a more critical interpretation of the relationship between his lack of genuine agency and his pursuit of authentic identity, challenging the literal interpretation of Guy’s heroic status as demarcating the possibility of such an identity under capitalist society. Where, however, this interpretation focuses on the relationship between agency and authenticity, I posit a second (and complementary) interpretation that centres around the film’s representation of capitalist society as inherently inauthentic. It is this interpretation that, adopting Fisher’s framework of capitalist realism, suggests that the inauthentic characteristic of capitalist society is fundamentally incommensurable with the pursuit of authentic identity.

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<sup>11</sup> Shawn Levy, *Free Guy*, 16:20.

<sup>12</sup> *Free Guy*, 30:00 to 30:01.

<sup>13</sup> *Free Guy*, 30:21 to 30:22.

<sup>14</sup> *Free Guy*, 4:54.

<sup>15</sup> *Free Guy*, 72:37.

<sup>16</sup> *Free Guy*, 102:22.

<sup>17</sup> *Free Guy*, 49:11 to 49:13.

### Capitalist Society in *Free Guy* as Inherently Inauthentic

It is possible to first apprehend the incommensurability between inauthentic capitalist society and the pursuit of authentic identity through *Free Guy*'s superficial presentation of the possibility of authentic identity. When, by the film's denouement, Guy prevents Antwan from erasing the world of *Free City* and salvages the source code from *Life Itself* embedded within the former (on an island off the coast of the virtual city), the entire population of *Free City* relocates to this island — a utopian and futuristic alternative to their previous residence — in the common pursuit of authentic identities supposedly free from the inauthentic trappings of capitalist society. Guy reunites with Buddy, heretofore presumed dead by Antwan's hand, and the two friends discuss their future together: at Buddy's query on where their bank now is, Guy responds that "there is no bank."<sup>18</sup> Buddy's follow-up — "so what do we do?"<sup>19</sup> — likewise meets the brief reply, "whatever we want."<sup>20</sup>

Though this conclusion serves, apparently, as a hopeful indication of the possibility of authentic identity within capitalist society, I propose a more pessimistic interpretation of this possibility which asserts the fundamental incommensurability between authentic identity and capitalist society. This proposal takes its cue from two observations, namely the cursory presentation of the island (as a metaphor for authenticity) and the evolution of Guy's desire throughout the film. In the first observation, the island features for just over four minutes<sup>21</sup> out of *Free Guy*'s 115-minute runtime, and its presentation differs little from that of the city insofar as the film declines to embellish it with details of potentially authentic identities. More crucially, however, the island's utopian design marries — paradoxically — the futuristic with the Jurassic, incorporating levitating cars and dinosaurs within the same frames<sup>22</sup>. This design, whilst seemingly delineating *Life Itself*'s utopian visions, conversely also relegates them into fantasy by merging two temporally distinct realities into one and, in so doing, divesting them of reality. What this portends for the film, perhaps, is an inability to concretely — as opposed to cursorily — articulate its possibilities for authentic identity.

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<sup>18</sup> Shawn Levy, *Free Guy*, 105:57.

<sup>19</sup> *Free Guy*, 105:58.

<sup>20</sup> *Free Guy*, 106:00 to 106:01.

<sup>21</sup> *Free Guy*, 96:59 to 97:39, 100:40 to 102:35, and 104:22 to 106:14.

<sup>22</sup> *Free Guy*, 100:41 to 100:49.

Similarly, the evolution of Guy's desire throughout *Free Guy* alludes to the film's inability to venture beyond superficial presentations of the possibility of authentic identity. This desire transmutes over the film's duration: first, in the character of Millie (his "dream girl"); and then, upon Guy discovering the distinction between *Free City* and the real world, the latter; and finally, upon him reconciling with the impossibility of existence in the real world, existential authenticity itself (to do "whatever [he wants]"). When Guy, after being confronted with the truth by Millie, angrily remarks to her that he "may not be real, but, for a second there, [he] felt pretty alive,"<sup>23</sup> he suggests — consistent with the film's literal reading of existentially authentic identity as possible under capitalist society — that his pursuit for authenticity is synonymous with the pursuit of "fe[eling] alive," which in turn hinges upon his fulfilment of desire *through* Millie. Given, however, that Guy's desire remains perpetually unfulfilled in the first and second instances, and given also that his desire for an identity predicated on existential authenticity is — as mentioned — cursorily articulated, our reading of the film suggests that the latter's presentations of the possibility of authentic identity are, at best, superficial. This superficial nature, then, constrains the film's ability to venture beyond the inauthentic trappings of capitalist society and elucidate alternatives.

Aside from its superficial presentation of the possibility of authentic identity, *Free Guy* also defines capitalist society as fundamentally inauthentic and thus incommensurable with authentic identity owing to the relationship between the virtual *Free City* and its real-world players. At a meta-textual level, the film straddles two locales: the virtual world of Guy and his fellow NPCs within *Free City*, and the real world of which Millie, Keys, Antwan, and the gameplay development of *Free City* are a part. In both locales, the film presents capitalist society as fundamentally incommensurable with an authentic identity and does so by juxtaposing the inhabitants of either locale vis-à-vis the other.

