

Stephen Shute, ed.

On Human Rights

HUMAN RIGHTS,
RATIONALITY, AND
SENTIMENTALITY

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In a report from Bosnia some months ago,¹ David Rieff said "To the Serbs, the Muslims are no longer human. . . . Muslim prisoners, lying on the ground in rows, awaiting interrogation, were driven over by a Serb guard in a small delivery van." This theme of dehumanization recurs when Rieff says

A Muslim man in Bosanski Petrovac . . . [was] forced to bite off the penis of a fellow-Muslim. . . . If you say that a man is not human, but the man looks like you and the only way to identify this devil is to make him drop his trousers—Muslim men are circumcised and Serb men are not—it is probably only a short step, psychologically, to cutting off his prick. . . . There has never been a campaign of ethnic cleansing from which sexual sadism has gone missing.

The moral to be drawn from Rieff's stories is that Serbian murderers and rapists do not think of themselves as violating human rights. For they are not doing these things to fellow human beings, but to *Muslims*. They are not being inhuman, but rather are discriminating between the true humans and the pseudohumans. They are making the same sort of distinction as the Crusaders made between humans and infidel dogs, and the Black Muslims make between humans and blue-eyed devils. The founder of my university was able both to own slaves and to think it self-evident that all men were endowed by their creator with certain inalienable rights. He had convinced himself that the consciousness of Blacks, like that of animals, "participate[s] more of sensation than reflection."² Like the Serbs, Mr. Jefferson did not think of himself as violating *human* rights.

The Serbs take themselves to be acting in the interests of true humanity by purifying the world of pseudohumanity. In this respect, their self-image resembles that of moral philosophers who hope to cleanse the world of prejudice and super-

stition. This cleansing will permit us to rise above our animality by becoming, for the first time, wholly rational and thus wholly human. The Serbs, the moralists, Jefferson, and the Black Muslims all use the term "men" to mean "people like us." They think the line between humans and animals is not simply the line between featherless bipeds and all others. They think the line divides some featherless bipeds from others: There are animals walking about in humanoid form. We and those like us are paradigm cases of humanity, but those too different from us in behavior or custom are, at best, borderline cases. As Clifford Geertz puts it, "Men's most important claims to humanity are cast in the accents of group pride."³

We in the safe, rich, democracies feel about the Serbian torturers and rapists as they feel about their Muslim victims: They are more like animals than like us. But we are not doing anything to help the Muslim women who are being gang raped or the Muslim men who are being castrated, any more than we did anything in the thirties when the Nazis were amusing themselves by torturing Jews. Here in the safe countries we find ourselves saying things like "That's how things have always been in the Balkans," suggesting that, unlike us, those people are used to being raped and castrated. The contempt we always feel for losers—Jews in the thirties, Muslims now—combines with our disgust at the winners' behavior to produce the semiconscious attitude: "a plague on both your houses." We think of the Serbs or the Nazis as animals, because ravenous beasts of prey are animals. We think of the Muslims or the Jews being herded into concentration camps as animals, because cattle are animals. Neither sort of animal is very much like us, and there seems no point in human beings getting involved in quarrels between animals.

The human-animal distinction, however, is only one of the three main ways in which we paradigmatic humans distinguish ourselves from borderline cases. A second is by in-

voking the distinction between adults and children. Ignorant and superstitious people, we say, are like children; they will attain true humanity only if raised up by proper education. If they seem incapable of absorbing such education, that shows they are not really the same kind of being as we educable people are. Blacks, the whites in the United States and in South Africa used to say, are like children. That is why it is appropriate to address Black males, of whatever age, as "boy." Women, men used to say, are permanently childlike; it is therefore appropriate to spend no money on their education, and to refuse them access to power.

When it comes to women, however, there are simpler ways of excluding them from true humanity: for example, using "man" as a synonym of "human being." As feminists have pointed out, such usages reinforce the average male's thankfulness that he was not born a woman, as well as his fear of the ultimate degradation: feminization. The extent of the latter fear is evidenced by the particular sort of sexual sadism Rieff describes. His point that such sadism is never absent from attempts to purify the species or cleanse the territory confirms Catharine Mackinnon's claim that, for most men, being a woman does not count as a way of being human. Being a nonmale is the third main way of being nonhuman. There are several ways of being nonmale. One is to be born without a penis; another is to have one's penis cut or bitten off; a third is to have been penetrated by a penis. Many men who have been raped are convinced that their manhood, and thus their humanity, has been taken away. Like racists who discover they have Jewish or Black ancestry, they may commit suicide out of sheer shame, shame at no longer being the kind of featherless biped that counts as human.

