LIBERAL VALUE PLURALISM: A STUDY OF THE POLITICAL IDEAS OF MICHAEL IGNATIEFF

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Ryan Mazenc, candidate for the degree of Master of Arts in Social and Political Thought, has presented a thesis titled, *Liberal Value Pluralism: A Study of the Political Ideas of Michael Ignatieff*, in an oral examination held on June 1, 2011. The following committee members have found the thesis acceptable in form and content, and that the candidate demonstrated satisfactory knowledge of the subject material.

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Abstract

This thesis looks at the writings of Michael Ignatieff to try to answer whether the value pluralist philosophy he espouses is compatible with his doctrine of human rights. Value pluralism is a political and ethical philosophy first developed by Isaiah Berlin that believes the values we hold to be plural. This plurality of values is fundamentally irreducible or incommensurable. In other words, there is no common measure by which we can reliably compare values. A further aspect of value pluralism is that values change and people value different things. That is, values are social and historical. And since values are incommensurable, so too are the different combinations of the things people value. Taken together, this set of beliefs would seem to be something akin to relativism. The difficulty is that Ignatieff also wants to commit to the moral universalism of human rights. He is a strong supporter of military interventions on human rights grounds.

Answering this question is important for several reasons. If it does offer a better theoretical model for understanding our moral reality then its implications are broad and fundamental—touching on every question of ethics and politics we make. There are compelling reasons to think this theory is the best available. At the very least, it needs to be properly considered and evaluated.

This thesis does not attempt to consider every implication or assumption of value pluralism, but rather to consider the most obvious one: whether value pluralism can be compatible with the ethical universals. This thesis relies primarily on the ideas of Ignatieff because he is considering this problem throughout his writings and offers one of
the strongest cases for value pluralism and human rights. When necessary, this thesis also looks directly at the writings of Berlin to supplement its analysis of value pluralism.

The first chapter introduces the issue. The second chapter looks at Ignatieff’s "lesser evil" argument to both explore what value pluralism is and to show that Ignatieff is a value pluralist. The third chapter considers Ignatieff’s argument that values are social and historical. It explores the importance of this view and his belief in the importance of belonging. The fourth chapter considers whether value pluralism can be compatible with the moral universalism of humanitarian intervention. Finally the fifth chapter applies this discussion to the context of the multicultural state.

This thesis concludes that despite its seemingly disparate elements, Ignatieff’s writings are not contradictory, but coherent. It will show that value pluralism, with its strong emphasis on incommensurability of cultures and values can still maintain a commitment to universal values. Indeed, it aims to show that when properly understood, value pluralism implies liberalism.
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Abbreviations Used in References

For complete titles of works, see Bibliography.

BB – Blood and Belonging by Michael Ignatieff.


HR – Human Rights as Politics and Idolatry by Michael Ignatieff.


TCE – Three Critics of the Enlightenment by Isaiah Berlin.

TLE – The Lesser Evil: Political Ethics in and Age of Terror by Michael Ignatieff.

WH – The Warrior’s Honor by Michael Ignatieff.
Chapter 1 - Introduction

A fundamental tension exists at the heart of the writings of Michael Ignatieff. One first becomes aware of this tension by trying to discern where—intellectually—Ignatieff is coming from. On first reading, he seems to be all over the intellectual map. Dashes of consequentialism are mixed in equal measure with a deontological or rule-based ethics. In one paragraph he will make the conservative argument that the constitution is not a suicide pact, while in the next he is a liberal: arguing that rights are a precommitment to the things we value which we make in times of safety for the times when we will be most tempted to break them. And yet, at other times, leftist Ignatieff will recognize the plight of the worker and remind the reader that many economic rights are on the decline. He claims that a major lesson we have learned is that human difference is morally irrelevant. But he also claims that we are defined by our differences, and the only values we share as humans are the ones we share with animals. As such, most of the values we hold come to us by way of our culture and history. This takes him into the territory of historicism and perhaps even postmodernism. However, it is clear from his stance on humanitarian intervention that he believes that some things are unarguably and insufferably wrong—no matter what our family and peers, our culture and history might have us believe. In this way, he is also a natural law theorist. This is the tension at the heart of Ignatieff’s work: he seems at once to be offering a theory that is both historicist and universalist. Whether he can manage to reconcile these seemingly disparate ideas and how he does so is the subject of this essay.
This paper focuses on Ignatieff’s idea of rights and the type of liberalism that this idea of rights entails. Throughout his work, Ignatieff explores many ideas—nationalism, multiculturalism, and economic justice to name just a few—but none so often as rights. Ignatieff always comes back to the idea of rights. All of his major works and many of his essays discuss rights at length. Ignatieff believes that “human beings value some things more than their own survival, and that rights are the language in which they commonly express the values they are willing to die for” (RR 3). That is to say survival is not always our highest value and that to these other values we often ascribe the language of rights. Since 1945, Ignatieff argues, the West has undergone what he calls a “rights revolution” that has fundamentally altered our notions of what is good and just. This rights revolution is the historical culmination of a long process which started with the demands of English and French noblemen, Ignatieff argues. In this we can see Ignatieff’s historicism. However, Ignatieff also believes that certain extreme rights abuses warrant humanitarian intervention. Here we see his universalism. Exploring and explaining why Ignatieff believes we have rights and what those rights entail requires pulling back and looking at his broader ethical and political philosophy.

Ignatieff is a liberal. Central to his thought are ideas that have occupied liberal philosophers for centuries: individualism, tolerance, autonomy, and rights. However, he arrives at this liberalism via an underlying philosophy that is markedly different than that of mainstream liberalism. Understanding this underlying philosophy is the key to understanding Ignatieff’s theory of rights. Ignatieff’s political philosophy is greatly influenced by British philosopher Isaiah Berlin. Ignatieff wrote an excellent biography of
Berlin, but their intellectual ties go much deeper than this. Throughout his career, Berlin developed what would come to be called value pluralism.

Value pluralism is an ethical and political philosophy. It is focused on the idea that there are many values which are fundamentally irreducible. Or, to put it another way, Berlin argues that many ultimate values are incommensurable with each other. By incommensurable, he means that there is no common standard of measurement by which we can gauge the sacrifice of one value—or a part thereof—with a commensurate gain in another. Berlin is not just saying that value systems come into conflict, but that the idea of the good itself is not without contradiction. Values can conflict even “within the breast of a single individual” (CTH 12). Berlin believes that when values come into conflict, there is no simple moral math that can determine a proper course of action. This makes any scenario where values come into conflict a painful and even a potentially tragic affair.

To better understand what this means, consider Oedipus’ Antigone. In that play, Antigone and her sister Ismene are torn between honoring their dead brother by burying him and obeying the decrees of the state, which has forbidden his burial. Ismene obeys the law while Antigone disobeys it and buries her brother. The play tries to answer the question of which sister made the right choice. It recognizes at least two values: honoring of the family or piety, and obeying the law for the sake of order—and perhaps also out of a fear of punishment. We see this conflict through the eyes of all of the characters and experience the uncertainty and, indeed, the poignant tragedy of a value conflict. A value pluralist would argue that this is why the play continues to challenge audiences more than two-thousand years after it was first performed. In his The Lesser Evil: Political Ethics in
an Age of Terror, Ignatieff argues that a terrorist emergency creates a value conflict between the values of security and right. These values, he believes, are both deeply felt by almost everyone in a Western democracy. This is not a conflict between what two groups each believes is right. It is a conflict between two things we believe are right, but which in the context of a terrorist emergency conflict in principle. As such, any course of action is likely to sacrifice—at least in part—something of what we value. His “lesser evil” solution is a value pluralist attempt to provide perspective on such a conflict. In the second chapter, I will explore this argument as a means of both showing what value pluralism is and showing that Ignatieff is a value pluralist.

Ignatieff believes that most of the values people hold are rooted in their social contexts. This belief stems from his value pluralist outlook. One of the major implications of Berlin’s strain of value pluralism is that there can be many equally valid solutions to value conflicts and, indeed, that over history different groups and even individuals often come to regard values differently. Berlin points to Machiavelli’s realization that the values held in the Christian Florence of his day were very different from those held in Pagan Rome. In developing his position further, Berlin points to Johann Gottfried Herder’s notion of a ‘cultural center of gravity.’ Like Machiavelli, Herder believed values to be historical and cultural. Herder was the first to explore the idea of a zeitgeist, or the idea of a ‘spirit of the age.’ For Herder, a shift in the spirit of the age could be quite dramatic—a shift in the ‘cultural center of gravity’ that would cause a revaluation of all values through a new ideal of reference—a new ethical touchstone.
Throughout his work, Ignatieff is considering the implications of this social basis of values. Values change, Ignatieff argues in his book *The Needs of Strangers*. In that book, he makes the case that the vast majority of our needs or values are social, not natural. Those values that are natural are those we share with animals. Elsewhere in his work, he echoes Berlin and Herder in making the case that rights have become the ethical touchstone in Western society since the 1960s. This “rights revolution” has meant that rights form our new shared language of the good. In contrast, in *The Warrior’s Honor*, Ignatieff argues that warriors in the Balkans conflicts do not share our belief in universal human rights, and that Western diplomats would be better off appealing to something they do value: a warrior’s honor. Elsewhere, Ignatieff makes the case for how important social belonging is in the development of individuals. Ignatieff argues that belonging or feeling rooted in a community is “vital condition for personal respect, honor and dignity” (RR 60). It is by way of this understanding of the importance of belonging that Ignatieff approaches the subject of nationalism. Nationalism, he argues, develops as a result of a cultural insecurity. Because a culture is so important to the lives of those that compose it, an attempt to repress it will result in a violent backlash against outside interference or in the crushing of the dignity of those individuals that comprise it. Nowhere is this fact more important, Ignatieff argues, than in the multicultural states of today. I discuss Ignatieff’s views on the social nature of values in the third chapter.

This belief in the social nature of values is important, because among other things it would seem to point to an underlying relativism. But Ignatieff does not believe value pluralism to be relativism. Ignatieff has long been a vocal advocate of humanitarian intervention. Years of reporting the worst cases of ethnic cleansing have led him to
believe that some things are unarguably and insufferably wrong. His strongest examples of this belief are seen in the “Responsibility to Protect” document which he helped to write and his support for the invasion of Iraq in 2003. This support for intervention can only be understood as advocacy of an ethical universal. In other words, Ignatieff is making a value judgment and proscribing those who do not share this view.

How can Ignatieff maintain that values are social and incommensurable, that there can ultimately be many correct answers to a given dilemma, yet advocate a policy whereby one country with its own set of values has a duty to intervene based on human rights principles? This is the heart of the tension in Ignatieff’s work. One part of Ignatieff wants to show that human kind is plural, and that values we hold will always be social and pluralistic. This part of Ignatieff has his roots in the Counter-Enlightenment. He is influenced by German romantics who were, as much as anything else, a reaction to their contemporaries, the French Philosophes. This French school, influenced by the power of reason and the momentum of science, came to believe strongly that to any given question—be it astronomy or art—there must be only one true answer. Ignatieff too wants to condemn this sort of certainty. In so doing, he is rejecting a cosmopolitan liberalism, as well as the dominant streams of liberal thought that spring from Enlightenment thinkers such as Locke, Kant and Mill. But on the other hand, another part of Ignatieff wants to maintain a commitment to moral universalism. He makes clear that his is not a theory of relativism or postmodernism, which he equates with relativism. There are some things that are wrong no matter your time or place, Ignatieff believes. He makes the case that human rights should be understood as a universal value. In this
sense, Ignatieff is also a child of the Enlightenment and the natural law tradition. Whether both these parts of his thought can coherently coexist is the subject of this paper.

Ignatieff is trying to chart a middle-course between two of the most powerful currents that have been driving Western thinkers since the French Revolution. The fact that this course is off the well-worn paths of Western thought makes it fertile ground for the thinkers who take it. But it is also dangerous ground, in the sense that its novelty can lead to misreading and misinterpretation. This course was largely first set by Berlin and Ignatieff is also influenced by many of his contemporaries. Ignatieff makes original contributions as well, including a departure from the ideas of Berlin in order to shore up his inconsistencies.

Answering these questions matters because if value pluralism is to be taken seriously, we need to test its assumptions. The biggest of these assumptions is that an ethical theory that prizes plurality and incommensurability of values and cultures can take a universalist stand that declares something right or wrong. Ignatieff is aware of this problem. In fact, Ignatieff’s main innovations on Berlin’s work have been centered on strengthening this area of his theory from attack. Berlin’s work focused on the history of Western thought and an assumption of a more homogenous state. Ignatieff attempts to globalize the scope of value pluralism and operates on the assumption of a multicultural state. In so doing, he rejects some Berlin’s argument for rights and develops his own argument for them. We are therefore studying the ideas of Michael Ignatieff because they offer the strongest, most fully elaborated and internally consistent case for liberal value pluralism. So this thesis is not an attempt to challenge all of the assumptions of value pluralism. And certainly there are other elements of value pluralism that would
need to be considered. However, to attempt to do so would require a much larger undertaking. With this in mind, this thesis sticks with attempting to answer the biggest problem facing value pluralism.

In turn, studying value pluralism is important because it seems to have a lot to offer us. It is a comprehensive theory of politics and ethics. So—if true—it provides the principles and method for properly considering any moral dilemma: be it personal—for example, “in this situation, is it wrong to lie?”—or social—for example, “should the state buy guns or butter?” Therefore its implications are broad reaching and fundamental. In many ways, it is a theory founded on the premise that there are limits to what theory can offer us. Value pluralism believes that moral dilemmas can only be solved in practice with contextual knowledge. It believes that at best, theory can guide us in understanding this context. On the other hand, value pluralists believe that at its worst, theory indoctrinates people into believing that in the name of some good or another anything is permitted. Value pluralism therefore takes an anti-dogmatic stance that recognizes the limits of theory and a corresponding importance of practical knowledge. Even more benign philosophies, Ignatieff believes, will often focus too much on one good or another, leading to disregard for other goods at stake in certain situations. Value pluralism can allow for clarity in moral choice by distinguishing various goods at stake. Take, for instance, Berlin’s Two Concepts of Liberty, where he argues that the distinction between democracy and constitutionalism is an important one to make. While many theories might be misguided, value pluralists will argue that in practice we already act according to value pluralist assumptions. That we feel pain and regret after acting on moral dilemmas is evidence of this. And Ignatieff argues that our democratic institutions
have evolved over centuries specifically to deal with these tragic choices at the political level. While its application is difficult and the limits it places on theory means the answers it can provide are limited, value pluralism may offer the best principles and method for approaching questions of ethics and politics. If it is, that on its own would be enough to justify this study, but even if it isn’t, there are other ideas that still make value pluralism worth studying.

A major strength of value pluralism is its recognition of the differences in values among people. People value different things. We can see these differences across history: the values of a Christian Florentine during the time of Machiavelli were different than the values of a Roman Florentine and both are different than that of a contemporary Florentine. We can clearly see these differences across cultural lines as well. But if we press the issue, we can also see differences between members of the same community—even the same family. In this way, value pluralism skewers the traditional view of groups as homogenous entities. Yet these differences are a pillar of value pluralist theory. Value pluralism resists the temptation caricature difference and to dismiss it as a sign of unenlightenment or error in judgment. Not only does it view the different values people have as real and worthy of respect, but as the best of us. The values we share by virtue of our humanity are base, while our social values inspire us to greatness. This explains, for value pluralists, why attempts to subjugate and repress these differences are so often met with violence. However, respecting differences in this way comes with its own set of problems. If there are many different visions of the good life, can any sort of good be administered by the state? Value pluralism’s biggest strength is found here, in its thin
universalism. Here it maintains a deep respect for difference but avoids the pitfall of relativism. And here Ignatieff’s writings are particularly important.

This paper will explore the ideas of Ignatieff and try to answer whether he can coherently take a position that advocates the ethical universalism of human rights while remaining true to Berlinian value pluralism, with its emphasis on the incommensurability of values and cultures. In the second chapter, I will explore Ignatieff’s “lesser evil” argument as a means of both showing what value pluralism is and to show that he is a value pluralist. In the third chapter, I outline the importance Ignatieff places on culture and history and their role in shaping the things we come to value. In the fourth chapter I look at Ignatieff’s support for universalist human rights and whether value pluralism—with its emphasis on the incommensurability of values and the social nature of values—can still make universalist moral arguments. I conclude that he can. I aim to show that, despite its seemingly disparate elements, Ignatieff’s writings are not contradictory, but coherent. I will show that value pluralism, with its strong emphasis on incommensurability of cultures and values can still maintain a commitment to universal values. Indeed, I aim to show that when properly understood, value pluralism implies liberalism.
Chapter 2 – Value Pluralism and the ‘Lesser Evil’

Thesis

In The Lesser Evil: Political Ethics in An Age of Terror, Ignatieff makes what is his most elaborate and thorough analysis and defense of value pluralism. In fact, his thesis is visible right from the first sentence of the Preface, where he argues:

Life's toughest choices are not between good and bad, but between bad and worse. We call these choices between lesser evils. We know that whatever we choose, something important will be sacrificed. Whatever we do, someone will get hurt. Worst of all, we have to choose. (LE vii)

Terrorist emergencies, Ignatieff argues, force democracies to make hard choices. “If we do too little, we will get attacked again. If we do too much, we will harm innocent people… And nothing we do is ever likely to strike the right balance,” he tells us (vii). Rounding up, detaining and interrogating suspected terrorists can harm democratic principles such as the presumption of innocence, due cause, judicial review, and bans on torture, he says (vii). But, Ignatieff warns, “if we do nothing, on the other hand, they may strike again” (vii).

Ignatieff tells us that it is “naïve to suppose that we do not have to make these choices” (vii). He argues that the idea that none of our rights should ever be suspended is a piece of “moral perfectionism:” for “to claim that there are no lesser evil choices to be made is to take refuge in the illusion that the threat of terrorism is exaggerated” (vii). He contrasts this with the equivalent danger of what he calls “false necessity:” this is the belief that “the threat is so great that anything we do to fight terrorism can be justified…
[including] indefinite detention, assassination and coercive interrogation amounting to torture” (viii). It is between these two options of “moral perfectionism” and “false necessity” that he believes the answer lies. Instead of drifting to one of these poles of moral certainty, Ignatieff is making the case for what he calls "the lesser evil:" that is braving “the moral hazard of using doubtful means to defend praiseworthy goals” (xii). This “lesser evil” approach advocates striking a balance between security and human rights in the context of a terrorist emergency.

2.1 Berlin’s Philosophy of Value Pluralism

To better understand this conflict and his “lesser evil” approach to resolving it, it is necessary to look back at Isaiah Berlin’s value pluralist philosophy. Put simply, value pluralism is the idea that the things that men value are many and that many of these things are fundamentally irreducible. Berlin’s clearest description of his value pluralism can be found in his essay “Two Concepts of Liberty.” Berlin says that “[i]f, as I believe, the ends of men are many, and not all of them are in principle compatible with each other, then the possibility of conflict — and of tragedy — can never wholly be eliminated from human life, either personal or social” (Liberty 214). There is much to unpack within that sentence. “The ends of men are many:” there are many ultimate goods in the world.

