

# **Moral Improvement and Human Rights in the Absence of Foundations**

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The traditional view of morality holds that there is something intrinsic in human nature, such as a universal principle, that provides us with our knowledge of human rights. According to this view, the closer we get to knowing this principle, the more moral we become. Richard Rorty, however, rejects this foundationalist view of morality with respect to human rights, arguing instead that we need to approach the question through telling stories that evoke feelings of sympathy, leading to the broadening of our moral communities and expansion of human rights. In this paper, I will argue that Rorty's antifoundationalism, with an emphasis on sentimental education, is the best approach to take in order to achieve moral betterment and promote human rights. In section one I will discuss Rorty's view, explaining antifoundationalism and sentimental education, as well as touching on the role of the novel. In section two, I will defend Rorty's stance, arguing first that his view avoids the narrowness of traditional moral theories, second that sentimental education leads more directly to increased tolerance, and third that an approach to morality and human rights without foundations gives us better, more genuine, motivations for acting.

In order to understand Rorty's antifoundationalism, it is first necessary to briefly look at foundationalism. Foundationalism typically refers to the metaphysical attempt at grounding certain objective moral norms<sup>1</sup>. This view "supposes that foundations are before and beyond things, that they are the origin of beings, giving objectivity to reality."<sup>2</sup> What this means is that morality is something that can be discovered through a faculty unique to human nature, such as reason.<sup>3</sup> So, our ability to determine moral action (and to treat people right) is innate, transcendental, and universal.<sup>4</sup> Rorty, however, disagrees with this position and proposes antifoundationalism as an alternative way of determining moral action.

Rorty argues that an approach to human rights that is not based on foundations is vitally important as he sees foundations as providing no practical purpose when it comes to moral action. Specifically, he states that "human rights foundationalism [is] outmoded and irrelevant," meaning that no pragmatic good comes of utilizing foundations to explain the correct moral action in our

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<sup>1</sup> Christian B. Miller, "Rorty and Tolerance," *Theoria: A Journal of Social and Political Theory*, no. 1 (June 2003): 98. <http://www.jstor.org/stable/10.2307/41802225>.

<sup>2</sup> José Barreto "Ethics of Emotions as Ethics of Human Rights: A Jurisprudence of Sympathy in Adorno, Horkheimer and Rorty," *Law and Critique* 17, no. 1 (2006): 101-102. <https://doi-org.cyber.usask.ca/10.1007/s10978-006-0003-y>.

<sup>3</sup> José-Manuel Barreto. "Rorty and human rights Contingency, emotions and how to defend human rights telling stories," *Utrecht Law Review*, 7, no. 2 (April 2011): 96. <http://doi.org/10.18352/ulr.164>.

<sup>4</sup> Barreto, "Contingency," 97.

current context.<sup>5</sup> While Rorty does not explicitly reject the existence of an ahistorical human nature, he argues that if it were to exist, there would be “nothing in that nature that [would be] relevant to our moral choices.”<sup>6</sup> This is because Rorty does not reject that human rights are necessary and worthwhile notions, but he does reject the fact that we can remove ourselves from our history.<sup>7</sup> Given this, what exactly is the basis for moral action, for treating each other with respect, if there is nothing inherent in human beings that calls for it? The answer to this question can be found in Rorty’s concept of sentimental education.

Rorty argues for an approach to moral action based on sentimental education. According to Rorty, sentimental education is the only method that is sufficient for convincing individuals to move past foundationalism. Sentimental education can be defined as that which concentrates “on manipulating sentiments” with hopes to “expand the reference of... ‘our kind of people’ and ‘people like us.’”<sup>8</sup> Hence, sentimental education shows why one should care about a stranger, or, in other words, why one should

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<sup>5</sup> Richard M. Rorty, “Human Rights, Rationality, and Sentimentality,” in *The Rorty Reader*, ed. Christopher J. Voparil and Richard J. Bernstein (Chichester: Blackwell Publishing Ltd., 2010), 353.