Philosophers have tried to clear this mess up by spelling out what all and only the featherless bipeds have in common, thereby explaining what is essential to being human. Plato argued that there is a big difference between us and the

animals, a difference worthy of respect and cultivation. He thought that human beings have a special added ingredient which puts them in a different ontological category than the brutes. Respect for this ingredient provides a reason for people to be nice to each other. Anti-Platonists like Nietzsche reply that attempts to get people to stop murdering, raping, and castrating each other are, in the long run, doomed to fail—for the real truth about human nature is that we are a uniquely nasty and dangerous kind of animal. When contemporary admirers of Plato claim that all featherless bipeds—even the stupid and childlike, even the women, even the sodomized—have the same inalienable rights, admirers of Nietzsche reply that the very idea of "inalienable human rights" is, like the idea of a special added ingredient, a laughably feeble attempt by the weaker members of the species to fend off the stronger.

As I see it, one important intellectual advance made in our century is the steady decline in interest in the quarrel between Plato and Nietzsche. There is a growing willingness to neglect the question "What is our nature?" and to substitute the question "What can we make of ourselves?" We are much less inclined than our ancestors were to take "theories of human nature" seriously, much less inclined to take ontology or history as a guide to life. We have come to see that the only lesson of either history or anthropology is our extraordinary malleability. We are coming to think of ourselves as the flexible, protean, self-shaping, animal rather than as the rational animal or the cruel animal.

One of the shapes we have recently assumed is that of a human rights culture. I borrow the term "human rights culture" from the Argentinian jurist and philosopher Eduardo Rabossi. In an article called "Human Rights Naturalized," Rabossi argues that philosophers should think of this culture as a new, welcome fact of the post-Holocaust world. They should stop trying to get behind or beneath this fact, stop

trying to detect and defend its so-called "philosophical pre-suppositions." On Rabossi's view, philosophers like Alan Gewirth are wrong to argue that human rights cannot depend on historical facts: "My basic point," Rabossi says, is that "the world has changed, that the human rights phenomenon renders human rights foundationalism outmoded and irrelevant."²⁴

Rabossi's claim that human rights foundationalism is *outmoded* seems to me both true and important; it will be my principal topic in this lecture. I shall be enlarging on, and defending, Rabossi's claim that the question whether human beings really have the rights enumerated in the Helsinki Declaration is not worth raising. In particular, I shall be defending the claim that nothing relevant to moral choice separates human beings from animals except historically contingent facts of the world, cultural facts.

This claim is sometimes called "cultural relativism" by those who indignantly reject it. One reason they reject it is that such relativism seems to them incompatible with the fact that our human rights culture, the culture with which we in this democracy identify ourselves, is morally superior to other cultures. I quite agree that ours is morally superior, but I do not think this superiority counts in favor of the existence of a universal human nature. It would only do so if we assumed that a moral claim is ill-founded if not backed up by knowledge of a distinctively human attribute. But it is not clear why "respect for human dignity"—our sense that the differences between Serb and Muslim, Christian and infidel, gay and straight, male and female should not matter—must presuppose the existence of any such attribute.

Traditionally, the name of the shared human attribute which supposedly "grounds" morality is "rationality." Cultural relativism is associated with irrationalism because it denies the existence of morally relevant transcultural facts. To agree with Rabossi one must, indeed, be irrationalist in

that sense. But one need not be irrationalist in the sense of ceasing to make one's web of belief as coherent, and as perspicuously structured, as possible. Philosophers like myself, who think of rationality as simply the attempt at such coherence, agree with Rabossi that foundationalist projects are outmoded. We see our task as a matter of making our own culture—the human rights culture—more self-conscious and more powerful, rather than of demonstrating its superiority to other cultures by an appeal to something transcultural.

We think that the most philosophy can hope to do is summarize our culturally influenced intuitions about the right thing to do in various situations. The summary is effected by formulating a generalization from which these intuitions can be deduced, with the help of noncontroversial lemmas. That generalization is not supposed to ground our intuitions, but rather to summarize them. John Rawls's "Difference Principle" and the U.S. Supreme Court's construction, in recent decades, of a constitutional "right to privacy" are examples of this kind of summary. We see the formulation of such summarizing generalizations as increasing the predictability, and thus the power and efficiency, of our institutions, thereby heightening the sense of shared moral identity which brings us together in a moral community.