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Many people have read Ignatieff’s argument in The Lesser Evil as a robust defense of American policies since 9/11. I believe this is a misreading of Ignatieff’s position. As this quote shows and as I will later show, Ignatieff is critical of many of these policies. It is important to know that Ignatieff is not giving policy makers a carte blanche to do anything in the name of security. If I might hazard a guess as to why Ignatieff’s writings are so often misread this way, it would be that the word “evil” conjures images of the darken cement cell of the torturer—and it certainly doesn’t help that the book’s cover seems to be of just such a scene. Also, he can sometimes be unclear about whether he is outlining someone else’s position or his own. No doubt this is partly the result of his desire to do justice to each side of an argument, but it can make for confusing reading nonetheless.
He is using the word “ends” as opposed to means. In contrast, for example, a utilitarian would argue that the end of men—the goal or result which they are constantly trying to achieve—is happiness, and that all other things he values, such as justice, equality and companionship—are just means to this end. Berlin argues that each value is ultimate and irreducible, “which, both historically and morally, has an equal right to be classed among the deepest interests of mankind” (Liberty 212).

Because of this, Berlin believes it is important to clearly establish what is being valued. To make his point, Berlin argues that “[e]verything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience” (172). He is saying that positive liberty or negative liberty, or equality, or justice, or piety, or anything else that individuals or societies have valued over the course of human history should not be confused with each other.² A sacrifice of one thing can never mean an increase of what is being sacrificed. He says a sacrifice in one thing:

...may be compensated for by a gain in justice or in happiness or in peace, but the loss remains, and it is a confusion of values to say that although my 'liberal', individual freedom may go by the board, some other kind of freedom — 'social' or 'economic' — is increased. (Liberty 172-173)

Hence the reason for being clear about what exactly is being valued and why.

An inevitable result of this plurality of fundamentally irreducible values is value conflict.³ Berlin is not simply referring to different people or groups valuing different things and the disagreements that result because of it—although that is certainly part of it.

² “Two Concepts of Liberty” is centered around the importance of making one such distinction: between two ultimately conflicting notions of the meaning of the word “freedom.” He clarifies this distinction by calling one notion “positive freedom” and the other “negative freedom.”

³ Going back to the original quote then, Berlin argues that not all values “are in principle compatible with each other, then the possibility of conflict — and of tragedy — can never wholly be eliminated from human life, either personal or social” (214).
Berlin believes that value conflicts can even occur “within the breast of a single individual” (CTH 12). Berlin makes a distinction between values that conflict in practice and those that conflict in principle (17). Values can conflict in practice and in principle. Values which conflict in practice—as opposed to conflicts in principle—conflict simply as a result of a lack of resources. Practical value conflicts happen in governance all the time. Governments fret over whether to spend money to combat AIDs in Africa or subsidize farmers or whether the tax system should be progressive, proportionate or regressive. Guns or butter is the classic example of a practical value conflict. There are only twenty-four hours in a day and a government can only spend so much.

In contrast, if values conflict in principle, it is not a problem of resources, but a fundamental opposition of the nature of the values themselves. Berlin writes that: “[s]ome among the Great Goods cannot live together. That is a conceptual truth” (13). In outlining Berlin’s philosophy, Ignatieff points out some of these “Great Goods.” Berlin, Ignatieff writes, believes the “conflict of values—liberty vs. equality; justice vs. mercy; tolerance vs. order; liberty vs. social justice; resistance vs. prudence—[is] intrinsic to human life” (Isaiah Berlin 285). Berlin says that “liberty… may have to be curtailed in order to make room for social welfare, to feed the hungry, to clothe the naked, to shelter the homeless” (13). Berlin’s essay “Two Concepts of Liberty,” of course, is an examination of just such a conflict: “positive' and 'negative' notions of freedom historically developed in divergent directions,” he tells us, “not always by logically reputable steps, until, in the end, they came into direct conflict with each other” (Liberty 178-179). The political community cannot act with complete autonomy—positive freedom—while still maintaining basic areas of personal freedom. As Berlin tells us:
“[t]he answer to the question ‘Who governs me?’ is logically distinct from the question ‘How far does government interfere with me?’” (177). The ‘positive’ freedom of Rousseau’s General Will can only exist at the expense of Mill’s ‘negative’ freedom to pursue our own good in our own way. Value conflicts can also happen at the individual level. Berlin argues that “[j]ustice, rigorous justice, is for some people an absolute value, but it is not compatible with what may be no less ultimate values for them—mercy, compassion—as arises in concrete cases” (CTH 12).

There is a further essential element to Berlin’s value pluralism and that is the incommensurability of values. The Oxford English dictionary defines incommensurable as: “[h]aving no common standard of measurement; not comparable in respect of magnitude or value” (OED). Berlin argues that some values are incommensurable with each other (Lukes 103). The incommensurability of values, then, is the idea that “equally ultimate” values cannot be ranked against each other and have no other common measure—such as utility. Berlin says in “Two Concepts of Liberty” that: “[t]o assume that all values can be graded on one scale, so that it is a mere matter of inspection to determine the highest, seems to me to falsify our knowledge that men are free agents, to represent moral decision as an operation which a slide-rule could, in principle, perform” (Liberty 216). For example, in his discussion on liberty, Berlin argues that: “All these magnitudes must be 'integrated', and a conclusion, necessarily never precise, or indisputable, drawn from this process. It may well be that there are many incommensurable kinds and degrees of freedom, and that they cannot be drawn up on any single scale of magnitude" (Liberty 177). Berlin points to particularly agonizing choices—“acute moral dilemmas”—to demonstrate the idea of incommensurability.
There is no moral math that can be done in such a case: notions of common currency such as utility, and procedural rules such as the categorical imperative fall flat.

It is because of such conflict—both the inevitability and incommensurability of it—that Berlin views many choices between conflicting values as inherently tragic. Hegel considered the essence of tragedy as a clash of right vs. right. Such a thing happened in the trial of Socrates, in Hegel’s view. But Berlin is no Hegelian. For Hegel, when right clashes with right, a dialectic produces synthesis and ultimately progress: a step towards a better world and closer to the end of history. For Berlin, choices between incommensurable values will always result in a feeling of loss and no such Hegelian progress. George Crowder says that a value pluralist will argue that this feeling of regret for lost value is further evidence of value pluralism (Crowder 131). However, though some choices may be painful, Berlin believes that the ability to choose is a paramount value for men. “Indeed,” he argues, “it is because this is their situation that men place such immense value upon the freedom to choose” (Liberty 213).

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4 In his, Hegel makes the case that the trial of Socrates was an example of a tragic clash of right vs. right. In his trial, Socrates was charged with corrupting the youth of Athens and impiety. Hegel argues that this trial showed a conflict of Socrates’ subjective morality and the objective morality of Athens. Hegel argues that:

The fate of Socrates is hence really tragic, not in the superficial sense of the word and as every misfortune is called tragic…. [I]n what is truly tragic there must be valid moral powers on both the sides which come into collision; this was so with Socrates…. Two opposed rights come into collision, and the one destroys the other. Thus both suffer loss and yet both are mutually justified; it is not as though the one alone were right and the other wrong. The one power is the divine right, the natural morality whose laws are identical with the will which dwells therein as in its own essence, freely and nobly; we may call it abstractly objective freedom. The other principle, on the contrary, is the right, as really divine, of consciousness or of subjective freedom; this is the fruit of the tree of the knowledge of good and evil, i.e. of self-creative reason; and it is the universal principle of Philosophy for all successive times. It is these two principles which we see coming into opposition in the life and the philosophy of Socrates. (Lectures on the History of Philosophy 426-430)
It should also be pointed out, however, that Berlin did not see all values as in conflict. To return to the quote used earlier, Berlin believes that not all values “are in principle compatible with each other, then the possibility of conflict — and of tragedy — can never wholly be eliminated from human life, either personal or social” (214).\footnote{See also Lukes 106.} This, of course, leaves open the possibility that many values are compatible with each other—in principle and practice. Indeed, it must often be the case that an action can help satisfy many values at once. For example, in addition to benefiting the value of the pursuit of knowledge, funding higher education also benefits values as diverse as equality, higher standards of living, artistic expression and security. Berlin argues that “[v]alues don’t all collide. A good many values are perfectly compatible, but enough values aren’t, both between cultures and within cultures, within groups and within persons” (Lukes 101). We are focused only in the difficult few cases—the tragic cases—which involve the loss of some or all of something we hold dear. But rightfully so, for no conflict means no dilemma, and no dilemma means the choice is easy. If the choice is easy there is no need to develop a theory around making it.

The best way to consider value pluralism is to consider its opposite: monism. Berlin spends most of “Two Concepts of Liberty” analyzing and critiquing a monist position. It almost seems that his account of value pluralism in the final pages of that essay is only offered as a final blow in his argument against monism; a coherent and viable alternative intended as a final proof. For it is monism, Berlin argues, that was behind the grand failures of the totalitarian projects of the Twentieth Century. Berlin
tells us that these projects have their roots in Enlightenment rationalism and, indeed, can be traced all the way back to Plato and are deeply embedded within the Western philosophic tradition. Berlin often defines monism by a tripod of fallacies that it rests on.

In Berlin’s biography, Ignatieff lays out this position, arguing:

> Until the Romantics, serious philosophical opinion held that for any genuine question there must be one true answer; that these truths were accessible to all human beings; and that all the true answers to true questions must be compatible with each other. (Isaiah Berlin 244-245)

At the beginning of the final section of “Two Concepts of Liberty,” Berlin tells us that:

> One belief, more than any other, is responsible for the slaughter of individuals on the altars of the great historical ideals — justice or progress or the happiness of future generations, or the sacred mission or emancipation of a nation or race or class, or even liberty itself, which demands the sacrifice of individuals for the freedom of society. This is the belief that somewhere, in the past or in the future, in divine revelation or in the mind of an individual thinker, in the pronouncements of history or science, or in the simple heart of an uncorrupted good man, there is a final solution. (Liberty 212)

Such a belief, he argues, would mean that any means would be justified that brought this final state nearer (213). However, monism is found not only in extreme political positions, but in the centrist liberal creeds that promote toleration, rights and autonomy.

As George Crowder argues, even when it is agreed that some values do conflict, it could still be argued that there is still a correct method for determining what should be done (Crowder 137). In utilitarianism, one value—happiness or utility—is valued more than the rest. Every other value is evaluated by its commensurate amount of utility—or happiness. Kantian-based liberal theories hold reason as the highest value and emphasize procedure-based rules that may be used to commensurate incompatible values.

### 2.2 Value Pluralism and the Lesser Evil
The best way to understand these ideas is to see how they are applied in an actual ethical dilemma, and that is exactly what Ignatieff is doing in *The Lesser Evil*. In that book, Ignatieff is arguing that a terrorist emergency presents governments with one such “tragic choice” (LE 14). As mentioned above, he is making the case against “moral perfectionism” and “false necessity” by offering a third way—a middle way—the lesser evil approach. But what exactly does all this mean? This is where an understanding of value pluralism comes in. In the preface, Ignatieff argues that his purpose is: “not to propose specific measures but to articulate what values we are trying to defend from attack” (xi). As with Berlin, then, the first step in any sort of value pluralist analysis is the identification what values are at stake in a terrorist emergency and how they are in conflict.

Ignatieff makes clear many times over that he believes that terrorist emergencies pit the values of liberty and security against each other. 6 He begins the book by looking at Edward Gibbon’s *Decline and Fall of the Roman Empire*, reminding us that “[t]he old Roman adage—the safety of the people is the first law—set few limits to the claims of security over liberty” (1). Ignatieff associates security with notion of public safety and with the idea that a person’s life should be free of indiscriminate violence (LE xiii-xiv). With this, he asks the question that he will spend the rest of book trying to answer: “[i]n the name of the people's safety, the Roman republic was prepared to sacrifice all other laws. For what laws would survive if Rome itself perished?” (1). Security, then, for

6 In fact, by the end of the second chapter, Ignatieff has made direct comparisons of these values in at least fourteen different sentences (TLE vii, x, 1, 2, 6, 8, 9, 12, 29, 32, 35, 39, 49, 53).
Ignatieff, boils down to the survival of the state and is one of the values that must be considered in a terrorist emergency.\(^7\)

The other value at stake in a terrorist emergency, Ignatieff argues, is human rights.\(^8\) Human rights, Ignatieff argues are predicated on the belief that:

Democracies don't just serve majority interests, they accord individuals intrinsic respect. This respect is expressed in the form of rights that guarantee certain freedoms. Freedom matters, in turn, because it is a precondition for living in dignity. Dignity here means simply the right to shape your life as best you can, within the limits of the law, and to have a voice, however small, in the shaping of public affairs. (5)

In this view of democracy, Ignatieff argues, every person—citizen or non-citizen—has a right to a certain minimum area of personal autonomy which no other person or, specifically, government has a right to interfere in.

While human rights and security are interdependent in normal times, in terrorist emergencies the distinction between the two becomes important, Ignatieff argues. In a

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\(^7\) Of course, one may argue that in advocating the abridgment of some rights a “lesser evil” approach sacrifices liberal democracy’s constitutional order from the start. Ignatieff considers this challenge in the second chapter, and comes to the conclusion that “exceptions do not destroy the rule but save it, provided that they are temporary, publicly justified, and deployed only as a last resort” (xiv).

\(^8\) Although Ignatieff often makes reference to the enduring conflict of liberty and security, examining liberty as a value is impossible. This is because liberty is quickly shown by Ignatieff to be a blanket term that covers at least two values found in liberal democracy. He tells us that democracy is at once committed to majority rule and the rights of the individual (5). Most Americans, Ignatieff tells us, view democracy as—in Lincoln’s words: “government of the people, by the people, for the people” (3). In this sense, popular sovereignty—the decisions made by a body of elected representatives—“has to be the final arbiter of what the government can be allowed to do when it is trying to defend our freedoms and our lives” (3). Rights, in this view, are created by the will of the majority and can thus be abrogated by that same will. However, in opposition to this view, Ignatieff argues, is another which holds that human rights are intrinsic to the meaning of democracy itself. This is the value referred to by Berlin in his seminal essay “Two Concepts of Liberty” as negative liberty.

“This is the double sense in which democracies stand against violence,” Ignatieff tells us, “positively, they seek to create free institutions where public policy is decided freely, rather than by fear and coercion; negatively, they seek to reduce, to a minimum, the coercion and violence necessary to the maintenance of order among free peoples” (15). Ignatieff is making the case that liberty understood commitment to majority rule will often side with security over human rights in a terrorist emergency. For our purposes, then, we will focus on the value conflict between security and negative liberty understood as human rights.
terrorist emergency, two camps of opinion form on what the appropriate policy response is. Each of these sides, Ignatieff believes, emphasizes one value over the other. One side will come to see individual rights as at best a constraint on a robust response and at worst the enabling factor of terrorism, Ignatieff argues (7). He says that a “terrorist emergency is precisely a case where allowing individual liberty—to plan, to plot, to evade detection—may threaten a vital majority interest” (4). Hence Ignatieff argues, “what makes security appear to trump liberty in terrorist emergencies is the idea… that the liberty of the majority is utterly dependent upon their security” (5). "On this view," he says, "rights are a political convenience a majority institutes for its defense and is therefore at liberty to abridge when necessity demands it" (5-6). They would hold, as a U.S. Supreme Court justice once did, that a “constitution is not a suicide pact” (9). Those who advocate a robust response in the name of security will point to the examples of Rome and Lincoln to justify their claim. He often refers to this side as the consequentialist or pragmatist side. For our purposes, we can see this as the side that trumps security over human rights.

On the other hand, those who believe that human rights should trump in a terrorist emergency argue that "rights lose all effect, not just for the individuals at risk, but for the majority as well if they are revocable in situations of necessity" (5). Ignatieff says they believe civil liberties define what a democracy is and that “some actions remain wrong even if they work” (8). Torturing someone, even if it saves a thousand lives, will always be wrong (8). To explain this position he reminds the reader of Odysseus and the sirens. By having his oarsmen fill their ears with beeswax and lashing himself to his boat’s mast, Odysseus was able to precommit to a course of action in a time of safety so that he was
undeterred in a time of temptation. Civil rights advocates, Ignatieff argues, argue that rights are similar strategies of precommitment. Ignatieff says that this side believes that “democratic states precommit themselves to respecting rights, knowing that they will be sorely tempted to abridge them in times of danger” (31). It is also important to note, as Ignatieff does, that:

Ronald Dworkin has pointed out, the trade-off is not between our liberty and our security in times of terrorist threat, but between our security and their liberty, by which he means the freedoms of small suspect groups, like adult male Muslims and particularly the subset in violation of immigration regulations. These abridgments of the rights of a few are easy to justify politically when the threat of terrorism appears to endanger the many. (32)

For our purposes, this side can be seen as prioritizing negative liberty understood as human rights exclusively over security. The dilemma is thus laid out: “[f]or one side, what matters fundamentally is that democracies prevail. For the other, what matters more is that democracies prevail without betraying what they stand for” (6).  

To best understand these opposed positions, they should be viewed as monist approaches that fail to solve a value conflict. Recall that for Berlin, monism rests on three fallacies: that all questions have one true answer, that this truth can be discovered and that all the answers to these questions are harmonious. Understood more simply, monists emphasize one value that should be held above the rest or used to commensurate the rest as a sort of normative yardstick. In the terrorist emergency debate one side is valuing the “necessity” of security or the positive democratic right of majority rule before all else. The other side emphasizes negative liberty and individual rights that guarantee

9 Though it is never mentioned specifically, Michael Walzer's essay "The Problem of Dirty Hands" has to have been in Ignatieff’s mind as he crafted his argument. Walzer is also a value pluralist and has written extensively on value pluralism. However, despite these similarities, there are significant differences in their arguments. In fact, The Lesser Evil might best be understood best as a rebuttal to Walzer's "dirty hands" argument on the one hand and Ronald Dworken's argument on the other.
individual dignity. In rejecting these two monist positions, Ignatieff is rejecting the two most important streams of thought in liberal theory and, hence, in rights theory. On the one hand, he’s arguing against a consequentialist ethics that emphasizes the greatest good for the greatest number. Such a position could conceivably—at least in principle—be open to the racial profiling of a small minority of a small number of non-citizens or the torture of an enemy combatant in order to prevent the deaths of more of its soldiers. On the other hand, he is making the case against a Kantian deontological, rule-based ethics, or a “morality of dignity” which would hold that no derogation of rights is ever justified (8). In emphasizing one value over all the rest, the two camps ignore the claims of other values, he believes. Or, put another way, these positions use the “trumping claims” of one type of right to the detriment of other types of rights. The problem is, Ignatieff believes, that both positions make claims so strong that they cannot be ignored. Ignatieff argues that “[n]either a morality of consequences nor a morality of dignity can be allowed exclusive domain in public policy decisions,” (8) and therefore, neither “necessity nor liberty, neither public danger nor private rights constitute trumping claims in deciding these questions” (xiv). He summarizes this position, saying:

We care about rights because we believe that each human life is intrinsically worth protecting and preserving. We use rights to set limits to what majorities can do because we believe that the greatest good of the greatest number alone should not decide all political questions. If majorities must prevail as a matter of necessity, those individuals whose rights or interests are harmed are entitled to compensation and redress. (167)

Because we care about each value so much, we cannot simply ignore the other. To solve this dilemma, Ignatieff introduces what he calls his “lesser evil” argument.