<sup>6</sup> Rorty, “Human Rights,” 355.

<sup>7</sup> Richard Rumana, *On Rorty* (Belmont: Thomson Learning Inc., 2000), 77; Michalinos Zembylas, “Toward a Critical-Sentimental Orientation in Human Rights Education,” *Educational Philosophy and Theory* 48, no. 11 (September 2016): 1156. doi. 10.1080/00131857.2015.1118612.

<sup>8</sup> Rorty, “Human Rights,” 359.

care about someone who is outside of one's moral community.<sup>9</sup> Thus, according to Rorty, morality is not a transcendental, universal, and innate concept discovered through the use of reason, but is instead "a progress of sentiments" which is the ability to continue to see similarities between ourselves and others as outweighing whatever differences might exist.<sup>10</sup> In other words, Rorty believes that it is not moral knowledge that leads to betterment and an improved human rights culture, but rather the development of empathy—the appeal to emotions—through sentimental education.<sup>11</sup>

Rorty is focused on broadening the scope of our moral community. In other words, Rorty argues that we should seek solidarity, or the desire for intersubjective agreement as opposed to objectivity and the search for truth.<sup>12</sup> Rights, for Rorty, are afforded only to those who count as fellow human beings. To claim human rights, one must be a member of the same moral community in which all fellow human beings identify as belonging to.<sup>13</sup> Rorty places a great deal of importance on this, and argues that the need

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<sup>9</sup> Rorty, "Human Rights," 365.

<sup>10</sup> Rorty, "Human Rights," 362.

<sup>11</sup> Maria Granik, "The Human Rights Dialogue: Foundationalism Reconsidered," *Theoria: A Journal of Social and Political Theory* 60, no. 135 (June 2013): 8. <http://www.jstor.org/stable/10.2307/42705254>.

<sup>12</sup> Richard M. Rorty, "Solidarity or Objectivity," in *The Rorty Reader*, ed. Christopher J. Voparil and Richard J. Bernstein (Chichester: Blackwell Publishing Ltd., 2010), 229.

<sup>13</sup> Rorty, "Human Rights," 359.

for sentimental education partly results from the inability of foundationalism to adapt to changing moral environments and help its adherents to recognize those outside their immediate circle (for example, one's family) as important. He argues that traditional moral philosophical theories have a history of only recognizing and praising individuals who treat those within their community in a moral fashion, but neglect to notice or be affected by the suffering of those who are out of their immediate moral community.<sup>14</sup> Thus, the task of sentimental education is to utilize our capacity to feel for others and to bring them into our moral community in an all encompassing fashion. That is, for example, to expand our moral community beyond one's family, one's friends, or one's country.

To look at this in another way, Barreto offers a good analysis of the above points. He argues that there are two aspects that are important with regard to sentimental education. The first looks to increase the amount of people we refer to as "people like us, by making us more familiar with them and emphasising the likeness between them and us."<sup>15</sup> The second seeks to enable us to more easily put ourselves in the shoes of those who are suffering, to understand that they are in pain, and to help us look at the world from their perspective.<sup>16</sup> Hence, "the first coaches us to think of our identity in a non-exclusionary fashion" and "the second invites

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<sup>14</sup> Rorty, "Human Rights," 359.

<sup>15</sup> Barreto, "Ethics of Emotions," 103-104.

<sup>16</sup> Barreto, "Ethics of Emotions," 103.

us to act in solidarity, as individuals or as a political community.”<sup>17</sup> These two points are important because they allow us to strengthen our human rights culture and to move past our original ethnocentric views, upbringing, and socialization.<sup>18</sup> Sentimental education not only exposes us to new and different ways of “being human” through the use of imagination, but also leads to greater solidarity.<sup>19</sup> According to Rorty, one of the best ways to achieve these goals is through telling stories, and—in particular—through the use of the novel.