Foundationalist philosophers, such as Plato, Aquinas, and Kant, have hoped to provide independent support for such summarizing generalizations. They would like to infer these generalizations from further premises, premises capable of being known to be true independently of the truth of the moral intuitions which have been summarized. Such premises are supposed to justify our intuitions, by providing premises from which the content of those intuitions can be deduced. I shall lump all such premises together under the label "claims to knowledge about the nature of human beings." In this broad sense, claims to know that our moral intuitions are recollections of the Form of the Good, or that we are the

disobedient children of a loving God, or that human beings differ from other kinds of animals by having dignity rather than mere value, are all claims about human nature. So are such counterclaims as that human beings are merely vehicles for selfish genes, or merely eruptions of the will to power.

To claim such knowledge is to claim to know something which, though not itself a moral intuition, can *correct* moral intuitions. It is essential to this idea of moral knowledge that a whole community might come to know that most of their most salient intuitions about the right thing to do were wrong. But now suppose we ask: *Is* there this sort of knowledge? What kind of question is that? On the traditional view, it is a philosophical question, belonging to a branch of epistemology known as "metaethics." But on the pragmatist view which I favor, it is a question of efficiency: of how best to grab hold of history—how best to bring about the utopia sketched by the Enlightenment. If the activities of those who attempt to achieve this sort of knowledge seem of little use in actualizing this utopia, that is a reason to think there is no such knowledge. If it seems that most of the work of changing moral intuitions is being done by manipulating our feelings rather than increasing our knowledge, that will be a reason to think that there is no knowledge of the sort which philosophers like Plato, Aquinas, and Kant hoped to acquire.

This pragmatist argument against the Platonist has the same form as an argument for cutting off payment to the priests who are performing purportedly war-winning sacrifices—an argument which says that all the real work of winning the war seems to be getting done by the generals and admirals, not to mention the foot soldiers. The argument does not say: Since there seem to be no gods, there is probably no need to support the priests. It says instead: Since there is apparently no need to support the priests, there probably are no gods. We pragmatists argue from the fact that the emergence of the human rights culture seems to owe nothing

to increased moral knowledge, and everything to hearing sad and sentimental stories, to the conclusion that there is probably no knowledge of the sort Plato envisaged. We go on to argue: Since no useful work seems to be done by insisting on a purportedly ahistorical human nature, there probably is no such nature, or at least nothing in that nature that is relevant to our moral choices.

In short, my doubts about the effectiveness of appeals to moral knowledge are doubts about causal efficacy, not about epistemic status. My doubts have nothing to do with any of the theoretical questions discussed under the heading of "metaethics," questions about the relation between facts and values, or between reason and passion, or between the cognitive and the noncognitive, or between descriptive statements and action-guiding statements. Nor do they have anything to do with questions about realism and antirealism. The difference between the moral realist and the moral antirealist seems to pragmatists to be a difference which makes no practical difference. Further, such metaethical questions presuppose the Platonic distinction between inquiry which aims at efficient problem-solving and inquiry which aims at a goal called "truth for its own sake." That distinction collapses if one follows Dewey in thinking of all inquiry—in physics as well as in ethics—as practical problem-solving, or if one follows Peirce in seeing every belief as action-guiding.⁵

Even after the priests have been pensioned off, however, the memories of certain priests may still be cherished by the community—especially the memories of their prophecies. We remain profoundly grateful to philosophers like Plato and Kant, not because they discovered truths but because they prophesied cosmopolitan utopias—utopias most of whose details they may have got wrong, but utopias we might never have struggled to reach had we not heard their prophecies. As long as our ability to know, and in particular to discuss the question "What is man?" seemed the most important thing

about us human beings, people like Plato and Kant accompanied utopian prophecies with claims to know something deep and important—something about the parts of the soul, or the transcendental status of the common moral consciousness. But this ability, and those questions, have, in the course of the last two hundred years, come to seem much less important. Rabossi summarizes this cultural sea change in his claim that human rights foundationalism is outmoded. In the remainder of this lecture, I shall take up the questions: *Why* has knowledge become much less important to our self-image than it was two hundred years ago? *Why* does the attempt to found culture on nature, and moral obligation on knowledge of transcultural universals, seem so much less important to us than it seemed in the Enlightenment? *Why* is there so little resonance, and so little point, in asking whether human beings in fact have the rights listed in the Helsinki Declaration? *Why*, in short, has moral philosophy become such an inconspicuous part of our culture?