2.3 Berlin’s Approach to Resolving Value Conflicts
Before considering this argument, we should go back to Berlin and look at his thoughts on resolving value conflict. Berlin believed that lacking a dependable path to a single, harmonious truth, a value pluralist is faced with the question of how value conflicts are actually to be resolved. Before a serious answer can be given, though, we must reexamine Berlin’s notion of incommensurability. George Crowder in his book *Isaiah Berlin: Pluralism and Liberalism* argues that Berlin’s account of incommensurability, and consequently of what is involved in choosing among conflicting values, is vague and inconsistent” (Crowder 138). On the strong interpretation side, we see quotes like: “entire systems of value may come into collision without possibility of rational arbitration” (PSM 320). In another talk, Berlin says that: “You cannot say love is inferior to honour, and you do not want to say honour is inferior to love. Both these are ultimate values, and there is no way of settling the issue: you must just plump in some sort of way” (Crowder 138-9). Crowder argues though that this “strong interpretation” of incommensurability is “neither Berlin’s only view nor his best” (139). In a later article, Crowder notes, Berlin specifically repudiates his earlier “plumping” position, “where he says that reasoned choice among incommensurable goods is possible, if not in the abstract then at least in (some) particular cases” (139). Crowder makes a compelling argument: Berlin felt that reason was essential to the resolution of many—though perhaps not all—value conflicts. And it’s clear that Ignatieff felt that reason had a role in resolving value conflicts. Ignatieff is critical of Berlin’s “plumping,” in his biography. Berlin felt that where at all possible, compromise should be struck between competing values. This lessens the pain of the sacrifice, he believes.
Value conflicts can occur at multiple levels. Berlin believes value conflicts are not just the stuff of clashing civilizations or government expenditure: they can occur between different cultures, between sub-groups, between individuals, or even between two values deeply important to a single individual. This is echoed throughout his writing. Berlin argues that where possible, the state should defer to individuals when possible. So a question of faith, Berlin argues, would be best resolved by each individual. On the other hand, there are often conflicts in which decisions must be made at the societal level. Berlin is clear that the state must make some value decisions and can thus never be value neutral. As stated earlier, Berlin concedes that it is wholly plausible that freedom may be traded off to some degree for any other number of ultimate goods, including security, equality and even positive freedom, and that this is a decision that can only be made at the societal level (Liberty 213). Ignatieff’s The Lesser Evil can be seen as an attempt to work through a conflict between the values of liberty and security and between the democratic values of majority rule and individual autonomy at this societal level. It is important to realize that Ignatieff didn’t see the values in conflict as two values held by different groups that oppose each other. Security and human rights are values deeply held by nearly everyone—even those advocating the trumping of one over the other.

Berlin believed that value conflicts can never be resolved in theory, only in practice. Any solution will be highly context-dependent. What works for one state may not work for another and one day’s solution may become tomorrow’s problem. An interesting aspect of Berlin’s theory is the role of the philosopher. While Western philosophy since the time of Plato has been consumed with the idea of the philosopher king, Berlin rejects this idea in his essay “The Role of the Philosopher.” Instead of
making the important decisions, Berlin sees instead a much more specific function. The philosopher’s role, he argues, is not to solve value conflicts, but to point out the values at stake and tradeoffs involved. In the preface of The Lesser Evil Ignatieff tells us that: “in certain parts of the book I have failed to be sufficiently specific about how to craft legislative and institutional remedies. This is true, but I am happy to defer to the expertise of others. In any event, my purpose is different from theirs, not to propose specific measures but to articulate what values we are trying to defend from attack” (LE xi).

2.4 The Lesser Evil as a Value Pluralist Approach to Resolving Value Conflicts

In The Lesser Evil, instead of taking a monist approach in trying to solve the dilemmas a terrorist emergency presents, Ignatieff argues that governments should take what he calls a “lesser evil” approach. Such a position “holds that in a terrorist emergency, neither rights nor necessity should trump. In it, there are no trump cards, no table-clearing justifications or claims” (8-9). A “lesser evil” position recognizes that we value both human rights and security in a terrorist emergency. Recall the position he takes at the start of the book:

Life's toughest choices are not between good and bad, but between bad and worse. We call these choices between lesser evils. We know that whatever we choose, something important will be sacrificed. Whatever we do, someone will get hurt. Worst of all, we have to choose. (vii)

The first thing to note is the use of the word “evil.” For Ignatieff, most evil is done by people with good intentions: “[s]ome of the worst things done to human beings are done
with the best will in the world,” he argues (12). “But why should democracies have anything to do with evil?” he asks (12). This question has already been answered: something important will be sacrificed and someone will be hurt. Policy makers cannot simply avoid making this choice. Even a decision for non-action is a value judgment. “It is naïve to suppose that we do not have to make these choices,” he argues (vii). Ignatieff posits that it could be argued that a necessary evil cannot really be an evil, to which he argues: “I still want to hold on to the idea of the lesser evil, because it captures the idea, central to liberal theory, that necessary coercion remains morally problematic” (17-18). Essential to his theory is this morally problematic nature of what is being done. For a monist-anchored philosophy, a necessary action can never be evil: there is the right way and the wrong way and never the twain shall meet.

Ignatieff holds a view of rights as being inherently conflictual. That is: my right to X might conflict with your right to Y. Or, for that matter, my right to X might conflict with my right to Y. Rights, he believes, are juridical expressions of values. So what has been discussed regarding the plurality and conflict of values also applies to rights. I have referred to this debate as human rights vs. necessity because that is the language Ignatieff uses to separate the competing claims of value. However the problem could just as easily be expressed as a competing rights claim: my right to due process and privacy vs. your right to a life free of violence—and, indeed, your right to live. Expressing the problem in this way can be helpful in showing why neither value should be allowed to trump, since if both are rights, how can one trump? Acknowledging that more than one thing can be a

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10 As noted above, the use of the word “evil” is perhaps too suggestive
right, Ignatieff argues, ultimately leads to arbitration. This conflictual view of rights is critical to Ignatieff’s theory and he often refers to his view as “rights as politics,” which will be discussed later.\textsuperscript{11}

How then does Ignatieff resolve the value conflict? In one sense, he doesn’t. He agrees with Berlin that value conflicts cannot be resolved at the theoretical level, only in practice. Recall Ignatieff’s words on his purpose in writing the book. He believes his role is in defining the values in conflict: “[m]y question is less ‘What must we do?’—but ‘Who and what are we trying to defend?’” he argues (xi). Ultimately, no terrorist emergency—or for that matter, any value conflict—will ever be the same and will thus require evaluation at that time and in that particular context. Even in practice, he believes, “[n]othing we are told is reliable and nothing we do is ever likely to strike the right balance” (vii). Even the moral standards of acceptability are constantly in flux. He argues that the debate over what is right is:

…susceptible to influence by moral entrepreneurship. Human rights activists and members of civil liberties NGOs will seek to raise the barrier of the morally permissible, while groups representing the military and the police may want to lower it. In any liberal democracy, standards for a war on terror will be set by adversarial moral competition. (23)

That being said, Ignatieff does have some advice to give to policy makers faced with a terrorist emergency.

Ignatieff says his book is less about crafting specific policies than it is about defining the values under attack in a terrorist emergency. This then, is the first and most important lesson he would have policy makers learn: that certain values come into conflict in a terrorist attack. Policy makers, Ignatieff believes, would do best to keep

\textsuperscript{11} See section 4.4 “Rights as Politics.”
these values in mind at all times when crafting a response and not fall into the monist traps of “moral perfectionism” or “false necessity,” and always be aware that they are sacrificing something dear (19). So policy makers should make sure that national security or public safety is actually threatened before sacrificing citizens’ rights for it and only as a last resort, when every non-“evil” option has been tried (19). For example, Ignatieff notes that in “a war on terrorism, unlike the situation that Lincoln faced in the Civil War or the one that Roosevelt faced after Pearl Harbor, it is not obvious why the president's powers should be increased” (38). Furthermore, policy makers should be wary of what he terms the “temptations of nihilism” (xvi). That is, while the state might know what values it is trying to defend in the beginning, in a long violent struggle it will be:

…tempted to descend into pure nihilism, that is, violence for violence's sake. High principle and moral scruple may lose their purchase on the interrogators in the state's secret prisons or the fighters in a guerrilla or insurgent struggle. Both sides may start with high ideals, and end, step by step, in their betrayal. A critic of a lesser evil morality would argue that anyone who trafficks in evil, even with the best intentions, is likely to end up succumbing to nihilism. (xvi)

It is only by keeping our values in mind and constantly re-evaluating whether our policies help or harm what we value that we can avoid this slippery slope.

Another important element of Ignatieff’s “lesser evil” solution is that there should be certain policies that are always off-limits in a terrorist emergency. That is, there should be certain “redlines” (11). These actions, Ignatieff argues, would almost certainly result in more harm than good. He argues that the country’s democratic “in institutional heritage” should not be damaged under any circumstance (24). A further redline, he argues should include “[f]oundational commitments to human rights [that] should always preclude cruel and unusual punishment, torture, penal servitude, and extrajudicial ex-
execution, as well as rendition of suspects to rights-abusing countries” (24). He bases these redlines and the rest of his recommendations on historical examples of terrorist threats and responses.

Therefore, a further way Ignatieff recommends resolving value conflicts is by looking at the historical value judgments policy makers have made in the past in similar situations to see what the results were then. As an example of this, Ignatieff cites the assassination of Alexander II in Tsarist Russia, which led to a reactionary policy by the government. This led to the isolation of the liberal middle of Russian society and, eventually, the revolution (63). Looking at the history of terrorist campaigns over the last hundred years, he concludes that the only terror campaigns that have successfully brought down their targets are the ones that manage to make states sacrifice their own values. In this sense, democracies end up defeating themselves.

However, he also recognizes that while history can prove a useful guide, it is not infinitely so. His final chapter looks at the potential scenario of a terrorist group with weapons of mass destruction. “These scenarios would take us into a new world, in which terrorism might transmute from an eternal but manageable challenge to liberal democracy into a potentially lethal foe,” he says, and as such an entirely new valuation would be in order (xvi).

A final part of his "lesser evil" solution is the importance he places on adversarial review. “In choosing lesser evils in order to avoid greater ones,” he argues, “rules—like banning torture outright do matter, but process matters more” (viii). “Adversarial justification,” Ignatieff tells us, “is an institutional response, developed over centuries, to the inherent difficulty of making appropriate public judgments about just these types of
conflicts of values” (2-3). Ignatieff believes that this goes back to the element of moral risk inherent in taking a “lesser evil” course. He says:

Democracy is designed to cope with tragic choice, and it does so by understanding that if anyone can justify anything, provided they only justify it to themselves, they are less likely to be able to carry it out if they are forced to do so in adversarial proceedings before their fellow citizens. (14-15)

Adversarial review forces policy makers to justify their actions repeatedly, and not just to other branches of government, but to different parts of the same branch, to a free press, to international opinion and actors, and, most of all, to the citizens of that country. “In this process of adversarial review the test of reason is not the test of perfection,” he counsels, saying: “[c]itizens usually accept the decisions that result, not because they are right but because they are reasonable, and because democratic review affords a genuinely adversarial and open contest of opinions” (11). “Democracy is better at correcting mistakes than any other form of rule,” he argues, because we “disagree, often deeply, about how to draw these balances” (viii).

Ignatieff’s “lesser evil” solution, then, is intended as a field manual for policy makers in the “war on terror.” It is not meant to take the place of a commander, but to assist him in making tough decisions. It is less about finding the best tactics than it is about avoiding the worst mistakes. In it are warnings to keep in mind the values he is trying to defend and to make sure that action is taken only when these values are at stake and as a last resort. It recommends certain redlines and uses history as its guide. And it recommends that that commander’s decisions be under constant scrutiny, lest he order his own charge of the light brigade (perhaps a more apt metaphor given Ignatieff’s writings on the subject would be the Markdale massacres during the Siege of Sarajevo). All of
this is a value pluralist’s consideration of the value conflicts that occur in a terrorist emergency.

A possible objection deserves analysis here. Recall that one of components of Berlin’s value pluralism is that values are ultimately incommensurable. That is, values cannot be measured against each other or any other standard measure. Ignatieff, in arguing for a lesser evil would seem to be making such a commensuration. However, there are several reasons to think that Ignatieff’s argument is not attempting to commensurate values and is adhering to Berlinian value pluralism. First, Ignatieff argues that a perfect balancing of liberty and security is impossible. He argues that in fact, “the balancing metaphor is not honest enough about the difficulties. The reality is that we are bound to sacrifice some liberty for some security and some security for some liberty” (viii). Second, Ignatieff talks about the tragic nature of the dilemma. He argues that:

Saying the choices are tragic is not meant to excuse indecision—decisions will have to be made—but decisions in favor of necessity should be constrained by awareness of the seriousness of the loss in terms of justice. Weighing loss in this way implies the inadequacy of a solely pragmatic or utilitarian calculation of the balance between order and freedom. (29)

Connected to this tragic nature of choice is the pain felt when making the decision. Ignatieff makes a point of exploring liberal democracy’s view of all coercion as evil, arguing:

Only in liberal societies have people believed that the pain and suffering involved in depriving people of their liberty must make us think twice about imposing this constraint even on those who justly deserve it. The fact that it is necessary and the fact that it is just do not make it any less painful. It is necessary that criminals be punished, but the suffering that punishment causes remains an evil nonetheless. (17)

This pain is also present when policy makers must make “lesser evil” policies. And third, he refers to these actions as evil and an exercise in moral risk. If he were making a
commensuration, it would not be evil at all. And this, takes us to the heart of the issue.

Ignatieff argues:

To insist that justified exercises of coercion can be defined as a lesser evil is to say that evil can be qualified. If two acts are evil, how can we say that one is the lesser, the other the greater? Qualifying evil in this way would seem to excuse it. Yet it is essential to the idea of a lesser evil that one can justify resort to it without denying that it is evil, justifiable only because other means would be insufficient or unavailable. Using the word evil rather than the word harm is intended to highlight the elements of moral risk that a liberal theory of government believes are intrinsic to the maintenance of order in any society premised upon the dignity of individuals. (18)

If security and liberty were commensurable, balancing them—at least in principle—could be done. It would not be seen as a tragic, painful trade-off, but the right course of action. And it certainly would not be seen as an evil or a moral risk. Ignatieff contrasts liberal democracy’s view of coercion with the monist tyrannies of the twentieth-century, arguing:

In Hitler's Germany or Stalin's Russia, law, politics, and culture were all ordered so as to eliminate the very idea that government violence was problematic. Far from being evils, Hitler's and Stalin's acts of extermination were heralded as necessary to the creation of a utopia: a world of class unity and social justice, or, in the case of the Thousand Year Reich, a nation purified of the racial enemy. (16)

Ultimately, this criticism that by advocating a lesser evil Ignatieff is commensurating values must be rejected.12

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12 I have tried here to show the points that specifically show Ignatieff rejecting value commensuration. However it still may be argued that his use of the word “lesser” is making a commensuration or value judgment and that there is therefore a contradiction in his argument. First, I believe that this idea of a “lesser” evil is meant as a contrast to what he feels is the greater evil of trumping one value at the complete expense of another. Hence he is using the word not in the sense the ultimate solution of balancing one value and another, than to evaluate competing political approaches. Nonetheless, one could press the argument and say that by insisting that if any sort of balance is better than a “trumping” of one value, Ignatieff is still making the sort of value judgment that value pluralist theory is trying to avoid. In his defense, we can point out that he is clear that his writings are, at most, guidelines for policy makers to consider and that any final value judgment has to be made in the context of the problem it is addressing. He also saying that these guidelines are conditional on the predefined context of a terrorist emergency being similar in nature to those historical examples he considers. With this in mind, I do not believe Ignatieff’s use of the word “lesser” indicates a contradiction with the idea of incommensurability.
To summarize, in his book *The Lesser Evil* Ignatieff looks at a difficult value conflict from a value pluralist perspective. To do this, he considers the political and ethical dilemmas a terrorist emergency creates from a value pluralist perspective (hence the book’s sub-title: “political ethics in an age of terror). He argues that such an emergency pits the values of security and human rights against one another. Policy makers must not fall into the monist traps of “false necessity” on one hand, and “moral perfectionism” on the other, he believes. This advice is based on a recognition that we value many things, and that some of these things are ultimately incommensurable. When these incommensurable values come into conflict, society is faced with a choice that is both tragic and necessary to make. This leads Ignatieff to argue for what he calls a “lesser evil” position. This position rests on the idea that no value—no right—should be used as a “trump.” To do so would be to disastrously ignore the moral claims of the other side of the argument—to ignore the competing value claim. Ignatieff says that when rights conflict it is the time for arbitration, not trumping claims. This is his “lesser evil” thesis boiled down to its essence.

It is important to note that this is not the first time he has made such an argument about rights conflicts. In fact, it has been a major element of his political theory throughout his career. His “lesser evil” argument is used as an example of his value pluralism because it is his most articulate value pluralist case. But, for example, in the *Needs of Strangers*, he argues:

In any case, this criticism is valuable in our study of value pluralism simply because it shows the difficulties involved in crafting an argument on value pluralist foundations.
It is a recurring temptation in political argument to suppose that these conflicts can be resolved in principle, to believe that we can rank human needs in an order of priority which will avoid dispute. Yet who really knows whether we need freedom more than we need solidarity, or fraternity more than equality? Modern secular humanism is empty if it supposes that the human good is without internal contradiction. These contradictions cannot be resolved in principle, only in practice. A language of needs cannot reconcile our contradictory goods; it can only help us to say what they are. (NS 137)

He makes similar cases involving conflicting rights and value conflicts in The Rights Revolution, Human Rights as Politics and Idolatry, The Warrior’s Honor, Blood and Belonging, and many essays. Understanding value pluralism and knowing that he is a value pluralist is essential to understanding the rest of his writing. It is also important to note that although he owes much to Berlin’s thought, Ignatieff makes important contributions as well. Ignatieff takes Berlin’s value pluralism in new directions. He recognizes that societies have become much more plural than when Berlin was producing his theory and he considers the implications of this. He also notes that Berlin’s scope of consideration was strictly Western history. Ignatieff takes value pluralism to the global stage and, in so doing, finds and addresses serious flaws in Berlin’s thought.

There is one further element of Berlin’s value pluralism evident in The Lesser Evil that has to be explored. The other major implication of value pluralism is that there are many forms of the good life. If we reject monist certainties of a single correct solution, we are logically left with the conclusion that there can be many correct solutions. Berlin was fond of the Kantian expression “out of the crooked timber of humanity, no straight thing was ever made” (CTH 19). But this is not simply the Kantian’ notion of coming to objective truths through subjective experience. Berlin believes that rational minds may come to completely different but equally valid ideals. One conclusion that Berlin draws from this is that personal autonomy should be held as a
paramount value for society. He tells us that “it is because this is their situation that men
place such immense value upon the freedom to choose” (Liberty 213). Elsewhere, he
argues that—like the pain of choice is evidence of the reality of value pluralism—the fact
that men have consistently valued being able to choose is further evidence that value
pluralism is true. But another implication Berlin draws from this is that whole societies
can hold very different values from each other and, indeed, that the things a culture
comes to value will change in the course of history.