The novel plays a central role in sentimental education.<sup>20</sup> This is because the sort of sad and sentimental story that allows one to connect with others can often be found in a novel.<sup>21</sup> By exposing oneself to stories about different cultures and different points of view, one can transcend the norms that constituted our upbringing and re-create oneself.<sup>22</sup> For example, Rorty states that if we were to read *Uncle Tom’s Cabin* as opposed to Kant’s *Foundations for the Metaphysics of Morals*, we would be in a better position to both ask and answer why one should care about their fellow human beings. According to Rorty, the traditional universalistic answer, offered by Kant and others, has seldom been

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<sup>17</sup> Barreto, “Ethics of Emotions,” 104.

<sup>18</sup> Barreto, “Ethics of Emotions,” 104.

<sup>19</sup> Barreto, “Ethics of Emotions,” 104.

<sup>20</sup> Rumana, On Rorty, 84.

<sup>21</sup> Rorty, “Human Rights,” 365.

<sup>22</sup> Barreto, “Ethics of Emotions,” 104.

able to move people to action because it begs the very question at issue: whether we actually are obligated to our fellow human beings in the same way we are obligated to our closer ties, such as family.<sup>23</sup> Instead, as Barreto argues, “stories would not only help to strengthen the capacity to sympathise with those who suffer...but they would also be able to form a spontaneous attitude or vital impulse to act, to transform this sentiment into effective human or social solidarity.”<sup>24</sup> By reading stories we realize that others not only feel pain like we do, but are also worthy of the same treatment that we are.<sup>25</sup> Thus, for Rorty, storytelling is a vitally important aspect of sensitizing individuals to the pain and suffering of others and, therefore, widens our “shared moral identity.”<sup>26</sup> Rorty argues that if a society were to use novels to create their moral vocabulary they would no longer ask themselves questions about human nature and instead would focus on how to get along better and how to be more comfortable with one another.<sup>27</sup> This change will line up with an increased ability to accept diversity—an increase in sentimentality which will broaden our moral communities and alleviate more human suffering.<sup>28</sup> Barreto sums up Rorty’s views on both sentimental education and the use of

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<sup>23</sup> Rorty, “Human Rights,” 364-365.

<sup>24</sup> Barreto, “Ethics of Emotions,” 104.

<sup>25</sup> Zembylas, “Critical-Sentimental,” 1157.

<sup>26</sup> Zembylas, “Critical-Sentimental,” 1157.

<sup>27</sup> Richard M. Rorty, “Heidegger, Kundera, and Dickens,” in *The Rorty Reader*, ed. Christopher J. Voparil and Richard J. Bernstein (Chichester: Blackwell Publishing Ltd., 2010), 318.

<sup>28</sup> Rorty, “Heidegger,” 230.

novels quite nicely by stating that “sympathy becomes a key moral virtue and a central feature of a culture of rights, while literatures and ‘telling stories’ [enliven] the global moral sentiment and [construct] a worldwide ethos favourable to human rights.”<sup>29</sup>

Ever since the occurrence of human rights violations that took place in World War II, and the subsequent creation of the United Nations Universal Declaration of Human Rights in 1948, the notion of human rights as a universal standard for moral treatment is generally understood as indisputable.<sup>30</sup> Typically, it is held that these rights have a universal foundation, necessitating the need for everyone to subscribe to and follow the same set of rules and principles. However, the continual violation of this supposedly universal set of rights all over the world gives rise to the question of whether positing these rights as a metaphysical standard for morality, discerned through something such as reason, could or should be looked upon as “an empty and abstract moral ideology” in a contemporary context.<sup>31</sup> Rorty’s antifoundationalism offers us a more malleable and flexible view of human beings that more accurately represents our reality with regard to self-creation and diversity. The world and those who exist within it are not static, but are subject to growth and development. The idea of self-creation goes hand in hand with Rorty’s argument, as

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<sup>29</sup> Barreto, “Contingency,” 112.

<sup>30</sup> Zembylas, “Critical-Sentimental,” 1153.