A simple answer is that between Kant's time and ours Darwin argued most of the intellectuals out of the view that human beings contain a special added ingredient. He convinced most of us that we were exceptionally talented animals, animals clever enough to take charge of our own future evolution. I think this answer is right as far as it goes, but it leads to a further question: *Why* did Darwin succeed, relatively speaking, so very easily? *Why* did he not cause the creative philosophical ferment caused by Galileo and Newton?

The revival by the New Science of the seventeenth century of a Democritean-Lucretian corpuscularian picture of nature scared Kant into inventing transcendental philosophy, inventing a brand-new kind of knowledge, which could demote the corpuscularian world picture to the status of "appearance." Kant's example encouraged the idea that the philosopher, as an expert on the nature and limits of knowledge,

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can serve as supreme cultural arbiter.⁶ By the time of Darwin, however, this idea was already beginning to seem quaint: The historicism which dominated the intellectual world of the early nineteenth century had created an antiessentialist mood. So when Darwin came along, he fitted into the evolutionary niche which Herder and Hegel had begun to colonize. Intellectuals who populate this niche look to the future rather than to eternity. They prefer new ideas about how change can be effected to stable criteria for determining the desirability of change. They are the ones who think both Plato and Nietzsche outmoded.

The best explanation of both Darwin's relatively easy triumph, and our own increasing willingness to substitute hope for knowledge, is that the nineteenth and twentieth centuries saw, among the Europeans and Americans, an extraordinary increase in wealth, literacy, and leisure. This increase made possible an unprecedented acceleration in the rate of moral progress. Such events as the French Revolution and the ending of the trans-Atlantic slave trade prompted nineteenth-century intellectuals in the rich democracies to say: It is enough for us to know that we live in an age in which human beings can make things much better for ourselves.⁷ We do not need to dig behind this historical fact to nonhistorical facts about what we really are.

In the two centuries since the French Revolution, we have learned that human beings are far more malleable than Plato or Kant had dreamed. The more we are impressed by this malleability, the less interested we become in questions about our ahistorical nature. The more we see a chance to recreate ourselves, the more we read Darwin not as offering one more theory about what we really are but as providing reasons why we need not ask what we really are. Nowadays, to say that we are clever animals is not to say something philosophical and pessimistic but something political and hopeful, namely: If we can work together, we can make ourselves into whatever

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we are clever and courageous enough to imagine ourselves becoming. This sets aside Kant's question "What is Man?" and substitutes the question "What sort of world can we prepare for our great-grandchildren?"

The question "What is Man?" in the sense of "What is the deep ahistorical nature of human beings?" owed its popularity to the standard answer to that question: We are the *rational* animal, the one which can know as well as merely feel. The residual popularity of this answer accounts for the residual popularity of Kant's astonishing claim that sentimentality has nothing to do with morality, that there is something distinctively and transculturally human called "the sense of moral obligation" which has nothing to do with love, friendship, trust, or social solidarity. As long as we believe *that*, people like Rabossi are going to have a tough time convincing us that human rights foundationalism is an unmoded project.

To overcome this idea of a *sui generis* sense of moral obligation, it would help to stop answering the question "What makes us different from the other animals?" by saying "We can know, and they can merely feel." We should substitute "We can feel for *each other* to a much greater extent than they can." This substitution would let us disentangle Christ's suggestion that love matters more than knowledge from the neo-Platonic suggestion that knowledge of the truth will make us free. For as long as we think that there is an ahistorical power which makes for righteousness—a power called truth, or rationality—we shall not be able to put foundationalism behind us.

The best, and probably the only, argument for putting foundationalism behind us is the one I have already suggested: It would be more efficient to do so, because it would let us concentrate our energies on manipulating sentiments, on sentimental education. That sort of education sufficiently acquaints people of different kinds with one another so that

they are less tempted to think of those different from themselves as only quasi-human. The goal of this manipulation of sentiment is to expand the reference of the terms "our kind of people" and "people like us."

All I can do to supplement this argument from increased efficiency is to offer a suggestion about how Plato managed to convince us that knowledge of universal truths mattered as much as he thought it did. Plato thought that the philosopher's task was to answer questions like "Why should I be moral? Why is it rational to be moral? Why is it in my interest to be moral? Why is it in the interest of human beings as such to be moral?" He thought this because he believed the best way to deal with people like Thrasymachus and Callicles was to demonstrate to them that they had an interest of which they were unaware, an interest in being rational, in acquiring self-knowledge. Plato thereby saddled us with a distinction between the true and the false self. That distinction was, by the time of Kant, transmuted into a distinction between categorical, rigid, moral obligation and flexible, empirically determinable, self-interest. Contemporary moral philosophy is still lumbered with this opposition between self-interest and morality, an opposition which makes it hard to realize that my pride in being a part of the human rights culture is no more external to my self than my desire for financial success.