Ignatieff follows Berlin in this as well. In The Lesser Evil he is clear in stating
that these are the values of a liberal democracy. It is clear that Ignatieff believes a
terrorist emergency puts “democratic values” at stake (LE 119). “[L]iberal states,”
Ignatieff argues “seek both to create a free space for democratic deliberation and to set
strict limits to the coercive and compulsory powers of government…. This is not true of
democracy's other twentieth-century competitors” (15). Coercion, Ignatieff believes, is
viewed as an evil “only in societies very different from these” totalitarian ones (15).
Even punishment of criminals, Ignatieff argues, “raise the specter of evil. Or at least they
do in our type of society. Only liberal democracies have a guilty conscience about
punishment” (17). Why should this matter? It suggests what we will look at next: the
social nature of values.
Chapter 3 – The Social Nature of Values and the Importance of Belonging

Ignatieff believes that most of the values people hold are rooted in their social contexts. This belief stems from his value pluralist outlook. One of the major ideas of Berlinian value pluralism is that there can be many equally valid solutions to value conflicts and, indeed, many forms of the good life. Berlin points to Machiavelli’s realization that the values held in the Christian Florence of his day were very different from those held in Pagan Rome. As I will show, Berlin’s beliefs were further influenced by the ideas of Giambattista Vico and Johann Gottfried Herder. Throughout his work, Ignatieff is considering the implications of this social basis of values. Values change, Ignatieff argues in his book The Needs of Strangers. The implication of this is that if values change then they are not eternally-held or immanent in human nature. In that book, he makes the case that the vast majority of our needs or values are social, not natural. Those values that are natural are those we share with animals. One clear example of values changing is the “rights revolution” that has occurred in the West. In this argument we see an element of Herder and Berlin as Ignatieff makes the case that we have seen a complete revaluation in the West. This “rights revolution” has meant that rights form our new shared language of the good. This social nature of values means that different groups may disagree about what is right and wrong. In The Warrior’s Honor, Ignatieff argues that warriors in the Balkans conflicts do not share our belief in universal
human rights, and that Western diplomats would be better off appealing to something they do value: a warrior’s honor. Critical to understanding Ignatieff’s thought is the importance he places on belonging. Belonging or feeling rooted in a community is a “vital condition for personal respect, honor and dignity” (RR 60). Ignatieff’s idea of belonging is something more than what the idea is commonly understood to be. For Ignatieff, belonging is the precondition for social values to take root at all. A person who is insecure in his belonging is insecure in his social values and, for Ignatieff, it is these social values that make life worth living. This idea of belonging, then, stems from his social account of value and, by extension, Ignatieff’s pluralist account of value. Ignatieff believes that the appeal of nationalism has been so strong because it resonates with our deeper desire to belong. Because a culture is so important to the lives of those which compose it, attempts to repress it can result in a violent backlash against outside interference or in the crushing of the dignity of those individuals that comprise it. This belief in the social nature of values and the powerful importance of belonging also informs Ignatieff’s writings on the challenges faced by the multicultural society. This chapter concludes by looking at this problem and how Ignatieff believes that it needs to be approached with the social nature of values in mind.

3.1 The Natural and the Social

Ignatieff argues that almost all values are rooted in society. To better understand how this is so, a look at the ideas of Berlin is helpful. Implicit in Berlin’s value pluralism is the importance of culture and history. Value conflicts can “occur in the breast of a single individual,” and perhaps this is the more profound part of Berlin’s value pluralism,
but they also occur between societies and cultures (CC 96). Berlin believes then that whole societies can and do have different notions of what the good is and these competing notions are themselves incommensurable. In “Two Concepts of Liberty,” Berlin notes a point made by Auguste Comte: why is free-thinking allowed in morals and politics when it is denied in the natural sciences? Berlin argues that “Comte put bluntly what had been implicit in the rationalist theory of politics from its ancient Greek beginnings. There can, in principle, be only one correct way of life” (197). This mistaken belief, Berlin argues, stems from the equally mistaken triad of monist assumptions discussed in the previous chapter: there is one true answer to every question, that these answers are knowable and that these answers are ultimately harmonious with each other. “Two Concepts of Liberty” is more concerned with how this relates to people within a society, but as he recognized, such rationalist assumptions can also be applied to whole cultures.

In his essay “On the Pursuit of the Ideal,” Berlin describes the importance three thinkers had on his understanding of ethics. Niccolo Machiavelli, he argues, shows that the Christian morality of Machiavelli’s native Florence is very different from the Virtù morality of pagan Rome. From this, Berlin realizes that:

…not all the supreme values pursued by mankind now and in the past were necessarily compatible with one another. It undermined my earlier assumption, based on the philosophia perennis, that there could be no conflict between true ends, true answers to the central problems of life. (CTH 8)

Giambattista Vico, Berlin says, believes every culture has “its own vision of reality, of the world in which it lived, and of itself and of its relations to its own past, to nature, to what it strove for” (CTH 8-9). Vico said that the Homeric Greeks were:
…cruel, barbarous, mean, oppressive to the weak… created the Iliad and the Odyssey, something we cannot do in our more enlightened day…. Once the vision of the world changes, the possibility of that type of creation disappears also” (CTH 9).

From Vico, Berlin says we can learn that “there is no ladder of ascent from the ancients to the moderns” (CTH 9). Berlin contrasts this view with that of Voltaire, who sees classical Athens as having almost identical values as his own time.

Herder argues that every society has what he called its own center of gravity.

Berlin says that Herder believes each civilization:

…has its own outlook and way of thinking and feeling and acting, creates its own collective ideals in virtue of which it is a civilisation, it can be truly understood and judged only in terms of its own scale of values, its own rules of thought and action, and not of those of some other culture, least of all in terms of some universal, impersonal, absolute scale, such as the French philosophes seemed to think that they had at their disposal when they so arrogantly and blindly gave marks to all societies, past and present, praised or condemned this or that individual or civilisation or epoch, set some up as universal models and rejected others as barbarous or vicious or absurd. (TCE 15)

Herder believes that all cultures’ choice and ordering of values are incommensurable and can be properly judged only from within, Berlin argues (238). In this Herder is rejecting the moral universalism of the French philosophes and instead embracing the variety of cultures. Vico and Herder are very much counter-enlightenment thinkers. Ignatieff summarizes these ideas in Berlin’s biography, saying:

The Enlightenment philosophes… assumed that human values could be derived from facts about human nature. They believed that all men wanted the same things and that these things were not in conflict. The entire Western agenda of ameliorative reform derived from this optimistic rationalism. Berlin's dilemma was how to rescue what was positive in the Enlightenment project from what was tyrannous. What was positive was clear enough: the attack on religious authority and dogma; the campaign for human rights and personal freedom against state tyranny; the faith in human reason itself. In these respects, Isaiah himself was Voltairian to the core. He could see, however, that Enlightenment rationalism was deeply flawed. Human values could not be securely derived from human nature. This was what the Romantic thinkers had understood. Values were created by men in their struggle to master themselves, their society and the natural world. Values, therefore, were historical, relative to the cultures that engendered them and contradictory, since human nature itself was contradictory. (Isaiah Berlin 201-202)
This is more than a concise summary of Berlin’s beliefs: it goes a good way in explaining Ignatieff’s beliefs as well.

In his book *The Needs of Strangers*, Ignatieff lays out his clearest argument about where he believes the boundary between social and natural values lies. The book is a work on moral relations in the welfare state and is focused on the idea of needs. These needs certainly represent values—like “love, respect, honour, dignity, [and] solidarity” (17). Ignatieff argues that:

> When we talk about needs we mean something more than just the basic necessities of human survival. We also use the word to describe what a person needs in order to live to their full potential. What we need in order to survive, and what we need in order to flourish are two different things. (NS 10)

Needs, then, are more than material things and, indeed, more than things that can be specified as rights. And here too there is a tragic element to the idea of needs: some needs can only be satisfied at the expense of others. Therefore, when Ignatieff speaks of needs, he is referring to values.

Ignatieff believes that most of these needs—and by extension, most values—are social. He argues that:

> …we are the only species with the capacity to create and transform our needs, the only species whose needs have a history…. Needs language, therefore, is a distinctively historical and relative language of the human good. (14)

Ignatieff explores this idea in the chapter entitled “The Natural and the Social.” As its title suggests, in that chapter, he wonders where the line can be drawn between natural

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13 For example—in a passage that seems straight out of “Two Concepts of Liberty”—Ignatieff argues that “liberals by and large choose liberty over solidarity. Socialists on the other hand insist that these needs are not in ultimate contradiction” (17).
needs and social needs: between those values that are inherent in being human and those which are social or historical. He wonders whether the duties between daughter and father can be considered natural (27). “The language of human needs,” he argues “is a basic way of speaking about this idea of a natural human identity. We want to know what we have in common with each other beneath the infinity of our differences…. [For the] possibility of human solidarity rests on this idea of natural human identity” (28). The truth is, he argues, we do not share much. “For who has ever met a pure and natural human being,” he asks, and answers:

We are always social beings, clothed in our skin, our class, income, our history, and as such, our obligations to each other are always based on difference. Ask me who I am responsible for, and I will tell you about my wife and child, my parents, my friends and relations, and my fellow citizens. My obligations are defined by what it means to be a citizen, a father, a husband, a son, in this culture, in this time and place. The role of pure human duty seems obscure. It is difference which seems to rule my duties, not identity. (28)

Our natural needs, he argues, are restricted to those we share with animals—the needs of the body. And even those seem encroached upon by culture, he notes, for the “identity between such hunger as I have ever known and the hunger of the street people of Calcutta is a purely linguistic one” (29). Why does natural identity count for so little while social identity count for so much, he wonders and answers:

The natural identity of need helps one to understand why the new language of universal claims — the language of universal human rights — makes so little headway against the claims of racial, tribal and social difference. The needs we actually share we share with animals. What is common to us matters much less than what differentiates us. What makes life precious for us is difference, not identity. We do not prize our equality. We think of ourselves not as human beings first, but as sons, and daughters, fathers and mothers, tribesmen, and neighbours. It is this dense web of relations and the meanings which they give to life that satisfies the needs which really matter to us. (29)
Ultimately, he argues, there “cannot be any eternally valid account of what it means to be human. All we have to go on is the historical record of what men have valued most in human life” (15).

This clothed vs. naked man metaphor is an important one in Ignatieff’s writings. He likens the social and historical nature of identity to the clothes we put on. To explain this distinction, he points to King Lear. Lear, Ignatieff argues, is a play about the natural and the social. Shakespeare is distinguishing between the Lear of the court dressed in kingly clothes, and the naked Lear of the heath: a “poor, bare, forked animal” (King Lear III.iv.108). Clothing entails the social values—familial duty, honor, pity, love—that are stripped away from Lear as the play progresses (NS 33-34). Shakespeare, Ignatieff argues, shows the truth about natural man as Lear strips away his clothes in the play’s climax (NS 44). This naked man, devoid of even his reason, raving and raging in storm among the barnyard animals is, for Ignatieff, the highest common denominator of man. At his lowest, Lear asks “is man no more than this,” as he compares himself to the scared animals in the storm (King Lear III.iv.100). Ignatieff argues that:

The strategy of the playwright is extreme. He shows us the worth of human pity by showing us what the world is like without it, shows us the horror of ingratitude to show us what gratitude should mean to us, shows us how little we need, as beasts, to show us how much we need as men. (NS 49-50)

We will return to this clothed vs. naked idea later. Suffice it to say for now that Ignatieff shows with his naked vs. clothed distinction just how important he believes society is.

3.2 The Historical Nature of Values
Values are social, but they are also historical, Ignatieff argues. Ignatieff believes that there “cannot be any eternally valid account of what it means to be human. All we have to go on is the historical record of what men have valued most in human life” (NS 15). “There are fashions in morals as there are fashions in clothes,” Ignatieff says (WH 23). And in The Needs of Strangers he tells the reader that “ours is the only species whose needs have a history” (NS 14). One of the purposes of that book is to examine one such shift. He examines the death of David Hume. Hume’s secular death made “the claim that human life can be lived without spiritual consolation,” Ignatieff argues (76). Western societies, he continues, have made “every person the judge of his own spiritual satisfaction” (78). “What would astonish a primitive tribesman,” Ignatieff says:

…about the state of our spirits is that we believe we can establish the meaningfulness of our private existence in the absence of any collective cosmology or teleology…. We share with other tribes the idea certain forms of knowledge are necessary to our health, but we are the only tribe which believes that such necessary knowledge can be private knowledge — the science of the individual. We have created a new need, the need to live an examined life. (78-9)

Ignatieff believes that we too are a tribe and have our own tribal beliefs and these beliefs are constantly being reinvented.

In an idea reminiscent of Herder’s cultural center of gravity, Ignatieff makes the case that rights are one such example of a historical change in values. Rights, he believes, have become Western society’s ethical touchstone. A major shift has occurred in the West in the past sixty years. “The rights revolution,” he argues in his book of the same name, “took off in the 1960s in all industrialized countries, and it is still running its course” (RR 1). He traces the historical development of the concept of rights back to “the struggles of the male landholders of England and France to throw off the tyranny of barons and kings and establish rights of property and due process of law” (RR 5).
Ignatieff argues that the history of rights has been the extension of these rights to more and more groups. “What dead white males fought for,” Ignatieff tells us, “they then denied to everyone who came after - women, blacks, working people” (5). But it was not really until after the Second World War that this “rights revolution” began. After the Holocaust, he argues, Western philosophers sought to re-ground ethics in the ideas of universal human rights natural law\(^{14}\) (48-9). This effort culminated in 1948’s Universal Declaration of Human Rights, which, he argues “might be the most revolutionary of all the changes that have taken place since the peace of Westphalia established the European order of states in 1648” (49). And this change is not simply juridical, but moral. The “rights revolution,” consists of not simply juridical instruments, but expressions of our moral commitments—they are expressions of our values. Ignatieff believes they:

…are something more than dry, legalistic phrases. Because they represent our attempt to give legal meaning to the values we care most about—dignity, equality, and respect—rights have worked their way deep inside our psyches…. They are expressions of our moral identity as a people. When we see justice done… we feel a deep emotion rise within us. That emotion is the longing to live in a fair world." (2)

“[H]uman beings value some things more than their own survival, and that rights are the language in which they commonly express the values they are willing to die for,” he says (3). In this way, rights language has come to dominate our very language of the good, Ignatieff believes.

This revolution has been transformative and fundamental and has changed “how we think about ourselves as citizens, as men and women, and as parents” (1). “We are

\(^{14}\) For a richer analysis of this attempt to return human rights to a natural law foundation after the holocaust, one should look to Isaiah Berlin’s essay “European Unity and its Vicissitudes” in *The Crooked Timber of Humanity*. 
scarcely aware of the extent to which our moral imagination has been transformed since 1945 by the growth of a language and practice of moral universalism, expressed above all in a shared human rights culture,” Ignatieff argues (WH 7). He tells the reader to think “about how much rights talk there is out there: women's rights, rights of gays and lesbians, aboriginal rights, children's rights, language rights, and constitutional rights” (RR 1). Rights talk has:

…penetrated the most intimate spheres of private life. As rights talk moved from the public sphere to the family dinner table and then into the bedroom, it overturned sex roles, the family division of labour, and sexual identity itself. The rights revolution has become a sexual revolution, and in the process, it has transformed all our most important social relationships: between men and women, between parents and children, and between heterosexuals and homosexuals. (85)

In a point repeated throughout his work, rights have become the trumping claims in any argument (17). Elsewhere, he points out that “[h]uman rights has become the major article of faith of a secular culture that fears it believes in nothing else” (HR 53).

Ignatieff is ultimately arguing that human rights should be understood neither as trumps or a secular religion. But he clearly believes that many people do view rights as trumps in argument and that they are viewed as a major part of some secular visions of the good life.15 This is a prime example of a Herderian shift in the West’s ethical “center of gravity.” Rights are our ethical touchstones—the way we make moral judgment is through the lens of rights. Ignatieff says that this means “rights talk ends up monopolizing our language of the good” (RR 20). For example, Ignatieff argues:

It doesn't make any sense to talk about kids enjoying a right to love. A right to fair and equal treatment, sure; protection from abuse, certainly. But love isn't a juridical thing at all. It's not an enforceable duty or even an obligation. (21)

15 We will come back to this notion of “rights as idolatry.” I simply want to point out that Ignatieff views the “rights revolution” as a transformative and fundamental change in the West.
All Western liberal democracies have undergone a similar transformation, he argues (85). He also believes that there is no going back from these changes (109-110).

In his book The Warrior’s Honor, Ignatieff explores the problems and possibilities of inter-cultural dialogue. The book, he tells the reader, is about “moral obligation beyond our tribe, beyond our nation, family, intimate network” (WH 4). Given what we have been discussing—the natural and the social, Vico and Herder, and the “rights revolution”—it comes as no surprise when he argues that:

There is a moral disconnection between these new war makers and the liberal interventionists who represent our moral stakes. We in the West start from a universalist ethic based on ideas of human rights; they start from particularist ethics that define the tribe, the nation, or ethnicity as the limit of legitimate moral concern. What many agencies, including the Red Cross, have discovered is that human rights have little or no purchase on this world of war. Far better to appeal to these fighters as warriors than as human beings, for warriors have codes of honor; human beings qua human beings have none. (WH 7)

Universal human rights are one of the West’s myths, he argues. Again, he works historically, digging into the idea that:

Behind the seemingly natural mechanics of empathy at work in viewers’ response to these images lies a history by which their consciences were formed to respond as they do. It is the history by which Europeans gradually came to believe in a myth of human universality—the simple idea that race, religion, sex, citizenship, or legal status do not justify unequal treatment; or, more positively, that human needs and pain are universally the same, and that we may be obliged to help those to whom we are unrelated by birth or citizenship, race or geographic proximity. (WH 11)

He tells the reader that Serbian or Afghan paramilitaries do not share this historical set of principles with the West. They do not share its myths. This is why, he believes, claims that depend on this universalist ethics fall on deaf ears. He relates the struggles of the International Committee of the Red Cross (I.C.R.C.)—itself a product of another time and a more limited, humanitarian ethics (117). The I.C.R.C., he argues:
ignores the laws of war; it is not a human rights organization. It does not campaign against injustice. Its legitimacy depends on its working with warriors and warlords: if they insist that women be kept out of sight, it has no choice but to go along. (146)

Ignatieff argues that what the I.C.R.C. does is to try to establish some basic rules, such as not shooting the wounded or civilians. He tells us that “[i]t is gambling on the proposition that however different warrior cultures may be, across the world, they can at least agree on this basic minimum” (146). The I.C.R.C., he argues has begun appealing to the particular culture’s relevant historical injunctions (148-9). From this we can see then, how Ignatieff’s understanding of the social nature of values applies when considering inter-cultural dialogue.

3.3 The Importance of Belonging

Belonging is an essential concept for Ignatieff: this can be traced back to his belief in the social nature of values. For Ignatieff and Berlin, belonging is something more than the traditional sense of the good feelings that arise from being part of a group. He uses the idea of belonging to encompass socialization or enculturation. He argues that “belonging… means being recognized and being understood” (10). He cites Berlin, who in “Two Concepts of Liberty” wrote “they understand me, as I understand them; and this understanding creates within me a sense of being somebody in the world” (Liberty 203). Ignatieff argues that to “belong is to understand the tacit codes of the people you

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live with; it is to know that you will be understood without having to explain yourself. People, in short, ‘speak your language’” (BB 10). For Ignatieff, a healthy sense of belonging is the precondition for social values to take root at all. A person who is insecure in his belonging is insecure in his social values and, for Ignatieff, it is these social values that make life worth living. Stripped of these values we are like Lear stripped of his clothing—poor naked beasts. This idea of belonging, then, stems from his social account of value and, by extension, Ignatieff’s pluralist account of value.