<sup>31</sup> Zembylas, “Critical-Sentimental,” 1153-1154.



antifoundationalism promotes the idea that our conception of self, the language we use, and the communities we find ourselves in, are contingent and subject to change.<sup>32</sup> Rorty argues that humans are fascinated with how we may recreate ourselves—the fact that we can make things better for not only ourselves, but for each other as well.<sup>33</sup> If we have this power of self-creation and are not tied down or restrained by transcendental rules or authority, then, conceivably, we can more efficiently work towards improving the way that we go about making moral choices, to which the flexibility of sentimental education lends itself to nicely.

Our current conception of human rights unfairly represents the perspective of the West, meaning that our “universal” set of rules is not actually universal at all. Hence, there is no utility in holding onto the foundationalist understanding of human rights, which is, as Rorty argues, both outdated and outmoded. We need to take into account the diversity of perspectives and viewpoints that have previously gone unrecognized or ignored. As opposed to a narrow, Western conception of rights, we need a more forward-thinking approach that takes into account the way we live and think now in our global context as well as how we may live and think in the future. The flexibility of Rorty’s approach will allow us to

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<sup>32</sup> Ulf Schulenberg, “Wanting Lovers Rather than Knowers—Richard Rorty’s Neopragmatism,” *Amerikastudien / American Studies* 48, no. 4 (2003): 583. <http://www.jstor.org/stable/10.2307/41157894>.

<sup>33</sup> Rorty, “Human Rights,” 357.

move past our narrow conception of rights in order to adopt a more inclusive, broader, and globally applicable set of guidelines that will be adaptable enough to adjust to inevitable changes and developments that will undoubtedly occur over time. Rorty's view leaves the door open for our adapting to new situations with increased ease. It is sympathetic to circumstances that we have no experience with or recollection of—situations that may, at first glance, appear too difficult or too unfamiliar for us to deal with, such as in the case of obstacles affecting those of different cultures or upbringings, thus leading us to disregard and ignore them as we fall back on “universality” to tell us how to deal with them. But if we appeal to sentiment, we can see that those involved are “one of us.” Even if we do not have the tools necessary to deal with the issue at the moment, they can be developed, because our sentimental education will allow us to recognize similarities between them and us, leading to their inclusion in our moral community.

Following from my previous point, I argue that Rorty's emphasis on emotions as opposed to reason will make us more tolerant in the long run by creating a human rights culture that focuses on sympathy. Given that Rorty argues that the values that we endorse are the result of socialization and the particular brand of sentimental education that we received, we cannot fault those who were given a different set of values and we must refrain from

placing blame on those who may act in ways that are different.<sup>34</sup> However, this might point to a flaw in his theory. Miller, for instance, argues that, the way we determine what is morally acceptable or unacceptable does not follow this line of thought, as “we routinely hold other cultures and societies morally accountable for what we take to be morally reprehensible behaviour.”<sup>35</sup> I would counter that Rorty’s approach can overcome our current intolerance and lead to a more tolerant and accepting community. Zembylas argues that through the emphasis on storytelling, Rorty’s goal will lead to a society that “is more likely to be open to learn from others, to widen its moral identity, to accommodate strangers, and to profoundly reject all forms of cruelty,”<sup>36</sup> developing a different standard of what is taken to be morally reprehensible behaviour. Barreto concurs, claiming that by appealing to emotions, one’s identity is expanded by the idea that there is more than one way of being human; he argues that sentimental education can “lead to a definition of individual and collective identities in more inclusive terms, or...in a non-exclusionary fashion.”<sup>37</sup> If sentimental education can lead to this possibility, which I believe it can, then Barreto’s assertion that “members of a culture can think and feel that members of other communities, subcultures or minorities are similar to them,” regardless of differences, is true.<sup>38</sup>

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<sup>34</sup> Miller, “Rorty and Tolerance,” 104.

<sup>35</sup> Miller, “Rorty and Tolerance,” 104.

<sup>36</sup> Zembylas, “Critical-Sentimental,” 1157.