It would have been better if Plato had decided, as Aristotle was to decide, that there was nothing much to be done with people like Thrasymachus and Callicles, and that the problem was how to avoid having children who would be like Thrasymachus and Callicles. By insisting that he could re-educate people who had matured without acquiring appropriate moral sentiments by invoking a higher power than sentiment, the power of reason, Plato got moral philosophy off on the wrong foot. He led moral philosophers to concentrate on the rather rare figure of the psychopath, the person who has no concern for any human being other than himself.

Moral philosophy has systematically neglected the much more common case: the person whose treatment of a rather narrow range of featherless bipeds is morally impeccable, but who remains indifferent to the suffering of those outside this range, the ones he or she thinks of as pseudohumans.⁸

Plato set things up so that moral philosophers think they have failed unless they convince the rational egotist that he should not be an egotist—convince him by telling him about his true, unfortunately neglected, self. But the rational egotist is not the problem. The problem is the gallant and honorable Serb who sees Muslims as circumcised dogs. It is the brave soldier and good comrade who loves and is loved by his mates, but who thinks of women as dangerous, malevolent whores and bitches.

Plato thought that the way to get people to be nicer to each other was to point out what they all had in common—rationality. But it does little good to point out, to the people I have just described, that many Muslims and women are good at mathematics or engineering or jurisprudence. Resentful young Nazi toughs were quite aware that many Jews were clever and learned, but this only added to the pleasure they took in beating them up. Nor does it do much good to get such people to read Kant, and agree that one should not treat rational agents simply as means. For everything turns on who counts as a fellow human being, as a rational agent in the only relevant sense—the sense in which rational agency is synonymous with membership in *our* moral community.

For most white people, until very recently, most Black people did not so count. For most Christians, up until the seventeenth century or so, most heathen did not so count. For the Nazis, Jews did not so count. For most males in countries in which the average annual income is under four thousand dollars, most females still do not so count. Whenever tribal and national rivalries become important, members of rival tribes and nations will not so count. Kant's account

of the respect due to rational agents tells you that you should extend the respect you feel for people like yourself to all featherless bipeds. This is an excellent suggestion, a good formula for secularizing the Christian doctrine of the brotherhood of man. But it has never been backed up by an argument based on neutral premises, and it never will be. Outside the circle of post-Enlightenment European culture, the circle of relatively safe and secure people who have been manipulating each others' sentiments for two hundred years, most people are simply unable to understand why membership in a biological species is supposed to suffice for membership in a moral community. This is not because they are insufficiently rational. It is, typically, because they live in a world in which it would be just too risky—indeed, would often be insanely dangerous—to let one's sense of moral community stretch beyond one's family, clan, or tribe.

To get whites to be nicer to Blacks, males to females, Serbs to Muslims, or straights to gays, to help our species link up into what Rabossi calls a "planetary community" dominated by a culture of human rights, it is of no use whatever to say, with Kant: Notice that what you have in common, your humanity, is more important than these trivial differences. For the people we are trying to convince will rejoin that they notice nothing of the sort. Such people are *morally* offended by the suggestion that they should treat someone who is not kin as if he were a brother, or a nigger as if he were white, or a queer as if he were normal, or an infidel as if she were a believer. They are offended by the suggestion that they treat people whom they do not think of as human as if they were human. When utilitarians tell them that all pleasures and pains felt by members of our biological species are equally relevant to moral deliberation, or when Kantians tell them that the ability to engage in such deliberation is sufficient for membership in the moral community, they are incredulous. They rejoin that these philosophers seem obli-

ous to blatantly obvious moral distinctions, distinctions any decent person will draw.

This rejoinder is not just a rhetorical device, nor is it in any way irrational. It is heartfelt. The identity of these people, the people whom we should like to convince to join our Eurocentric human rights culture, is bound up with their sense of who they are *not*. Most people—especially people relatively untouched by the European Enlightenment—simply do not think of themselves as, first and foremost, a human being. Instead, they think of themselves as being a certain *good* sort of human being—a sort defined by explicit opposition to a particularly bad sort. It is crucial for their sense of who they are that they are *not* an infidel, *not* a queer, *not* a woman, *not* an untouchable. Just insofar as they are impoverished, and as their lives are perpetually at risk, they have little else than pride in not being what they are not to sustain their self-respect. Starting with the days when the term “human being” was synonymous with “member of our tribe,” we have always thought of human beings in terms of paradigm members of the species. We have contrasted *us*, the *real* humans, with rudimentary, or perverted, or deformed examples of humanity.