We can lose a sense of belonging by feeling insecure about our culture. This cultural insecurity can develop when you feel your culture is inferior or if it is repressed. Ignatieff believes that when we lack a sense of belonging, we can never be fully developed individuals. In The Rights Revolution, he points to the attempted assimilation of First Nations cultures in Canada. He argues that:

For any people, aboriginal or not, the right to be the member of a nation, to be respected as such, is a vital condition for personal respect, honour, and dignity. When such group rights to nationhood are stripped from a people, the individuals within the group often disintegrate. (RR 60)

Belonging, to go back to the discussion of value pluralism in the last chapter, is an end in itself. We are social creatures and, as such, belonging is an essential component of a good life.

Ignatieff believes that nationalism has such a strong pull on the heartstrings of men because of the importance of belonging. Nationalism itself is a major subject in Ignatieff’s writings. This probably is not surprising since much of his journalistic career was focused on the ethnic struggles in the former Yugoslavia and elsewhere. And again, the ideas of Berlin figure large in Ignatieff’s approach. Ignatieff writes that nationalism can be understood as a political doctrine, a cultural ideal and a moral ideal:
As a political doctrine, nationalism is the belief that the world's peoples are divided into nations, and that each of these nations has the right of self-determination, either as self-governing units within existing nation-states or as nation-states of their own. As a cultural ideal, nationalism is the claim that while men and women have many identities, it is the nation that provides them with their primary form of belonging. As a moral ideal, nationalism is an ethic of heroic sacrifice, justifying the use of violence in the defense of one's nation against enemies, internal or external. These claims—political, moral, and cultural—underwrite each other. (BB 5)

However, “each one of these claims is contestable and none is intuitively obvious” (5-6).

Ignatieff argues that nationalism is an idea that has very specific historical roots. “Many of the world’s tribal peoples and ethnic minorities do not think of themselves as nations… [and] many do not require a state of their own,” he points out (6). Ignatieff believes there are two forms of nationalism: civic and ethnic. Civic nationalism, he argues, “envisages the nation as a community of equal, rights-bearing citizens, united in patriotic attachment to a shared set of political practices and values” (6). This form of nationalism, he believes, was first seen in multi-ethnic Britain, but “it was not until the French and American revolutions, and the creation of the French and American republics, that civic nationalism set out to conquer the world” (6). On the other hand, ethnic nationalism, he argues, is deeply rooted in German romanticism (7). This German romanticism is itself historical, as Ignatieff points out. German ethnic nationalism sprung out of insecure belonging. Ignatieff argues that a cultural insecurity developed from a German resentment of French martial, cultural and philosophical domination over the perceived backwardness of German culture (7).¹⁷ Both Berlin and Ignatieff see Herder as part of this romantic movement. Ignatieff argues that the:

¹⁷ A fuller analysis of this can be found in Berlin’s book The Roots of Romanticism. Ignatieff echo’s Berlin’s analysis on page 85 of Blood and Belonging.
German Romantics argued that it was not the state that created the nation, as the Enlightenment believed, but the nation, its people, that created the state. What gave unity to the nation, what made it a home, a place of passionate attachment, was not the cold contrivance of shared rights but the people's preexisting ethnic characteristics: their language, religion, customs, and traditions. The nation as Volk had begun its long and troubling career in European thought. (7)

Nationalism, then, is itself a historical value. Indeed, nationalism is the logical culmination of some distinctly Western ideals. This is why Ignatieff marvels at the popular opinion that nationalist violence in the former Yugoslavia was somehow the result of the barbarous savagery of the region. Like rights, he argues, nationalism depends on a fiction of human identity (WH 63). This is the fiction that we can actually demarcate a single group we are a part of and that all members of this group value the same things. That being said, it may rest on a fiction but it is still deadly serious.

Belonging and nationalism are two different things for Ignatieff. Belonging is a deeply felt human value—perhaps even a natural one. Nationalism and all that it entails is historical. Yet the two are connected. He says it is because of the critical importance of belonging that the nationalist project of protecting cultural autonomy through political autonomy gains so much force. Because belonging is so important:

…the protection and defense of a nation's language is such a deeply emotional nationalist cause, for it is language, more than land and history, that provides the essential form of belonging, which is to be understood. (10)

Ignatieff recognizes that it is still possible to be literally understood in other languages, but, he argues, “the nationalist claim is that full belonging, the warm sensation that people understand not merely what you say but what you mean, can come only when you are among your own people in your native land” (10).
Ignatieff argues that nationalist violence is often the result of this backlash against perceived attempts to repress a culture. As suggested above, cultural security—belonging—is central to the well-being of an individual. In The Rights Revolution, Ignatieff says that “no matter how they are tried, forced assimilation policies are always a mistake. They either awaken national resistance or succeed at the cost of destroying the morale of the people they tried to assimilate” (RR 61). Such policies either result in the crushing of individual spirit seen with Canada’s First Nations or Turkey’s Kurds, or a violent nationalist backlash. Ignatieff says that “Isaiah Berlin once likened nationalism to a bent twig, which, if held down, will snap back with redoubled force once released” (BB 153). This “bent twig” of nationalism was first seen in nineteenth-century Germany, but since then it has become a global phenomenon. He looks at many such violent backlashes, from the conflicts in the former Yugoslavia to Ireland to Quebec. It is not simply the actual attempt of cultural repression, Ignatieff believes, but even the perceived attempt or a feeling of backwardness that can awaken these sentiments. However, once awakened, these feelings often lead to violence.

Ignatieff admits that oftentimes these violent nationalist backlashes are paradoxical. For example, he warns that “grievances do not cease to be actual just because they are in the past. Collective myth has no need of personal memory or experience to retain its force” (BB 153). Another paradox he sees is that “so often, it seemed to me, the violence happened first, and the nationalist excuses came afterward” (244). And often, he says, “nationalism is most violent where the group you are defining yourself against most closely resembles you” (244). He uses
an idea of Freud’s to explain this paradox, calling it the “narcissism of minor difference.” Nationalism, Ignatieff believes, is:

a form of speech which shouts, not merely so that it will be heard, but so that it will believe itself…. [and is therefore] a language of fantasy and escape. In many cases—Serbia is a flagrant example—nationalist politics is a full-scale, collective escape from the realities of social backwardness. Instead of facing up to the reality of being a poor, primitive, third-rate economy on the periphery of Europe, it is infinitely more attractive to listen to speeches about the heroic and tragic Serbian destiny and to fantasize about the final defeat of her historic enemies. (BB 245)

But, he argues, while paradoxical, one thing that all nationalist arguments share is a root in this cultural insecurity. Or, to put it another way, nationalism feeds off of a lack of a sense of belonging. He describes this as the difference between the hungry and the sated (244). The sated are those, like him, who grew up secure in their cultural identity. The hungry are those who have never had the luxury of a state that allows them to be themselves. He points to the differences in manner between Iraqi Kurds who enjoy a good degree of autonomy, and Kurds in Turkey, who are repressed:

This border region between Turkey and Iraq is where I finally learn the human difference between a people who have their own place and a people who do not. On one side, hearts and minds are open. On the other, hearts pound with fear. On the one side, they shout "Allo, Mistair" in greeting. On the other, they shrink from foreign contact for fear of trouble. Statelessness is a state of mind, and it is akin to homelessness. This is what a nationalist understands: a people can become completely human, completely themselves, only when they have a place of their own. (BB 212)\textsuperscript{18}

As one man told him, “only a man who has no mother knows what a mother means. Only a man without a state knows what a nation-state means” (15). At one point, Ignatieff says that he is able to live in Canada, the United Kingdom, France,

\textsuperscript{18} It should be pointed out that Ignatieff wrote this book during the mid-Nineties—after the 1991 Gulf War, but before the 2003 invasion of Iraq—when Kurdish autonomy in Iraq was enabled by coalition-enforced no-fly-zones.
Yugoslavia or the United States—accepting and even embracing however much of each country’s respective cultures as he prefers—because he developed secure in his sense of belonging. He argues that he can be a cosmopolitan because he has never felt the hunger for belonging (11).

3.4 Escaping the ‘Nets of History:’ Individual ‘Moral Entrepreneurship’

Though he views most values as being social and historical, Ignatieff does not believe our values are entirely socially or historically determined. This is not the case for two reasons: first, Ignatieff is skeptical of any notions of cultures as a homogenous whole and second, he views individuals as capable of what he calls a “moral entrepreneurship” (LE 23). And again, this follows from Berlin’s own views. First, Ignatieff makes clear throughout his writings that the idea that cultures are homogenous is clearly mistaken. Every group has sub-groups, for Ignatieff, right down to the family. Every minority group has its own minority groups. For example he points out that if Quebec were to separate from Canada, it would be faced with its own minority cultures such as Anglophones, First Nations groups and recent immigrants (BB 163). And, of course, the First Nations groups can be divided into individual nations, which themselves are not simply homogenous wholes. At the same time, the Quebecois are themselves a part of the West and share values such as the West’s rights tradition or the idea of nationalism. Cultures are open to new ideas from outside and in. Similarly, Ignatieff often points to the different rights traditions of Britain, France and America (RR 11-12).
While they may share common historical origins, each tradition has become more distinctive over time. He even argues that with its unique multi-national origins, it is now possible to speak of a distinctive Canadian rights culture (12). Defining a single, homogenous culture of which we are a part is impossible then. However, it is still fair to say that Ignatieff believes we are socially influenced.

Ignatieff, like Berlin, believes that the individual is capable of what he calls “moral entrepreneurship” (LE 23). Up to this point, a Burkean conservative would probably have no problems agreeing with what has been argued in this chapter. Berlin even references Burke when he argues:

> For what I am is, in large part, determined by what I feel and think; and what I feel and think is determined by the feeling and thought prevailing in the society to which I belong, of which, in Burke's sense, I form not an isolable atom, but an ingredient (to use a perilous but indispensable metaphor) in a social pattern. (Liberty 203)

“In large part,” what we feel and think is determined by society. This implicitly leaves a small part of what we feel and think that is not determined by society. In contrast, a Burkean conservative would leave this caveat out entirely, arguing instead that what I feel and think is determined entirely by the feeling and thought prevailing in society. Connie Aarsbergen-Ligtvoet argues in her excellent dissertation on Berlin’s thought that:

> The impression could be given that Berlin's thoughts on society are similar to Burke's conservative position, but this is not the case. Berlin does not share Burke's (in his view) organic view of society in which human beings are connected with their cultures ‘by myriad strands.’ In this organic view human beings cannot escape the fact that they are made by society (TCE: 172-73; CTH: 226). (Aarsbergen-Ligtvoet 83)

Aarsbergen-Ligtvoet explains this point of Berlin’s thought acutely. She points out that Berlin described his views as ”a socialised and empirical” version of the “Kantian doctrine of human freedom” (Aarsbergen-Ligtvoet 82). That is, like Kant, Berlin
believed men should “pursue their own life in accordance with self-determined purposes” (82). Aarsbergen-Ligtvoet argues that:

Berlin wants to hold on to the idea that human beings are able to transcend their cultures, that they can take a critical view of their cultures and make changes within their societies…. For Berlin, changes take place not only as a result of changing material circumstances within the community but also as the result of the implementation of new ideas that can either be internally raised by critical self-reflection or provided by outsiders. (83)

For Berlin, it is possible for individuals to think “against the current.”

Similar ideas can be seen in the works of Ignatieff. In The Lesser Evil, Ignatieff calls this “moral entrepreneurship” (LE 23). He argues that for “most people, obligations are a matter of custom, habit and historical inheritance as much as a matter of explicit moral commitment” (NS 27). In countries gripped by nationalist sentiment, he tells the reader he still:

Encountered men and women, often proud patriots, who have stubbornly resisted embarking on that [nationalist] path. Their first loyalty has remained to themselves. Their first cause is not the nation but the defense of their right to choose their own frontiers for their belonging. But such people are an embattled minority. (BB 248)

Elsewhere, Ignatieff points out James Joyce’s Ulysses, when Stephen Dedalus says “history is a nightmare from which I am trying to awake” (WH 165). Joyce’s writing, Ignatieff argues, “is a long rebuke to versions of history as heritage, as roots and belonging, as comfort, refuge, and home” (166). Ignatieff says that in Portrait of the Artist, Joyce argues that, "when the soul of a man is born in this country there are nets flung at it to hold it back from flight. You talk to me of nationality, language, religion. I shall try to fly by those nets" (165). Ignatieff concludes that:

19 See Berlin’s book by this name.
It has become common to believe that we create our identities as much as we inherit them, that belonging is elective rather than tribal, conscious rather than unconscious, chosen rather than determined. Even though we cannot choose the circumstances of our birth, we can chose which of these elements of our fate we make our defining inheritance. [But the] truth is that the nets do bind most of us. Few of us can be artists of our own lives. That does not make us prisoners: we can come awake; we do not need to spend our lives in the twilight of myth and collective illusion; we can become self-conscious. Few of us will ever create as fully as Joyce the imaginative ground on which we stand or the language in which we speak. But though Joyce's hard-won freedom may be beyond most of us, his metaphor of awaking points to a possibility open to us all. In awaking, we return to ourselves. (167)

One important difference between Joyce and Ignatieff is their respective views on belonging. Joyce believes society to be the nets that hold the soul down. As shown, Ignatieff sees a healthy sense of belonging as a necessary precondition for flight. One such person that had taken flight, Ignatieff argues, was David Hume. As noted above, Ignatieff argues that Hume, in his secular death made “the claim that human life can be lived without spiritual consolation” (76). And it was partly through his “swimming against the current”—to use the words of Berlin—that the Western culture today is more secular than it would otherwise be.

3.5 The Multicultural State and Group Rights

Ignatieff believes that the multicultural state presents humanity with the deepest problem it faces today. He tells the reader how when the lid of repression was taken off the Balkan pressure-cooker of multi-ethnic Yugoslavia, the nationalist violence exploded. He explores similar multicultural communities which have experienced violence throughout his work such as Ireland, Rwanda and even Canada. Going back to his notion of the natural and the social, we can begin to grasp how different he believes groups can be. If the only values we share as humans are those of the heath, then the differences in
values between groups can certainly be great. In Blood and Belonging, he speaks of the irreconcilability of history and moral languages of different peoples. Even the relatively recent rupture of the German people into East and West German States has left them with two histories, he believes (BB 89). Reconciling even these two groups—having been split for only forty-five years—will take some time. In other cases, he says, in places where there is a history of bad blood between peoples, the prospect of reconciling competing moral truths may be impossible (WH 171). Elsewhere he speaks of the competing “myths” that English-speaking and Quebecois Canadians hold (BB 144-53). Here Ignatieff makes the claim that because we speak two languages, Canadians will never share the same vision of our political community (168). It is in this context—the problem of the irreconcilably different histories and moral languages—that the dangers inherent in a multicultural state become apparent. As discussed above, because of the importance of belonging and the problem of ethnic-nationalism, Ignatieff believes that violence is an ever-present possibility in a multicultural state.

How then is a multicultural state to cohere and avoid the spiral into ethnic violence? In short, for Ignatieff, the answer is rights. “Here Canada has shown the way,” Ignatieff argues, by “maintaining freedom among peoples who value their differences yet desire to live as equals in a political community” (RR viii). He continues, arguing:

As Canadians, we have managed to create a single political community of equal citizens out of Aboriginal peoples, francophones, anglophones, and all the people like me whose families came here as emigrants from other countries. Out of those different languages, traditions, and cultures, we have forged a political system that holds us together and keeps us talking through our differences peacefully. (vii)

Rights have allowed Canadians to be treated equally while respecting their differences, Ignatieff says. He argues that rights imply equality of treatment (55). This ideal of
equality is individualistic and goes back to early liberal theorists Hobbes and Locke, he
points out. He argues how this individualist conception of rights informed Prime
Minister Pierre Trudeau, who believed that:

…what required protection was not the rights of a community but the rights of individuals, and
that these rights should not be confined to a particular territory, Quebec, but should apply across
the country. (63)

And similarly, Ignatieff says Trudeau believed that “with Native peoples… the problem
lay in their inequality as individuals, which in turn was the fault of the Indian Act” (63).
Trudeau’s view of rights, Ignatieff says, viewed “group identity as a chosen affiliation
that could be — and should be — broken off if group purposes conflicted with individual
ones” (63). This approach, Ignatieff argues, while meant to “pull the country together…. [actually] came close to pulling the nation apart” (64).

This connects directly back to everything we have been discussing: the social
nature of values, the importance of belonging in the well-being and development of the
individual, and the effects of cultural repression seen in the bent-twig analogy of
nationalism. Ignatieff believes that individuals cannot simply choose which groups they
want to exit or enter. Their very being is tied by ‘myriad strands’ to their community. So
policies that tried to ensure that “[a]boriginal peoples could become Canadian citizens
only when they ceased to be aboriginals,” Ignatieff argues, were bound to fail
spectacularly (60). Ignatieff explains that:

When such group rights to nationhood are stripped from a people, the individuals within the group
often disintegrate. The lesson that follows is true for aboriginals and non-aboriginals alike: you
can't act effectively in the world and take responsibility for yourself unless you respect yourself.
And you can't do that unless your identity as member of a people is honoured by the political
system in which you live. The larger lesson is that no matter how they are tried, forced
assimilation policies are always a mistake. They either awaken national resistance or succeed at
the cost of destroying the morale of the people they tried to assimilate. (60-61)

Similar to Canada’s aboriginal peoples, Ignatieff argues that “the Quebecois were also
subjected — it is the only word — to this punitive form of equality as assimilation” (61).
Here, he argues that “the same premise — that to be treated equally, all citizens must be
the same — made it impossible to create a country in which French-speakers felt
genuinely at home” (61). This repression led to the backlash that is still playing out
today, Ignatieff argues. “The problem with equality of individual rights”—or the
Trudeau model—Ignatieff believes, “is that it is simply not enough. It fails to recognize
and protect the rights of constituent nations and peoples to maintain their distinctive
identities” (65-66).

What is needed, Ignatieff says, is group rights: that is, rights meant to protect the
group itself. These come in the form of claims to collective self-government over
language and land, he believes (66). Such group rights upset many Canadians, he argues,
because they go against the deeply felt ideal of equality. They are viewed as privileges in
a system that ideally should privilege no one (73). Yet, he argues, privileges can be
acceptable “when they are temporary, [and] when they are designed to correct past
injustices” (73-74). Such is the case with affirmative-action programs, Ignatieff says.
These privileges “are justified, since their purpose is not to frustrate equality but to make
equality a reality for all,” he argues (74). Similarly, language legislation protects the
island of Quebecois culture among the sea of English-speaking North America. Hence
Ignatieff says that what everyone wants is to be treated the same—i.e. individual rights—
and differently. Canada, in crafting its response to the challenges of a multi-national state, is forging a rights tradition that is useful the world over:

It does not seem accidental that Canadians—from Arbour to General Romeo Dallaire—have been so centrally involved in the struggle to contain inter-ethnic war…. For we know as well as anyone how fragile nation-states actually are, how close to Violence their conflicts are, how vital it is to find justice before it is too late. (11)

“[W]e have the problems to which the world needs answers,” Ignatieff believes (13).