<sup>37</sup> Barreto, “Contingency,” 110.

<sup>38</sup> Barreto, “Contingency,” 110.

Further, Rorty's approach does not just offer us a short-term solution. What he is advocating for is a complete transformation of how we approach human rights. Accordingly, the continued promotion of sympathy over reason and rationality—the creation of a mind open to change and diversity—will foster a society in which individuals are socialized in such a way to consistently protect their fellow people from being hurt, because sentimental education not only cultivates one's capacity to feel, but also one's capacity to act.<sup>39</sup> When taken together, an increased capacity to feel and an increased capacity to act will lead to a community that is more open-minded and tolerant.

Before I conclude, I would like to discuss the importance of sympathy as a motivator in two ways: first, as a more effective motivator and second, as a more genuine motivator. Typically, theorists have argued that actions based on moral motivation come from ideas of universal moral norms of fairness and justice. However, people are often more moved to moral action by appeals to emotion as opposed to appeals to reason. In a 2009 study conducted by Malti et al., researchers looked at a sample of six-year-old kindergarten students to examine the link between

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<sup>39</sup> Barreto, "Contingency," 111.

feelings of sympathy and prosocial action.<sup>40</sup> They found that there is a notable relation between sympathetic feelings and prosocial behaviour, specifically in that sympathy is an effective motive to act in prosocial ways.<sup>41</sup> In short, this study assessed kindergarten students' moral motivations, based on emotions felt and justifications given following moral transgressions, as moral emotions (e.g. guilt) and their justifications (e.g. deontological or altruistic) "reflect the child's personal acceptance of the rule validity."<sup>42</sup> What is specifically interesting from this study is that results demonstrated that children who had low levels of moral motivation (those who were less likely to abide by moral norms) displayed improved prosocial behaviour when they experienced levels of elevated sympathy, demonstrating that there was a distinct link between moral action and sympathy.<sup>43</sup> The reason that I bring up this study is to validate Rorty's argument that sentiment plays a greater role in our moral choices than positing that there are ahistorical moral rules that must be abided by.<sup>44</sup> Given the prevalence and power of sympathetic feelings in children, it seems to be much more beneficial to focus our pedagogic energies on the cultivation and manipulation of our ability to feel these feelings, therefore necessitating a place for sentimental education.

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<sup>40</sup> Tina Malti et al., "Children's Moral Motivation, Sympathy, and Prosocial Behavior," *Child Development* 80, no. 2 (Mar-Apr., 2009): 444.  
<http://www.jstor.org/stable/29738626>.

<sup>41</sup> Malti, "Children's Moral Emotion," 455.

<sup>42</sup> Malti, "Children's Moral Emotion," 443.

<sup>43</sup> Malti, "Children's Moral Emotion," 456.

<sup>44</sup> Granik, "Dialogue," 8

Furthermore, I think that if we view our moral actions as resulting not from ahistorical moral rules, but instead from sympathy, our motivations appear to be both more genuine and honest (e.g., motivations based on sympathy, love, compassion, etc.) which suggests that sentimental education will be more beneficial as a long-term approach to human rights. This is due to the fact that feelings of sympathy will lead us to understand not just that we should act in a certain way, but why we should act in a certain way.

Rorty rejects the traditional foundationalist view of morality, opting instead for an approach based on sentimental education. He argues that our current approach is no longer useful, and that we need to move past it. His view is beneficial for a variety of reasons. First, compared to the narrowness of traditional views, Rorty offers us a more flexible and adaptive view of morality and human rights. Second, what Rorty proposes is a society that is tolerant and more willing and able to accept diversity and differences. This society has moved past our overly exclusive Western conception of rights and is more open and diverse. Third and finally, Rorty's emphasis on sympathy as a motivator for moral action is important as it is both a more effective and more genuine motivating factor. Given the above, it is vitally important to reassess and realign our conception of morality and human rights by adopting Rorty's approach of antifoundationalism and sentimental education.

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