We Eurocentric intellectuals like to suggest that we, the paradigm humans, have overcome this primitive parochialism by using that paradigmatic human faculty, reason. So we say that failure to concur with us is due to “prejudice.” Our use of these terms in this way may make us nod in agreement when Colin McGinn tells us, in the introduction to his recent book,⁹ that learning to tell right from wrong is not as hard as learning French. The only obstacles to agreeing with his moral views, McGinn explains, are “prejudice, vested interest and laziness.”

One can see what McGinn means: If, like many of us, you teach students who have been brought up in the shadow of the Holocaust, brought up believing that prejudice against

racial or religious groups is a terrible thing, it is not very hard to convert them to standard liberal views about abortion, gay rights, and the like. You may even get them to stop eating animals. All you have to do is convince them that all the arguments on the other side appeal to “morally irrelevant” considerations. You do this by manipulating their sentiments in such a way that they imagine themselves in the shoes of the despised and oppressed. Such students are already so nice that they are eager to define their identity in nonexclusionary terms. The only people they have trouble being nice to are the ones they consider irrational—the religious fundamentalist, the smirking rapist, or the swaggering skinhead.

Producing generations of nice, tolerant, well-off, secure, other-respecting students of this sort in all parts of the world is just what is needed—indeed *all* that is needed—to achieve an Enlightenment utopia. The more youngsters like this we can raise, the stronger and more global our human rights culture will become. But it is not a good idea to encourage these students to label “irrational” the intolerant people they have trouble tolerating. For that Platonic-Kantian epithet suggests that, with only a little more effort, the good and rational part of these other people’s souls could have triumphed over the bad and irrational part. It suggests that we good people know something these bad people do not know, and that it is probably their own silly fault that they do not know it. All they have to do, after all, is to think a little harder, be a little more self-conscious, a little more rational.

But the bad people’s beliefs are not more or less “irrational” than the belief that race, religion, gender, and sexual preference are all morally irrelevant—that these are all trumped by membership in the biological species. As used by moral philosophers like McGinn, the term “irrational behavior” means no more than “behavior of which we disapprove so strongly that our spade is turned when asked *why* we disapprove of it.” It would be better to teach our students that

these bad people are no less rational, no less clearheaded, no more prejudiced, than we good people who respect otherness. The bad people's problem is that they were not so lucky in the circumstances of their upbringing as we were. Instead of treating as irrational all those people out there who are trying to find and kill Salman Rushdie, we should treat them as deprived.

Foundationalists think of these people as deprived of truth, of moral knowledge. But it would be better—more specific, more suggestive of possible remedies—to think of them as deprived of two more concrete things: security and sympathy. By “security” I mean conditions of life sufficiently risk-free as to make one’s difference from others inessential to one’s self-respect, one’s sense of worth. These conditions have been enjoyed by Americans and Europeans—the people who dreamed up the human rights culture—much more than they have been enjoyed by anyone else. By “sympathy” I mean the sort of reaction that the Athenians had more of after seeing Aeschylus’ *The Persians* than before, the sort that white Americans had more of after reading *Uncle Tom’s Cabin* than before, the sort that we have more of after watching TV programs about the genocide in Bosnia. Security and sympathy go together, for the same reasons that peace and economic productivity go together. The tougher things are, the more you have to be afraid of, the more dangerous your situation, the less you can afford the time or effort to think about what things might be like for people with whom you do not immediately identify. Sentimental education only works on people who can relax long enough to listen.

If Rabossi and I are right in thinking human rights foundationalism outmoded, then Hume is a better advisor than Kant about how we intellectuals can hasten the coming of the Enlightenment utopia for which both men yearned. Among contemporary philosophers, the best advisor seems to me to be Annette Baier. Baier describes Hume as “the woman’s

moral philosopher” because Hume held that “corrected (sometimes rule-corrected) sympathy, not law-discerning reason, is the fundamental moral capacity”.¹⁰ Baier would like us to get rid of both the Platonic idea that we have a true self, and the Kantian idea that it is rational to be moral. In aid of this project, she suggests that we think of “trust” rather than “obligation” as the fundamental moral notion. This substitution would mean thinking of the spread of the human rights culture not as a matter of our becoming more aware of the requirements of the moral law, but rather as what Baier calls “a progress of sentiments.”¹¹ This progress consists in an increasing ability to see the similarities between ourselves and people very unlike us as outweighing the differences. It is the result of what I have been calling “sentimental education.” The relevant similarities are not a matter of sharing a deep true self which instantiates true humanity, but are such little, superficial, similarities as cherishing our parents and our children—similarities that do not interestingly distinguish us from many nonhuman animals.