In summary, Ignatieff believes that most of the values people hold can be traced back to their social contexts. For proof of this, one need look no further than Needs of Strangers, where Ignatieff elaborates his position in the chapter entitled “The Natural and the Social.” This contextual account of value can be traced back to Ignatieff’s value pluralism, for if there can be many equally valid solutions to value conflicts, there will inevitably be many forms of the good life. This outlook is deeply influenced by the ideas of Berlin. In the thought of Machiavelli, Vico and Herder, Berlin found inspiration for his historical account of value. Throughout his work, Ignatieff considers the implications of this social basis of values. Values change, Ignatieff argues in his book The Needs of Strangers. Those values that are natural are those we share with animals. One clear example of values changing is the “rights revolution” that has occurred in the West. In this argument we see an element of Herder and Berlin as Ignatieff makes the case that we have seen a complete revaluation in the West. Today, all of our deepest-held values have been recast as rights, Ignatieff believes. In this way, the language of rights has come to

20 It is interesting to note that Ignatieff seems to split from Berlin here. As Ignatieff notes in Berlin’s biography, Berlin was a committed Zionist. His Zionism was based on the belief that every people should have a homeland—a place where they can feel secure in their belonging. Ignatieff believes that generally a strong rights culture should buttress people’s cultural security and hence their sense belonging even in the most pluralistic societies. It is only in cases where there have been gross abuses of those rights that people might need their own state (Isaiah Berlin 223).
permeate our language of the good. Rights are our ethical touchstone. This social nature of values means that different groups may disagree about what is right and wrong. In The Warrior’s Honor, Ignatieff argues that warriors in the Balkans conflicts do not share our belief in human rights and the juridical laws of war set out in the Geneva conventions. Instead, Western diplomats would be better off appealing to something they do value: a warrior’s honor. Ignatieff’s belief in the social nature of values is integral to his analysis of nationalism, of which he has written extensively. Critical to this analysis is the importance Ignatieff places on belonging. Belonging or feeling rooted in a community is a “vital condition for personal respect, honor and dignity” (RR 60). This desire to belong may even be considered immanent to all people. Belonging is the precondition for social values to take root at all and without social values—without the clothing that we adorn ourselves in—we are nothing more than naked brutes of the heath. This idea of belonging, then, stems from his social account of value and, by extension, Ignatieff’s pluralist account of value. Nationalism, on the other hand, is a historical value, which has specific historical roots in the German cultural insecurity of the Eighteenth century. Ignatieff believes that the appeal of nationalism to so many people over the past two-hundred years has been so strong because it resonates with our need to belong. Because a culture is so important to the lives of those which compose it, an attempt to repress it can result in a violent backlash against outside interference or in the crushing of the dignity of those individuals that comprise it. Nowhere is this fact more important, Ignatieff argues, than in the multicultural states of today.

3.6 Universalist and Particularist Ethics
But why does it matter that Ignatieff sees values as social? And, similarly, why should the importance he places on belonging matter to us? To answer these questions it would first be useful to explore a basic distinction found in ethics—the difference between ethical universalism and particularism. The distinction is actually quite straightforward. Universalist ethics believe values to be universally valid to all people. Moral theories that use the idea of natural law are reliant on this universalism. In contrast, particularist ethics believe that all values are dependent on particular context a person is in. In contrast to universalism, then, particularism rejects over-arching, “universal” rules of human conduct such as human rights—that is, rights afforded to a person by virtue of their humanity. A particularist sees human rights as, at most, a notion subscribed to by particular groups at certain times. Even within this culture there may be variations particular to various sub-groups within. If all this is sounding familiar, it should. All of Ignatieff’s ideas discussed in this chapter were particularist in nature. That is to say, he makes the case that values are particular to their respective cultural contexts.21

To explore this distinction between universalism and particularism, we should return to The Warrior’s Honor and its discussion of the International Committee of the

21 Berlin’s most sustained case that pluralism is not relativism is found in his essay “On the Pursuit of the Ideal.” Aarsbergen-Ligvoet and Ignatieff argue in respective works on Berlin’s thought, while Berlin is influenced by Romantic idealism (the idea that values are created and that one should live one’s life by these authentic ideals), he is ultimately a moral realist. Berlin argues that while certain values may come in and out of favor with different people at different times, ultimately values are not created, but are definite and real. He argues that “[f]orms of life differ. Ends, moral principles are many. But not infinitely many; they must be within the human horizon” (“On the Pursuit of the Ideal”). This notion of a “human horizon” might best be viewed as a circle which encompasses all the different things that humans have valued over all time. He views this border as real and not arbitrary. There are certain definite things humans can value. And therefore they can also comprehend when others value things they do not. Berlin likens this to Vico’s notion of entrare, or the ability to understand the values of others—“even those remote in time and space” (ibid.).
Red Cross. In that book, Ignatieff quietly laments the fact that the I.C.R.C. could take its mandate no further than the acceptance that human conflict is inevitable and because of this the best that they could hope to do is limit the damage. As argued in the last chapter, Ignatieff argues that the fighters in the Balkan’s conflict did not share Western beliefs in universal human rights, and because of this it was better to appeal to a value they did share: the warrior’s honor. In other words: don’t kill the wounded or surrendered enemy and don’t try to kill civilians. The I.C.R.C. adapts to the highest-common-denominator of the particular morals among the warring parties.

When the Taliban gained control of Kabul, he says, the “Red Cross was reorganizing its offices to keep the women hidden and the Taliban happy” (146).

The I.C.R.C., he argues, is not a human rights organization, it is a humanitarian one. Ignatieff shows what he means by this as he describes how during the Second World War, I.C.R.C. delegates were among the first outsiders to witness the deportations and concentration camps (WH 132-3). When the delegates asked what these camps were for, Ignatieff says, they were told that their business was the treatment of prisoners of war, and not the internal affairs of a country. Ignatieff argues that the I.C.R.C. consciously decided to keep “silent about what it knew throughout the war” (133). Fifty years later, he says, the I.C.R.C. faced a similar crisis of conscience about whether to expose what it knew about human rights abuses in the Balkans and again it chose to keep silent:

They want justice, but the I.C.R.C. and other humanitarian organizations who look after them are not in the business of justice. It is the War Crimes Tribunal at the Hague that must give them justice. Yet, despite having the largest and most reliable databases on the victims of massacre, despite having helped journalists reveal the story of the Bosnian camps, the I.C.R.C. has refused
to share its information with the tribunal. Its doctrine of neutrality and confidentiality prevents it from doing so. (WH 137-8)

The I.C.R.C., then, operates on a particularist ethics. As Ignatieff points out above, the War Crimes Tribunal in The Hague operates on a universalist ethics. It does so because it rejects the idea that Serbians and Croats were acting according to their particular beliefs. Instead the War Crimes Tribunal operates on the belief that human rights are universal to all and should be respected by all—irrespective of one’s culture or laws. This distinction between human rights and humanitarian rights—between universal and particularist ethics—is one carefully made by Ignatieff over the course of a chapter and while he doesn’t condemn the I.C.R.C. approach or give support to a universalist War Crimes Tribunal, one can sense his disappointment with the “modest morality of small deeds” of the Red Cross (145). Human rights understood in this way, then, have universalist aspirations; they extend beyond the particular, the pluralist, the relative. But as shown in the previous chapter, Ignatieff makes the case that the so-called "rights-revolution" is a historical product of Western thought. How can Ignatieff circle this square? How can he make the case that the particular values of the West be universally applied—if necessary, by force? In short, is it possible for Ignatieff to marry his particularist ethics to a universalism of some sort? We will now explore this problem.

Chapter 4 – Human Rights as Universal Values

“Because these rules were flouted, we have been forced to become conscious of them” Isaiah Berlin. (“European Unity and its Viscitudes”)
Ignatieff convincingly makes the case that value pluralism, with its emphasis on the incommensurability of values and cultures, does not equate relativism and that instead, properly understood it implies the ethical universalism of human rights. As we have seen, Ignatieff’s belief in value pluralism carries with it some important implications. His argument for the social nature of values would seem to suggest a particularist ethics as discussed above. And the importance he places on peoples feeling secure in their sense of belonging would seem to preclude any external attempts at influencing the particular values of a culture. However, when he advocates human rights it is clear he wants to maintain an ethical universalism. This universalism, it can be pointed out, would have to include those who do not share a belief in human rights. But this argument sees things backwards, Ignatieff argues. Human rights are universal because they enable people to securely hold and exercise their beliefs without fear of retribution. That is, given a plurality of ends, everyone should be free to pursue their own good in their own way. In this way, far from contradicting his statements on the importance of belonging, Ignatieff’s universalism is predicated on it. For human rights to command universal assent, they need to be minimalist. By minimal, he means that we should not try to cram everything we value into the idea of rights—or at least human rights, which we will distinguish from rights generally as Ignatieff’s universal value. Attempts to include values such as gender or economic equality will only limit the appeal of human rights. Furthermore, this type of universalism is a rejection of a universalist liberalism that somehow stems from our nature or a natural law. Quite the opposite: he is arguing that rights are a historical value we have developed to “correct and counteract the
natural tendencies we discovered in ourselves as human beings” (HR 79). In this sense, rights are a social value. Yet since human rights are the buffer that protects all of our other social values, they alone should be universally protected. This is why Ignatieff believes human rights help secure our sense of belonging: knowing you can freely value what you want goes a long way in securing people’s sense of belonging. He says the example of the Holocaust shows at once the fragility and necessity of human rights. Ignatieff has called this view of rights “anti-foundational human rights.” Finally, it is important to recognize that though Ignatieff is making a universalist claim for human rights he is not making a value commensuration. Human rights cannot be a trumping claim in moral argument, Ignatieff believes. They are universal in the sense that they should respected by all. Ignatieff has described this view as “rights as politics.” Hence, Ignatieff’s belief in universalist human rights does not contradict his belief in value pluralism.

4.1 Interventionism and Relativism

Ignatieff has long been a vocal advocate of humanitarian intervention in places where gross abuses of human rights are taking place. Years of reporting in regions afflicted with the worst inter-ethnic violence of recent memory—the former Yugoslavia, Rwanda, Afghanistan, and others—has led him to believe that some atrocities must be stopped. Furthermore, since Western governments are the only ones with the capacity to do so, the responsibility falls on them to stop these atrocities—if necessary, by force. This basic case for action is seen throughout his work. Perhaps the two clearest examples of this are seen in his work on the “Responsibility to Protect” thesis and his support for
the invasion of Iraq in 2003. The Responsibility To Protect is the title of the report produced by the International Commission on Intervention and State Sovereignty (ICISS). Ignatieff was one of the twelve members of this commission. It was created ad-hoc by the Canadian government to consider a challenge made by U.N. Secretary-General Kofi Annan when he asked:

... if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity? (“Responsibility to Protect” 2)

As its title suggests, the report's basic premise is that every state has a responsibility to protect its citizens. The committee outlines the "basic principles" of their argument, saying:

State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself... Where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect. (xi)

In other words, should a state fail to meet this responsibility to protect, it would forfeit its sovereign rights.

The document outlines certain preconditions for action, which are echoed throughout Ignatieff’s work. In The Rights Revolution, he sets out some of these conditions. In that book, he writes:

Those who criticize interventions in the name of human rights on the grounds that we must always respect the sovereignty of a state need to remember that the victims of that state are usually imploring us to intervene. (RR 50)

That, then, is the first condition for intervention: a call for help. He continues, arguing a second precondition is “the abuses must be gross and systematic; they must be spilling
over into other countries, causing refugee flows and instability in nearby states; and intervention must stand a genuine chance of stopping the abuses” (50-51). Furthermore, Ignatieff argues that intervention is never justified if lesser means have a chance of succeeding (51). A fourth condition that needs to be met before an intervention is the “consent of the international community, preferably the UN’S Security Council” (51). This condition, he argues, is meant to prevent unilateral attacks based on the humanitarian pretenses. Instead, “states need to convince other states of the justice of their cause,” he argues (51). In 2003, Ignatieff believed the situation in Iraq met these conditions and because of this argued that “Iraq and the world will be better off with Saddam disarmed, even, if necessary, through force” (“I Am Iraq”). I will not give a full account of Ignatieff’s case for intervention there. For our purposes, what matters is that Ignatieff supports military intervention on human rights grounds.

Ignatieff’s support for humanitarian intervention is so important because it seems at odds with everything discussed in the last chapter. To put it another way, military intervention based on violations of human rights would seem to contradict the idea that cultures are incommensurable and the underlying idea that all values are incommensurable. Ignatieff argues that the only natural values humans have are the ones shared with the animals of the heath. He also argues human rights to be historical and Western. Even Canada is a country divided into multiple nations, with different histories and different “truths” (BB 144-53). Furthermore, with the importance he places on belonging, and on the associated importance of cultural security it would seem that Ignatieff should be averse to imposing values on a culture from abroad.
Value pluralism, with its emphasis on incommensurability seems to support a cultural relativist position. Given this, how can Ignatieff justify military intervention based on Western values in non-Western states? The short answer is that Ignatieff does not believe himself to be a relativist at all and nor did Berlin. Instead of holding as Herder does, that a culture can only be judged from within, both thinkers make a full-throated defense of liberalism based on human rights. Here the distinction between human rights and humanitarian rights—between universal and particularist ethics, outlined at the end of the last chapter—becomes important. Recall that while Ignatieff doesn’t condemn the approach of the I.C.R.C. or give support to a universalist War Crimes Tribunal, one can sense his disappointment with the “modest morality of small deeds” of the Red Cross (145). Human rights understood in this way, then, have universalist aspirations; they extend beyond the particular, the pluralist, the relative. But as shown in the previous chapter, Ignatieff makes the case that the so-called "rights-revolution" is a historical product of Western thought. How can Ignatieff circle this square? How can he make the case that the particular values of the West be universally applied—if necessary, by force?

4.2 Going Global By Going Local

Ignatieff explores what he terms the “cultural challenge” to human rights in a number of his works. This challenge holds that some cultures do not value the things that

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22 Indeed, as Crowder suggests, it would be fair to give Herder this label.
make human rights important and, thus, it would be wrong to expect them to enforce such rights. In *The Rights Revolution*, he argues that:

…[m]any people feel that any such override by an international body interferes with the rights of national cultures to define their own laws…. [I]n many countries in the Islamic world, in Africa and Asia, human-rights movements are seen as an alien attempt to impose European standards on cultures and norms that have their own legitimacy. (RR 44)

This challenge has come, Ignatieff believes, in response to the perceived moral imperialism of the West and their application of human rights norms worldwide. “What,” he asks, “entitles Westerners to enforce human rights on other cultures?:” and he answers that, in short, “[n]othing does” (44). Given his views on intervention, this answer will obviously require some explaining.

Ignatieff believes agency to be the basis of human rights. He argues that:

“[h]uman rights matter because they help people to help themselves. They protect their agency” (HR 57). This view of rights, he points out, is based on Berlin’s view of “negative liberty.” Ignatieff argues that human rights are desirable because they help individuals “protect themselves against injustice” (57). But, Ignatieff argues, when individuals have agency, “they can define for themselves what they wish to live and die for” (57). This is essential to understanding Ignatieff’s view of rights because, as he argues, it places limits on rights themselves. He says that:

The usual criticism of this sort of individualism is that it imposes a Western conception of the individual on other cultures. My claim is the reverse: that moral individualism protects cultural diversity, for an individualist position must respect the diverse ways individuals choose to live their lives. (57)

Viewing rights as agency places limits on human rights advocates because protecting agency, Ignatieff believes, “requires us to protect all individuals’ right to choose the life
they see fit to lead” (57). Ignatieff argues that this “minimalist” view of rights as agency is necessary if they are to survive charges of moral imperialism.

A challenge has been warranted, Ignatieff believes, since as rights have grown in power since 1945, they have also become “unthinkingly imperialist” to the point that the West has “exposed itself to serious intellectual attack” (58). In at least two works, he identifies three sources behind this challenge. These challenges, Ignatieff argues, focus on “whether human rights deserves the authority it has acquired; whether its claims to universality are justified, or whether it is just another cunning exercise in Western moral imperialism” (58). The first of these challenges, he argues, comes from Islam. This challenge, he argues, has been present since Saudi Arabian delegates raised it during the drafting of the Declaration. On examining the draft declaration, the Saudi delegate complained that the:

…authors of the draft declaration had, for the most part, taken into consideration only the standards recognized by western civilization and had ignored more ancient civilizations which were past the experimental stage, and the institutions of which, for example, marriage, had proved their wisdom through the centuries. It was not for the Committee to proclaim the superiority of one civilization over all other[s] or to establish uniform standards for all countries of the world. (59)

This was at once, Ignatieff argues, “a defense of the Islamic faith and a defense of patriarchal authority” (59). Attempts to find a compromise between the two—between the individualism of human rights and the duties of traditional Islamic culture—Ignatieff argues, have been bland and unconvincing to both sides.

The second challenge Ignatieff argues is a “style of cultural relativism” emanating from within the West itself. This view, Ignatieff says, sees human rights as a Western

23 See Human Rights as Politics and Idolatry as well as his essay in Foreign Affairs Vol. 80, No. 6: “The Attack on Human Rights.”
construct: “dependent on the rights traditions of America, Britain, and France and therefore inapplicable in cultures that do not share this historical matrix of liberal individualism” (61). In this view:

Human rights is seen as an exercise in the cunning of Western reason: no longer able to dominate the world through direct imperial rule, Western reason masks its own will to power in the impartial, universalizing language of human rights and seeks to impose its own narrow agenda on a plethora of world cultures that do not actually share the West's conception of individuality, self-hood, agency, or freedom. (61-2)

Though it originated in Western academia, Ignatieff argues that this view has since permeated Western human rights discourse, “causing all activists to pause and consider the intellectual warrant for the universality they once took for granted” (62). A third challenge, Ignatieff believes, has come from Asia. There, he argues, some leaders have taken to arguing for a system of “Asian values”: “which depends on authoritarian government and authoritarian family structures” (62). Ignatieff says that this challenge argues that the region’s staggering rise has relied on these values. Taken together, Ignatieff believes, these challenges have helped to rein in the excesses of Western human rights activism. They have “forced human rights activists to question their assumptions, to rethink the history of their commitments, and to realize just how complicated intercultural dialogue on rights questions becomes when all cultures participate as equals” (63).

That being said, Ignatieff ultimately rejects these challenges. His central objection to each of these challenges is that they tend to view cultures as monolithic wholes, when they are anything but. He says that “[i]n reality, of course, there is no single Asian model: each of these societies has modernized in different ways, within different political traditions, and with differing degrees of political and market freedom”
Similarly, he believes that “the West has made the mistake of assuming that fundamentalism and Islam are synonymous. Islam speaks in many voices, some more anti-Western, some more theocratic than others” (60). Whereas, the post-modern or cultural relativist challenge makes the dual mistake of seeing both non-Western and Western cultures as monolithic wholes. Ignatieff disputes one view that sees human rights as the moral arm of global capitalism. This view, he believes:

…ignores the insurgent nature of the relation between human rights activism and the global corporation. The NGO activists who devote their lives to challenging the labor practices of global giants like Nike and Shell would be astonished to discover that their human rights agenda has been serving the interests of global capital all along. (71)

Just like Islam and Asia, the West speaks with many voices: it is a plurality of values. This is precisely why he believes agency and the individualism that underpins it is so important.

It is individualism—and the agency that goes with it—that makes human rights so attractive, Ignatieff argues. He says that the core of the declaration is the very moral individualism which many authorities dislike (66). And moral individualism, he argues, is what Western activists have become most apologetic for. So far, Ignatieff tells the reader, the response to these challenges to human rights has thus focused on decreasing its individualism and putting “greater emphasis on the communitarian parts of the Universal Declaration” (66). This is a mistake, he believes, for “this tack mistakes what rights actually are and misunderstands why they have proven attractive to millions of people raised in non-Western traditions” (66). Human rights, Ignatieff argues, are only worth having if they empower the individual and “can be enforced against institutions like the family, the state, and the church” (66-7). Ignatieff argues that there “will always
be conflicts between individuals and groups, and rights exist to protect individuals” (67).
Rights “tacitly imply a conflict between a rights holder and a rights ‘withholder,’ some
authority against which the rights holder can make justified claims,” Ignatieff tells the
reader (67). Rights without individualism, Ignatieff believes, make no sense: the one
implies the other. This is why rights are so attractive to non-Westerners and why the
“rights revolution” has gone global.