For Guy and his fellow NPCs, their relationship with the real world is one of commodification; even after Antwan's downfall and the resurrection of *Life Itself*, this relationship remains in place with players "swarming to this observational, fishbowl game where they interact peacefully with the one and only Blue Shirt Guy."<sup>24</sup> Contrasted with *Free City*, this observational setup appears less inauthentic insofar as Guy and the NPCs are no longer subjected to perpetual violence and are effectively free to pursue their identities

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<sup>23</sup> Shawn Levy, *Free Guy*, 56:11 to 56:16.

<sup>24</sup> *Free Guy*, 100:04 to 100:10.

beyond their allotted roles in *Free City*. Yet, their commodification remains; as NPCs engineered specifically for the enjoyment of real-world players, they continue to exist within a capitalist society which, not unlike that of *Free City*'s, is predicated on and sustained by real-world demand (for the game).

For the inhabitants of the real world, likewise, their relationship with Guy and his fellow NPCs demonstrates the fundamentally inauthentic characteristic of capitalist society and its incommensurability with authentic identity. Both *Free City* and *Life Itself* purport to depict reality: the former as a space of fantasy for players to indulge in through “level[ing] [...] up,” the latter as yet another space of fantasy for players to observe the lives of NPCs. Here, one might raise the following question: if, as Keys proclaims, *Free City* “is so realistic and people love it so much,”<sup>25</sup> then what does this say about players who are drawn in by this realistic characteristic? The marketing of video-game realism as authentic, in contrast to that of the real world, suggests that the inauthentic virtual world of *Free City* is perceived as *more* authentic than the real world, and therefore undercuts the possibility of authentic identity in the real world.

Furthermore, for the inhabitants of the real world, the film's positing of Guy as a metaphor for the real-world salaryman also elucidates the inauthenticity inherent to capitalist society. As metaphor, Guy embodies the role of servant under the capitalist system; his occupation as a bank teller entails him literally handling capital he will never own. (When bank robbers accost him, the manager always reiterates the advice that “nobody try to be a hero. This will all be over soon,”<sup>26</sup> attesting to Guy's subservient social position relative to that of the “hero” who takes charge and saves the day.) This role, intended for real-life players to depict their own identities under capitalist society, serves to implicitly identify this very capitalism as that which realises and reinforces their own subservient social positions; this identification, nonetheless, fits what Fisher calls a “gestural anti-capitalism” that, “far from undermining capitalist realism,” only “reinforces it.”<sup>27</sup> In other words, Guy's subservient social position — and by extension, those of his fellow NPCs — is naturalised in the real world *precisely* because of its depiction in *Free City*, a depiction that renders it

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<sup>25</sup> Shawn Levy, *Free Guy*, 49:16 to 49:20.

<sup>26</sup> *Free Guy*, 4:58 to 5:01.

<sup>27</sup> Mark Fisher, *Capitalist Realism: Is There No Alternative?*, 12.



commensurable with the pursuit of authentic identity and thereby obfuscates the inauthenticity inherent to capitalist society.

## **Conclusion**

These observations have, in sum, articulated *Free Guy*'s portrayal of the possibility of authentic identity within capitalist society by challenging this possibility. Despite the film's apparent valorisation of Guy as a hero figure endowed with agency who successfully articulates an authentic identity by its denouement, I have argued that this valorisation is too superficial a reading, given that it glosses over the two primary ways in which the film *does* limit the possibility of authentic identity; namely, by describing — instead — Guy's lack of agency and how it challenges the pursuit of authentic identity, as well as by representing capitalist society as inherently inauthentic. Where Wang's concept of existential authenticity proves exceedingly useful in articulating the possibility of authentic identity (as presented in *Free Guy*) despite Guy's lack of real existence, this concept falters when applied to the film, in large part owing to the latter's superficial presentation of Guy's agency which, in turn, constrains his pursuit of authentic identity. Fisher's notion of capitalist realism, however, proves remarkably apt in accounting for the film's pessimistic representation of capitalist society as inauthentic and therefore fundamentally incommensurable with authentic identity.

Perhaps these observations on *Free Guy* are indicative of a broader phenomenon among contemporary cinematic depictions of the pursuit, and possibility, of authentic identity. In *Free Guy*, the unexpected hero articulates his interpretation of and search for authentic identity as “not [...] real, but [...] alive.” This articulation, though suspect (as I have argued), reveals at its heart a re-evaluation of what constitutes the pursuit of authentic identity today. Films which have similar monomythic templates as *Free Guy* and likewise involve the direct interrogation of reality — the Wachowskis' *The Matrix*, Peter Weir's *The Truman Show* etc. — may be ripe for a similar re-evaluation under both the terms of existential authenticity and capitalist realism. Although the jury is still out on just how “free” Guy is, both the frameworks of existential authenticity and capitalist realism have, at the very least, questioned and qualified this freedom of his.

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