To accept Baier’s suggestions, however, we should have to overcome our sense that sentiment is too weak a force, and that something stronger is required. This idea that reason is “stronger” than sentiment, that only an insistence on the unconditionality of moral obligation has the power to change human beings for the better, is very persistent. I think that this persistence is due mainly to a semiconscious realization that, if we hand our hopes for moral progress over to sentiment, we are in effect handing them over to *condescension*. For we shall be relying on those who have the power to change things—people like the rich New England abolitionists, or rich bleeding hearts like Robert Owen and Friedrich Engels—rather than on something that has power over *them*. We shall have to accept the fact that the fate of the women of Bosnia depends on whether TV journalists manage to do for them what Harriet Beecher Stowe did for black slaves,

whether these journalists can make us, the audience back in the safe countries, feel that these women are more like us, more like real human beings, than we had realized.

To rely on the suggestions of sentiment rather than on the commands of reason is to think of powerful people gradually ceasing to oppress others, or ceasing to countenance the oppression of others, out of mere niceness, rather than out of obedience to the moral law. But it is revolting to think that our only hope for a decent society consists in softening the self-satisfied hearts of a leisure class. We want moral progress to burst up from below, rather than waiting patiently upon condescension from the top. The residual popularity of Kantian ideas of "unconditional moral obligation"—obligation imposed by deep ahistorical noncontingent forces—seems to me almost entirely due to our abhorrence for the idea that the people on top hold the future in their hands, that everything depends on them, that there is nothing more powerful to which we can appeal against them.

Like everyone else, I too should prefer a bottom-up way of achieving utopia, a quick reversal of fortune which will make the last first. But I do not think this is how utopia will in fact come into being. Nor do I think that our preference for this way lends any support to the idea that the Enlightenment project lies in the depths of every human soul. So why does this preference make us resist the thought that sentimentality may be the best weapon we have? I think Nietzsche gave the right answer to this question: We resist out of resentment. We *resent* the idea that we shall have to wait for the strong to turn their piggy little eyes to the suffering of the weak. We desperately hope that there is something stronger and more powerful that will *hurt* the strong if they do *not*—if not a vengeful God, then a vengeful aroused proletariat, or, at least, a vengeful superego, or, at the very least, the offended majesty of Kant's tribunal of pure practical reason. The desperate hope for a noncontingent and powerful ally is, accord-

ing to Nietzsche, the common core of Platonism, of religious insistence on divine omnipotence, and of Kantian moral philosophy.¹²

Nietzsche was, I think, right on the button when he offered this diagnosis. What Santayana called "supernaturalism," the confusion of ideals and power, is all that lies behind the Kantian claim that it is not only nicer, but more rational, to include strangers within our moral community than to exclude them from it. If we agree with Nietzsche and Santayana on this point, however, we do not thereby acquire any reason to turn our backs on the Enlightenment project, as Nietzsche did. Nor do we acquire any reason to be sardonically pessimistic about the chances of this project, in the manner of admirers of Nietzsche like Santayana, Ortega, Heidegger, Strauss, and Foucault.

For even though Nietzsche was absolutely right to see Kant's insistence on unconditionality as an expression of resentment, he was absolutely wrong to treat Christianity, and the age of the democratic revolutions, as signs of human degeneration. He and Kant, alas, shared something with each other which neither shared with Harriet Beecher Stowe—something which Iris Murdoch has called "dryness" and which Jacques Derrida has called "phallogocentrism." The common element in the thought of both men was a desire for purity. This sort of purity consists in being not only autonomous, in command of oneself, but also in having the kind of self-conscious self-sufficiency which Sartre describes as the perfect synthesis of the in-itself and the for-itself. This synthesis could only be attained, Sartre pointed out, if one could rid oneself of everything sticky, slimy, wet, sentimental, and womanish.

Although this desire for virile purity links Plato to Kant, the desire to bring as many different kinds of people as possible into a cosmopolis links Kant to Stowe. Kant is, in the history of moral thinking, a transitional stage between the

hopeless attempt to convict Thrasymachus of irrationality and the hopeful attempt to see every new featherless biped who comes along as one of us. Kant's mistake was to think that the only way to have a modest, damped-down, non-fanatical version of Christian brotherhood after letting go of the Christian faith was to revive the themes of pre-Christian philosophical thought. He wanted to make knowledge of a core self do what can be done only by the continual refreshment and re-creation of the self, through interaction with selves as unlike itself as possible.