Ignatieff thinks viewing rights this way means the idea of what is meant by
universalism has to be reconsidered. “Rights doctrines,” he argues, “arouse powerful
opposition because they challenge powerful religions, family structures, authoritarian
states, and tribes” (68). Thus any rights worth the name will never command universal
assent. Rights are not universal in that way. Instead, Ignatieff argues that “[r]ights are
universal because they define the universal interests of the powerless, namely, that power
be exercised over them in ways that respect their autonomy as agents” (68). “Human
rights is universal not as a vernacular of cultural prescription but as a language of moral
empowerment,” Ignatieff says. He argues that:

Human rights is the only universally available moral vernacular that validates the claims of
women and children against the oppression they experience in patriarchal and tribal societies; it is
the only vernacular that enables dependent persons to perceive themselves as moral agents and to
act against practices—arranged marriages, purdah, civic disenfranchisement, genital mutilation,
domestic slavery, and so on—that are ratified by the weight and authority of their cultures. These
agents seek out human rights protection precisely because it legitimizes their protests against
oppression. (68)

This view of universalism is, Ignatieff acknowledges, not value neutral. He says this
view of rights may be a thin theory of the good, but even “then it may not be minimal
enough to command universal assent” (56). He argues that rights then are a fighting creed. A creed that realizes that it is by its very nature conflictual; he argues that no “authority whose power is directly challenged by human rights advocacy is likely to concede its legitimacy” (56). He believes that:

Empowerment and freedom are not value-neutral terms: they have an unquestionably individualistic bias, and traditional and authoritarian societies will resist these values because they aim a dart at the very habits of obedience that keep patriarchy and authoritarianism in place. (73)

“[I]nstead of apologizing for individualism as a bias,” Ignatieff argues, “we need to stress its advantages” (166).

These advantages are best seen by looking at where the demand for rights really is coming from: the members of these cultures. Ignatieff argues that human rights are going global by going local. To return to a point expressed earlier, he believes that by empowering individual agency plural views are protected since individuals are free to lead the life they wish to live. “Human rights does not—should not—delegitimize traditional culture as a whole,” he argues, continuing:

The women in Kabul who come to Western human rights agencies seeking their protection from the Taliban militias do not want to cease being Muslim wives and mothers; they want to combine respect for their traditions with an education and professional health care provided by a woman. They hope the agencies will defend them against being beaten and persecuted for claiming such rights. (69-70)

Adopting rights norms does not mean adopting Western culture, Ignatieff argues. It does not mean adopting Western clothing or cuisine or taking off your turban or veil, he says.

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24 This idea of a ‘thin’ universalism is used by Ignatieff throughout his work and is probably influenced by Michael Walzer’s *Thick and Thin: Moral Argument at Home and Abroad*. Notre Dame, IN: University of Notre Dame, 2001. And it is almost certainly also influenced by John Rawls’ use of the terminology in *A Theory of Justice*. 76
It does not even mean adopting a democratic system of government (36). He argues that:

Human rights discourse ought to suppose that there are many differing visions of a good human life, that the West's is only one of them, and that, provided agents have a degree of freedom in the choice of that life, they should be left to give it the content that accords with their history and traditions. (74)

What rights do offer, Ignatieff believes, “is the right to choose, and specifically the right to *leave* when choice is denied” (70). If this right was not attractive to people, Ignatieff argues, there is no way rights would be in the position of power they are in today.

Ignatieff argues that the key to avoiding moral imperialism is informed consent. It is up to the individuals in question, Ignatieff believes, to decide when they wish to avail themselves of rights protections. In a critical passage, he argues that:

It is entirely possible that people whom Western observers might suppose are in oppressed or subordinate positions will seek to maintain the traditions and patterns of authority that keep them in this subjection. Women are placed in such subordinate positions in many of the world's religions, including ultra-Orthodox Judaism and certain forms of Islam. Some women will come to resent these positions, others will not, and those who do not cannot be supposed to be trapped inside some form of false consciousness that it is the business of human rights activism to unlock. Indeed, adherents may believe that participation in their religious tradition enables them to enjoy forms of belonging that are more valuable to them than the negative freedom of private agency. (73-4)

This is why Ignatieff likes the notion of informed consent. Like the medical practitioner, Ignatieff argues, the human rights activist’s role is to “enlarge [people’s] sense of what the choices entail” (72). He says these activists should be focused on how they can enable people to avail themselves of their rights when they choose (71-2). And this requires that the activists really know what groups are and what it means to reject the

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25 And on the other hand, he often notes, many democracies fail to offer sufficient rights protections.
group practices in some cases. To illustrate his point, he uses the example of female circumcision:

What may appear as mutilation in Western eyes is simply the price of tribal and family belonging to women; if they fail to submit to the ritual, they no longer have a place within their world. Choosing to exercise their rights, therefore, may result in a social ostracism that leaves them no option but to leave their tribe and make for the city. (72)

This is because of the importance he places on belonging. “The idea that groups should respect an individual's right of exit is not easy to reconcile with what groups actually are,” he notes (69). Most groups, he argues are blood groups: “[p]eople do not choose to be born into them and do not leave them easily, since these collectivities provide the frame of meaning within which individual life makes sense. This is as true in modern secular societies as it is in religious or traditional societies” (69). Hence, he believes that:

Human rights advocates have to be aware of what it really means for a woman to abandon traditional practices. But, equally, activists have a duty to inform women of the medical costs and consequences of these practices…. Finally, it is for women themselves to decide how to make the adjudication between tribal and Western wisdom. (72)

In traditional societies, Ignatieff argues, “harmful practices can be abandoned only when the whole community decides to do so” (72). And “Western activists have no right to overturn traditional cultural practice, provided that such practice continues to receive the assent of its members” (73). Understanding the real cultural constraints of exercising rights and, most importantly, enabling informed consent are thus essential in avoiding moral imperialism by human rights advocates.

That being said, understanding and navigating the cultural context of a person is not the same thing as deferring to her culture, Ignatieff argues. He believes it “does not mean abandoning universality. It simply means facing up to a demanding intercultural dialogue in which all parties come to the table under common expectations of being
treated as moral equals,” (73). As noted above, Ignatieff believes rights are not value neutral and they can become a fighting creed. “Human rights express the principle that when the governed are oppressed beyond hope of remedy, they have a right to defend themselves,” Ignatieff argues (RR 36). This can lead to something truly radical, he believes, which is taking the law into your own hands (36). Additionally, he continues, this universal right entitles people to appeal for help beyond their borders (36).

We can now return to Ignatieff’s paradoxical answer that nothing entitles Westerners to enforce human rights on other cultures. He explains that:

> The argument that people in other cultures would adopt human-rights standards if they only knew what we know — and that therefore we can intervene, whether or not they want us to — is simply wrong. The idea that some people are unable to discern their own real interests is an invariable alibi of paternalism or tyranny. Victims are victims only if they say they are. The corollary is also true: we're mandated to intervene on their behalf only if other peoples and cultures ask for help. (44-5)

Ignatieff uses the image of an argument overheard in a neighbouring apartment. If it’s just an argument, he argues, you have no right to intervene: “it’s their business. But if you hear a blow, a cry, and a call for help, you'd be something less than a citizen, and possibly something less than a human being, if you didn't come through the door to break up the dispute” (50). The situation is the same with humanitarian interventions, he argues: the victim’s must be calling for help. What we might consider an intolerable abuse, others might be fine with. However, he notes, “where life itself is at stake, those in jeopardy are unlikely to refuse to be saved” (HR 74). “Those who criticize interventions in the name of human rights on the grounds that we must always respect the

26 This passage is certainly reminiscent of the Kantian idea explored by Berlin that paternalism is the worst form of despotism imaginable (Liberty 203).
sovereignty of a state need to remember that the victims of that state are usually imploring us to intervene,” he notes (RR 74). Intervention, Ignatieff is quick to note, “means help, it does not mean conversion or assimilation” (45). “To the degree that Westerners are drawn into assisting other cultures,” Ignatieff notes, “they are under an obligation, one intrinsic to rights language itself, to respect the autonomy of the cultures in which they work” (45).

This is how Ignatieff justifies his interventionist stance, then. The three challenges to human rights that Ignatieff presents view cultures as monolithic wholes, when really they were themselves composed of many people with many different views. Ignatieff believes that those who avail themselves of rights are not traitors to their own culture (HR 76). They do not have to adopt Western values. They simply want rights within their own culture, Ignatieff believes. He argues that relativist challenges—challenges that claim to defend cultures as a whole—are simply a guised “defense of political or patriarchal power:” an attempt to retain authority (76). In reality, Ignatieff argues:

Human rights intervention is warranted not because traditional, patriarchal, or religious authority is primitive, backward, or uncivilized by our standards, but by the standards of those whom it oppresses. The warrant for intervention derives from their demands, not from ours. (76-7)

This is not a case of Westerners imposing Western values on the world. But rather non-Westerners coming to their own conclusions about what is right and what is wrong, Ignatieff argues. Seen this way, his support for intervention does not make cultural judgment or violate the idea of the incommensurability of cultures and nor is it a variety of cultural relativism.
4.3 Anti-Foundational Human Rights

While this may show that the universalism of rights does not contradict value pluralism, but we can go further and show that value pluralism, properly understood, implies rights. Ignatieff believes that in order for human rights to survive the charge of cultural imperialism, and, indeed, to flourish throughout the world, they must be stripped of their metaphysical pretensions. In saddling the concept of human rights with more than just negative liberty understood as agency, we endanger their universalism, he argues. But by calling into question the foundations of rights, Ignatieff realizes he must re-justify their universalism somehow. Returning to his belief in the social nature of values, Ignatieff argues that we do not naturally value rights. The Holocaust shows us this, he argues. Yet, paradoxically, the Holocaust also shows us that rights are necessary for the preservation of our social selves. Human rights protect us from being stripped down to our base, naked humanity, he argues. Based on this, a "thin" universalism can develop. As Ignatieff writes, "people from different cultures may continue to disagree about what is good, but nevertheless agree about what is insufferably, unarguably wrong" (HR 56). Guaranteeing personal autonomy secures our sense of belonging, Ignatieff believes. Recall that for Ignatieff, a crippled sense of belonging comes from a cultural insecurity: a perception that your values are under threat or somehow inferior. Rights allow each individual the freedom to value what he or she wants and in so doing foster a sense of cultural security. Human rights, in this understanding then, are strong bulwarks
protecting people’s sense of belonging. And on this basis, Ignatieff feels they should be universally prized.

We have been discussing what Ignatieff terms the “cultural crisis” of human rights: that is, the challenge to human rights based on cultural relativism. Ignatieff argues that human rights also face a “spiritual crisis” (HR 77). The two challenges are related. The spiritual crisis, he argues, centers on the “ultimate metaphysical grounds” for human rights (77). Ignatieff asks:

Why do human beings have rights in the first place? What is it about the human species and the human individual that entitles them to rights? If there is something special about the human person, why is this inviolability so often honored in the breach rather than in the observance? If human beings are special, why do we treat each other so badly? (77)

At the core of this spiritual crisis, is an idolatrous attitude towards rights in the West, Ignatieff contends in his essay “Human Rights as Idolatry.” In that essay, he argues that “fifty years after its proclamation, the Universal Declaration of Human Rights has become the sacred text of what Elie Wiesel has called a ‘world-wide secular religion’” (53). Ignatieff argues that “human rights has become the major article of faith of a secular culture that fears it believes in nothing else” (53). In the last chapter this belief was noted as an example of a Herderian shift in a culture’s sense of gravity—a new ethical touchstone—but that view now needs to be complicated somewhat. In this essay, Ignatieff makes the case that “[h]uman rights is misunderstood… if it is seen as a ‘secular religion.’ It is not a creed; it is not a metaphysics. To make it so is to turn it into a species of idolatry: humanism worshiping itself” (53). We want to see men as having an “innate or natural dignity… a natural and intrinsic self-worth, [and] that they are sacred,” he argues (54). In truth, Ignatieff continues, those who view rights this way confuse ‘is’
with ‘ought’: “they confuse what we wish men to be with what we empirically know them to be” (54). This is important, Ignatieff believes, because while those in the West may be in need of a secular religion, the rest of the world is not. He tells the reader that these metaphysical claims—claims that rights derive from an innate dignity or, perhaps, an innate divinity—may have been made to in the hopes of broadening the appeal of rights. “In fact,” Ignatieff argues, these attempts have the “opposite effect, raising doubts among religious and non-Western groups who do not happen to be in need of Western secular creeds” (53). This is the essence of the “spiritual crisis” of rights. Ignatieff believes that it is only by exploring and properly understanding the foundation of rights that their importance can become appreciable by all people.

Ignatieff believes that there is no better way to understand rights than to consider the Holocaust. At once, the Holocaust showed us both the fragility and the necessity of rights, Ignatieff argues. In exploring this idea, Ignatieff returns to the concept of the natural and the social. “But what exactly is the relationship between human rights and natural rights, or between the human and the natural? What is naturally human?” he asks (78). Ignatieff notes that the idea behind human rights is that beneath the rights accorded to you by the state, are another set of rights inherent in being human (LE 7). He argues that:

Human rights is supposed to formalize in juridical terms the natural duties of human conscience in cases where civil and political obligations either prove insufficient to prevent abuses or have disintegrated altogether. Human rights doctrines appear to assume that if the punishments and incentives of governed societies are taken away, human rights norms will remind people of the requirements of natural decency. (HR 78-9)

While this is supposed to be the case, Ignatieff believes that the Holocaust actually showed men to be naturally indifferent to the suffering of others:
The Holocaust showed us the terrible insufficiency of all the supposedly natural human attributes of pity and care in situations where these duties were no longer enforced by law. Hannah Arendt argued in *The Origins of Totalitarianism* that when Jewish citizens of European states were deprived of their civil and political rights, when, finally, they had been stripped naked and could appeal to their captors only as plain, bare human beings, they found that even their nakedness did not awaken the pity of their tormentors. (79)

Here we return to Ignatieff’s metaphor of the naked and the clothed man: the clothed man is adorned in the rituals and values of his culture, while the naked man has only the needs which are shared with animals.

In *The Rights Revolution*, Ignatieff argues human rights are very different from the rights of a citizen. “Human differences are what define us, not the humanity we share,” Ignatieff argues (RR 34). To illustrate his point, he says: “Imagine asking someone who he is, only to have him reply, ‘I'm a human being.’ That's not much of an answer. If he replies, ‘I am a Canadian,’ however, you know who you are talking to” (34). In a similar vein, he notes that after the French revolutionaries published the

**Declaration of the Rights of Man:**

…the wise old reactionary Joseph de Maistre remarked that he'd met a lot of people in his life — Frenchmen, Spaniards, and Portuguese; men and women; rich and poor — but that he'd never actually met a Man, with a capital M. (35)

History, our clothing, culture is what protect us and make life good Ignatieff argues. He repeatedly uses this clothing metaphor in his analysis of the Holocaust. In his book *The Rights Revolution*, Ignatieff argues that:

In the destruction of European Jewry in the Holocaust, one of the essential techniques of dehumanization was to strip everyone of their possessions, their clothing, their glasses, even their hair. A concentration camp could be seen as a demonic machine whose purpose was to take historical individuals in all their particularity and pound them on the anvil of suffering into pure units of humanity. When these pure units of humanity then appealed to the pity of their captors, they discovered that their captors regarded them as so much meat. (RR 42)
Men who are without the protections of history—without the protections of social values—men who are without their clothes are at their most vulnerable, Ignatieff believes. This is what he means by the fragility of rights, when he argues that the Holocaust shows both the fragility and necessity of rights.

Paradoxically, it is this vulnerability—this fragility—that makes human rights so necessary. Ignatieff argues that:

The function of human rights, then, is not to protect the abstract human identity of nakedness, or to express in juridical language our instincts of pity for denuded human suffering. Its function is to protect real men and women in all their history, language, and culture, in all their incorrigible and irreducible difference. (RR 43)

With this in mind, it is no wonder that the Holocaust resulted in an attempt to return to a natural rights tradition, he argues. “The Universal Declaration set out to reestablish the idea of human rights at the precise historical moment in which they had been shown to have had no foundation whatever in natural human attributes,” Ignatieff argues (HR 80). Rather, human rights “counteract rather than reflect natural human propensities…. [and operate] on assumptions about the worst we can do, instead of hopeful expectations of the best” he believes (80). Ignatieff points out that this is a very Berlinian idea, telling the reader that in 1959 Berlin “argued that in the post-Holocaust era awareness of the necessity of a moral law is sustained no longer by belief in reason but by the memory of horror” (80). It is in this way, to return to a sentiment expressed earlier, that the holocaust shows both the ultimate fragility and necessity of human rights.

If this is the case, then rights are not natural, but historical. Ignatieff argues, “we do not build foundations on human nature but on human history, on what we know is likely to happen when human beings do not have the protection of rights” (80). To put it
another way, rights are a part of our clothing, not a part of our common nature. Ignatieff says:

We know from historical experience that when human beings have defensible rights—when their agency as individuals is protected and enhanced—they are less likely to be abused and oppressed. On these grounds, we count the diffusion of human rights instruments as progress even if there remains an unconscionable gap between the instruments and the actual practices of states charged to comply with them. (4)

But if this is the case, human rights opens itself up to challenge: if rights are not natural but historical what can be said about forcing them on peoples with different histories than that of the West? Furthermore, by associating these values with progress, is he making a claim of cultural superiority? Ignatieff rejects the idea that the universalist values espoused in the Universal Declaration of Human Rights (U.D.H.R.) are a “summation of the accumulating moral wisdom of the ages” (91). Ignatieff fully acknowledges that human rights in their modern, juridical form first developed in the West:

This doctrine originated not in Djeddah or Beijing but in Amsterdam, Siena, and London, wherever Europeans sought to defend the liberties and privileges of their cities and estates against the nobility and the emerging national state. (91)

But, Ignatieff continues, just because they originated in Europe, does not mean that non-Westerners can’t or won’t adopt them for themselves.

Ignatieff argues that “the Declaration's historical function was not to universalize European values but actually to put certain of them—racism, sexism, and anti-Semitism, for example—under eternal ban” (91-2). “The human rights instruments created after 1945 were not a triumphant expression of European imperial self-confidence but a war-weary generation's reflection on European nihilism and its consequences,” Ignatieff says (4). From this he concludes there is:
...no reason in principle why non-European peoples cannot draw the same conclusions from them, or why in ages to come the memory of the Holocaust and other such crimes will not move future generations to support the universal application of human rights norms. (55)

And indeed, as he argues, the history of the drafting of the U.D.H.R. shows that it was not simply another example of Western moral imperialism, but a collaborative effort. He notes that during the first drafting session of the U.D.H.R. in Eleanor Roosevelt’s Washington Square apartment, “a Chinese Confucian and a Lebanese Thomist got into a stubborn argument about the philosophical and metaphysical bases of rights. Mrs. Roosevelt concluded that the only way forward lay in West and East agreeing to disagree” (77-8). This agreement to disagree, Ignatieff contends, means there is:

...a deliberate silence at the heart of human rights culture. Instead of a substantive set of justifications explaining why human rights are universal, instead of reasons that go back to first principles—as in Thomas Jefferson's unforgettable preamble to the American Declaration of Independence—the Universal Declaration of Human Rights simply takes the existence of rights for granted and proceeds to their elaboration. (78)

This “pragmatic silence” is wise, Ignatieff contends, arguing that such silence has “has made it easier for a global human rights culture to emerge” (78). “People may not agree why we have rights,” he argues, “but they can agree that we need them” (54).