Kant performed the sort of awkward balancing act required in transitional periods. His project mediated between a dying rationalist tradition and a vision of a new, democratic world, the world of what Rabossi calls "the human rights phenomenon." With the advent of this phenomenon, Kant's balancing act has become outmoded and irrelevant. We are now in a good position to put aside the last vestiges of the ideas that human beings are distinguished by the capacity to know rather than by the capacities for friendship and inter-marriage, distinguished by rigorous rationality rather than by flexible sentimentality. If we do so, we shall have dropped the idea that assured knowledge of a truth about what we have in common is a prerequisite for moral education, as well as the idea of a specifically moral motivation. If we do all these things, we shall see Kant's *Foundations of the Metaphysics of Morals* as a placeholder for *Uncle Tom's Cabin*—a concession to the expectations of an intellectual epoch in which the quest for quasi-scientific knowledge seemed the only possible response to religious exclusionism.¹³

Unfortunately, many philosophers, especially in the English-speaking world, are still trying to hold on to the Platonic insistence that the principal duty of human beings is to *know*. That insistence was the lifeline to which Kant and Hegel thought we had to cling.¹⁴ Just as German philosophers in the period between Kant and Hegel saw themselves as saving

"reason" from Hume, many English-speaking philosophers now see themselves saving reason from Derrida. But with the wisdom of hindsight, and with Baier's help, we have learned to read Hume not as a dangerously frivolous iconoclast but as the wettest, most flexible, least phallogocentric thinker of the Enlightenment. Someday, I suspect, our descendants may wish that Derrida's contemporaries had been able to read him not as a frivolous iconoclast, but rather as a sentimental educator, another of "the women's moral philosophers."¹⁵

If one follows Baier's advice one will not see it as the moral educator's task to answer the rational egotist's question "Why should I be moral?" but rather to answer the much more frequently posed question "Why should I care about a stranger, a person who is no kin to me, a person whose habits I find disgusting?" The traditional answer to the latter question is "Because kinship and custom are morally irrelevant, irrelevant to the obligations imposed by the recognition of membership in the same species." This has never been very convincing, since it begs the question at issue: whether mere species membership is, in fact, a sufficient surrogate for closer kinship. Furthermore, that answer leaves one wide open to Nietzsche's discomfiting rejoinder: *That* universalistic notion, Nietzsche will sneer, would only have crossed the mind of a slave—or, perhaps, the mind of an intellectual, a priest whose self-esteem and livelihood both depend on getting the rest of us to accept a sacred, unarguable, unchallengeable paradox.

A better sort of answer is the sort of long, sad, sentimental story which begins "Because this is what it is like to be in her situation—to be far from home, among strangers," or "Because she might become your daughter-in-law," or "Because her mother would grieve for her." Such stories, repeated and varied over the centuries, have induced us, the rich, safe, powerful, people, to tolerate, and even to cherish, powerless

people—people whose appearance or habits or beliefs at first seemed an insult to our own moral identity, our sense of the limits of permissible human variation.

To people who, like Plato and Kant, believe in a philosophically ascertainable truth about what it is to be a human being, the good work remains incomplete as long as we have not answered the question "Yes, but am I under a *moral obligation* to her?" To people like Hume and Baier, it is a mark of intellectual immaturity to raise that question. But we shall go on asking that question as long as we agree with Plato that it is our ability to know that makes us human.

Plato wrote quite a long time ago, in a time when we intellectuals had to pretend to be successors to the priests, had to pretend to know something rather esoteric. Hume did his best to josh us out of that pretense. Baier, who seems to me both the most original and the most useful of contemporary moral philosophers, is still trying to josh us out of it. I think Baier may eventually succeed, for she has the history of the last two hundred years of moral progress on her side. These two centuries are most easily understood not as a period of deepening understanding of the nature of rationality or of morality, but rather as one in which there occurred an astonishingly rapid progress of sentiments, in which it has become much easier for us to be moved to action by sad and sentimental stories.

This progress has brought us to a moment in human history in which it is plausible for Rabossi to say that the human rights phenomenon is a "fact of the world." This phenomenon may be just a blip. But it may mark the beginning of a time in which gang rape brings forth as strong a response when it happens to women as when it happens to men, or when it happens to foreigners as when it happens to people like us.

THE OTHER'S RIGHTS

Jean-François Lyotard