This is the core of Ignatieff’s universalism: “people from different cultures may continue to disagree about what is good, but nevertheless agree about what is insufferably, unarguably wrong” (56). Human rights, he argues, “is an account of what is right, not an account of what is good” (55). This may understandably confuse some people—for right and good are sometimes seen as synonymous. His distinction hinges on connecting right to what he sometimes refers to as negative values—those things we feel are wrong—and connecting good with what he calls positive values—those things
that we believe a good life is comprised of. In an essay on Berlin’s thought, he spells out this distinction, arguing that:

…moral disagreement occurs mainly in conflicts between positive human goods—liberty versus equality, justice versus efficiency. The common ground of moral agreement for Berlin seems to consist chiefly of definitions, not of good, but of bad human conduct. There do remain, in the end, he argues, a small number of acts which all sane individuals can agree are inhuman, indecent, beyond the pale, hence punishable…. To use the terms of Berlin’s two concepts of liberty, the facts of human nature permit sufficient agreement to guarantee the conditions of negative liberty: freedom from; but not sufficient agreement to justify collective pursuit of some ideal: freedom to. (“Understanding Fascism?” 139)

Ignatieff believes that humans, through a “form of limited empathy,” are capable of a moral reciprocity in which “we judge human actions by the simple test of whether we would wish to be on the receiving end” (HR 88-9). Since Ignatieff believes nobody would want to live in a world in which they are not afforded some minimum area of personal autonomy, on this basis it is universal: an objective rather than subjective value.²⁷

²⁷ This view is similar to Berlin’s argument in “Two Concepts of Liberty” where he argues that:

…there must be some frontiers of freedom which nobody should be permitted to cross. Different names or natures may be given to the rules that determine these frontiers: they may be called natural rights, or the word of God, or natural law, or the demands of utility or of the ‘permanent interests of man’; I may believe them to be valid a priori, or assert them to be my own ultimate ends, or the ends of my society or culture. What these rules or commandments will have in common is that they are accepted so widely, and are grounded so deeply in the actual nature of men as they have developed through history, as to be, by now, an essential part of what we mean by being a normal human being. (Liberty 210)

While similar, it should be added that Ignatieff ultimately wants to distance himself from this argument, which with its moral absolutism would constitute a trumping claim in moral argument.
It is in this “negative” space that common ground can be found, Ignatieff believes, but in the “positive” space of values, there is still room for many different forms of the good life. He argues that:

People may enjoy full human rights protection and still believe that they lack essential features of a good life. If this is so, shared belief in human rights ought to be compatible with diverging attitudes concerning what constitutes a good life. In other words, a universal regime of human rights protection ought to be compatible with moral pluralism. That is, it should be possible to maintain regimes of human rights protection in a wide variety of civilizations, cultures, and religions, each of which happens to disagree with others as to what a good human life should be. (55-56)

To return to the original point, Ignatieff believes, human rights “can command universal assent only as a decidedly ‘thin’ theory of what is right, a definition of the minimum conditions for any kind of life at all” (56). Rights are not a vision of the good but stuff that protects our own personal vision of the good. The “negative” is necessary to protect the “positive.”

This is what he means in referring to them as non-foundational human rights. He believes that rights should be stripped of their metaphysical pretensions, which only divide people. They do this because any time rights are justified on a spiritual or “idolatrous” basis, they carry with them “positive” values—notions of what constitute a good life. These types of values are where people’s beliefs diverge. Ignatieff acknowledges that in “this argument, the ground we share may actually be quite limited: not much more than the basic intuition that what is pain and humiliation for you is bound to be pain and humiliation for me. But this is already something” (95). 28

28 On the other hand, for the sake of argument, in his essay “On the Pursuit of the Ideal,” Berlin makes the opposite claim that the ground we share is probably greater than is commonly supposed.
Yet even this ‘thin’ universalism may not be enough to satisfy the skeptic. The skeptic will charge that simply because non-Westerners can support these “negative” values, does not mean they universally will. Furthermore, one can argue that even in the West, the idea of rights is a historically novel concept. Certainly most Romans would have scoffed at the notion that torture or slavery is wrong. And many married Canadian women had the legal rights of a child until as recently as the 1970s. Ignatieff recognizes this challenge. In fact, here he seems to depart from Berlin. Finally, the skeptic might argue that in considering human rights as a universal value, Ignatieff is making a value commensuration. We should consider these challenges now.

Critical to understanding Ignatieff is his view on empathy. As argued above, Ignatieff believes that humans, through a “form of limited empathy,” are capable of a moral reciprocity in which “we judge human actions by the simple test of whether we would wish to be on the receiving end” (HR 88-9). However, for Ignatieff, this empathy is itself historical. Calling to mind the image first used by the stoic Hierocles to explain his cosmopolitanism, Ignatieff argues that the history of human progress has been an ever-widening circle of empathy. At the center of this circle is ourselves, then moving outward we would find our close family, our extended family, our tribe, our nation, and finally our race. It is only recently—perhaps as recently as the first images from space of the blue marble we share, he suggests—that have truly given us a sense of our common humanity. The furthest ring out is also the weakest felt, he argues. Our culture, our history, our clothing, our differences are what is good about us, but it’s also fragile. This is why he believes the Holocaust showed both the fragility and the necessity of human rights. Human rights exist on the farthest ring of our concentric circles of empathy. Yet
human rights are the first and most important line of defense in protection of our historical selves.

How can something historical, something Ignatieff would categorize as a part of our differences, be universal? Ignatieff is not arguing that human rights are universal in the sense that they have existed across all places and times. Here Ignatieff seems to differ with Berlin. Berlin argues that certain values are accepted so widely across cultures and far back into history that they are “by now, an essential part of what we mean by being a normal human being” (Liberty 210). Berlin included in this grouping such injustices as:

…being declared guilty without trial, or punished under a retroactive law; when children are ordered to denounce their parents, friends to betray one another, soldiers to use methods of barbarism; when men are tortured or murdered, or minorities are massacred because they irritate a majority or a tyrant. (210)

So deep are these rules embedded, Berlin argues, that they have come to be known as “natural rights, or the word of God, or natural law, or the demands of utility or of the 'permanent interests of man',” (210).

Like other moral objectivists, Ignatieff does not believe that all universal values need to be universally acknowledged or accepted. In fact, he claims just the opposite: human rights are a fighting creed—they are conflictual by their very nature. He argues that any right worth the name must oppose powerful interests—interests which will never freely cede their power. Additionally, he is rejecting the claim that rights are trans-historical. Rights in their juridical form are historical and the empathy which enables them is also historical. But this fact does not discredit human rights objective universality. Ignatieff points out that since their first feudal origins, the circle of rights-
bearers has been ever expanding and that the ones pushing for expansion have been the
ones whose rights were not yet recognized. Rights are historical, yet given a value
pluralist understanding of ethics (itself a new idea), the one value that should be
universally protected and promoted is the idea that individuals should have the right to
pursue their own ends in their own way. Since human rights are the buffer that allows
individuals to protect each of their other social values, they alone should be universally
protected. This is why Ignatieff believes human rights help secure our sense of

29 This, of course, is an argument that sounds very close to the one made by John Stuart Mill in On
Liberty. Ignatieff considers this and says that it “has been said that Berlin's view of political choice actually
implies a version of utilitarianism as the common scale to use in adjudicating between competing moral
values. If Berlin's admiring essay on John Stuart Mill is anything to go by, it is not. 'Only a competent
social psychologist,' Berlin says ironically, 'can tell what will make a given society happiest.’”
(“Understanding Fascism” 138; “Only a competent social psychologist…” comes from Liberty 237).
Ignatieff is referring to Berlin’s essay “John Stuart Mill and the Ends of Life.” In that essay, Berlin
recognizes many similar ideas that drive Mill and himself. Berlin writes that:

[Mill’s] argument is plausible only on the assumption which, whether he knew it or not, [he] all
too obviously made, that human knowledge was in principle never complete, and always fallible;
that there was no single, universally visible, truth; that each Man, each nation, each civilisation
might take its own road towards its own goal, not necessarily harmonious with those of others;
that men are altered, and the truths in which they believe are altered, by new experiences and their
own actions - what he calls 'experiments in living' (Mill 3/261); that consequently the conviction,
common to Aristotelians and a good many Christian scholastics and atheistical materialists alike,
that there exists a basic knowable human nature, one and the same, at all times, in all places, in all
men - a static, unchanging substance underneath the altering appearances, with permanent needs,
dictated by a single, discoverable goal, or pattern .. Of goals, the same for all mankind - is
mistaken; and so, too, is the notion that is bound up with it, of a single true doctrine carrying
salvation to all men everywhere, contained in natural law, or the revelation of a sacred book, or the
insight of a man of genius, or the natural wisdom of ordinary men, or the calculations made by an
elite of Utilitarian scientists set up to govern mankind. (Liberty 233-234)

However, Berlin points out that while “the true Utilitarian spirit has fled. Mill does indeed add that 'when
two or more of the secondary principles conflict . . . a direct appeal to some first principle becomes
necessary'... This principle is utility; but he gives no indication how this notion, drained of its old,
materialistic but intelligible, content, is to be applied” (226). Furthermore, Berlin points out that the limits
of the private and public domains are more difficult to demarcate than Mill lets on and that often Mill often
“concedes that the State may invade the private domain, in order to promote education, hygiene, or social
security or justice” (237). In Ignatieff’s words, Berlin concludes that “[u]tility is too historically relative,
too dependent, within any given society, on the tyrannous ethical certainties of the majority, to provide a
moral scale capable of protecting essential human interests” (“Understanding Fascism” 138).
belonging: knowing you can freely value what you want goes a long way in securing people’s sense of belonging.

4.4 Rights as Politics

However, this argument for the importance of rights would still seem to violate the notion of the incommensurability of values. Ignatieff is placing priority on negative liberty: saying it is a universal value. It may be a “thin” theory of the good—a “minimalist” theory—but it is still a theory of the good. Ignatieff is making a value judgment—seemingly prioritizing the value of negative liberty over other values. This is particularly confusing since in The Lesser Evil, we saw him arguing that rights were not trumps, and that they had to be considered among plurality of other important values like security. Given their universal status, one might be led to believe that Ignatieff is saying that rights do trump and are the only trump. In effect—at least in relation to negative liberty—all values would be commensurable, one might argue.

But to believe so would be to seriously misread Ignatieff. Despite their universal status, Ignatieff argues that “human rights language is not an ultimate trump card in moral argument” (HR 83). Here we return to the idea of value conflicts and the incommensurability of values. Recall as well that in the second chapter we discussed Ignatieff’s belief that rights are inherently conflictual. Ignatieff uses the word “rights” in more senses than simply the protection of negative liberty. As discussed, he argues that rights have come to dominate the language of the good in the West. If there is something
we value, we try to ascribe a right to it. In this sense, to use the language of value set out earlier, the idea of rights in the West encapsulates both “positive” and “negative” values. And, of course, Ignatieff is arguing that “positive” values are not objectively universal. I have tried to consistently use the term “human rights” to describe the idea of rights as agency underwritten by the value of negative liberty. This is the universal value he is arguing for. In other words, when he says rights conflict he means values conflict. Ignatieff is not making a universalist case for everything considered a right. Instead, he is making a universalist case for human rights—or a certain sphere of personal autonomy that should be afforded to every human by virtue of their humanity. Human rights is the language of the value identified by Berlin as negative liberty.

Ignatieff argues that “[e]stablishing what is just involves balancing rights claims, which is to imply that rights conflict: my right to property versus yours, your right to privacy versus the public's right to know, and so on” (30). One of these rights is human rights, which are based on the value of negative liberty. And it is clear that he does not feel this value—despite its universal status—has “trumping” claims any more than any other value does. Human rights are universal in the sense that they represent a universal interest of all mankind. It is in the interests of every person to preserve and protect a minimum area of autonomy. However there are many other important interests of men. Just because an interest is universal, that should not mean that it is universally overriding of these other interests. His argument in The Lesser Evil is an excellent example of how

30 It is also important to understand that Ignatieff believes that not all values can be expressed as rights. He says there are some things which we value which do not translate well to the juridical language of rights. For instance, he argues, it makes no sense to speak of a right to love. Given this, he believes that we “should beware of the ways in which rights talk can swallow up the whole of our language of what is good in private and public life” (RR 21).
he believes value conflicts involving negative liberty need to be resolved like any other value conflict.

Perhaps an even more telling example comes when Ignatieff examines the value conflicts faced by Western foreign-policy makers. Ignatieff believes that Western foreign-policy has in many ways failed because it has not recognized conflicts in the values it pursues. For example, Ignatieff argues that promotion of individual human rights can destabilize the order of the state. This is important to recognize, Ignatieff argues, because “stable states provide the possibility for national rights regimes, and these remain the most important protector of individual human rights” (HR 23). “Most states in the post–Cold War era skate around this tension in the fundamental goals of their policy,” Ignatieff argues: “both supporting human rights and propping up states whose stability is deemed to be essential” (24). Failure to recognize this underlying conflict is detrimental because the “overwhelming problem of the post–Cold War world system has been the fragmentation of state order” (25). And, Ignatieff continues, “[b]ecause the West fails to face this conflict in its own principles, its interventions satisfy no one” (26). Ignatieff points to the example of Indonesia and East Timor. Here, he argues, Western promotion of the individualist human rights goals has not benefitted the lives of the actual East Timorese it was intended to benefit (27-8). He says that “we seem not to understand that Western intervention may be contributing to the possible disintegration, at high human cost, of the state of Indonesia” (29). “Stability, in other words, may count more than justice,” Ignatieff concludes (25). Here then, we see an even more extreme position than was seen with his “lesser evil” thesis. His “lesser evil” solution emphasized compromise—when necessary—between the values of stability and rights. Here he is
saying that sometimes compromise will satisfy neither side, and in such cases it may
sometimes be the case that promoting stability over rights is the more prudent course.

In other words, sometimes there are value conflicts where not only must negative
liberty be considered amongst a plurality of other goods, but that in some of those cases it
might be concluded that the pursuit of negative liberty—Ignatieff’s universal value—
would be prohibitively detrimental in terms of other ultimate ends. How can this be?
Ignatieff defends his universalism on the grounds of a universal interest of mankind. It is
in the interest of everyone, but he is not claiming it is their only interest. Once again,
these interests must be considered in the practical context. In this way, then, we end
where we began: considering negative liberty amongst a plurality of other ends of men.
It is clear that Ignatieff still believes values conflict. In language reminiscent of The
Lesser Evil, he argues that:

Activists who suppose that the Universal Declaration of Human Rights is a comprehensive list of
all the desirable ends of human life fail to understand that these ends—liberty and equality,
freedom and security, private property and distributive justice—conflict, and, because they do, the
rights that define them as entitlements are also in conflict. If rights conflict and there is no unargu-
able order of moral priority in rights claims, we cannot speak of rights as trumps. The idea of
rights as trumps implies that when rights are introduced into a political discussion, they serve to
resolve the discussion. In fact, the opposite is the case. When political demands are turned into
rights claims, there is a real risk that the issue at stake will become irreconcilable, since to call a
claim a right is to call it nonnegotiable, at least in popular parlance. (20)

The value of negative liberty has to be considered amongst other values. Neither it, nor
any other value should have “trumping” claims, because:

No human language can have such powers. Indeed, rights conflicts and their adjudication involve
intensely difficult trade-offs and compromises. This is precisely why rights are not sacred, nor are
those who hold them. To be a rights-bearer is not to hold some sacred inviolability but to commit
oneself to live in a community where rights conflicts are adjudicated through persuasion, rather
than violence. (83)
This is the essence of what Ignatieff terms “rights as politics.” Understanding rights as politics, he believes, rectifies the mistaken view of rights as trumps. Instead of closing all debate, rights claims can help debate to begin in earnest. Ignatieff says that “[w]hen two sides recognize one another's claim of right, the dispute ceases to be—in their eyes—a conflict between right and wrong and becomes a conflict between competing rights” (21). He sums up this approach, arguing:

Human rights is nothing other than a politics, one that must reconcile moral ends to concrete situations and must be prepared to make painful compromises not only between means and ends, but between ends themselves. (21-22)

Like Ignatieff, Berlin argued it was quite possible—probable even—that a society would choose to pursue some goods at the expense of some degree of negative liberty. For example a society that pursues some form of equitable economic redistribution can do so only at the expense of negative liberty. Ignatieff believes that rights—including the right of negative liberty—conflict, and when they do there should be no table-clearing arguments. Understood this way, Ignatieff’s belief in rights’ universality does not entail monist trumping claims. In fact, it is quite the opposite: understanding rights as politics should be seen as the pluralist response to the monist view of rights as trumps.

It is in this way that Ignatieff justifies his interventionist position. Human rights—what Berlin called ‘negative liberty’—is a universal value. It is simply not the case that human rights are a subtle form of Western hegemony. Instead, Ignatieff believes, human rights are going global by going local: it is the women of Kabul, the

31 But, Ignatieff warns, rights understood as politics “is not just about deliberation. Human rights language is also there to remind us that there are some abuses that are genuinely intolerable, and some excuses for these abuses that are insupportable” (HR 22). To repeat the point: rights are also a fighting creed.
Ukrainian farmer and the non-nationalist Bosnian who are seeking to avail themselves of these rights. Indeed, as Ignatieff points out, the Bengali factory-worker seeking fair compensation for his work is directly at odds with the Western-dominated multinational corporate interests. Ignatieff is fond of Vaclav Havel’s essay “The Power of the Powerless.” Human rights are universal, Ignatieff argues, not because they are universally accepted, but because they define the universal interests of the powerless. Essential to this universalism are the principles of agency and informed consent.

Exercising one’s rights should be determined by individual preference. While one woman might consider her group’s practice of female circumcision to be genital mutilation, another might embrace it as her entrance into a long group tradition and the price of membership into her community as an adult. In order to for this universality to work, Ignatieff believes human rights must remain a distinctly thin theory of the good. The ‘rights revolution’ may have shifted the West’s ethical ‘center of gravity’ and rights may now be our ethical touchstone, but not everyone is in need of a new ethical touchstone. To explain this position, Ignatieff creates a distinction between what he calls positive and negative values. This is the core of his anti-foundational human rights thesis. Disagreement comes when we try to define the good, not the bad. When trying to create a universal human rights regime, therefore, we should ignore appeals to why we have rights and instead focus on what their effect is: the enabling of individual moral agency and protecting our belonging. Here, he believes, human rights activists are on much more solid ground. Here they can return to the argument that theirs is not an exercise in moral imperialism but an enabling of all individuals ability to exercise their true wishes.
Chapter 5 – Conclusion: Value Pluralism and the Multicultural State

This essay has been trying to determine whether Ignatieff’s value pluralism can imply a universalist theory of human rights. Why should human rights understood as agency be universally prized amongst a plurality of other values? Protecting agency is clearly something that is valuable. But it could be challenged that so are many other things such as ensuring every person has the material means of survival, and yet Ignatieff is not making a case for their universality. What makes rights so special? Berlinian value pluralism stresses that there are many things that can be valued and different people can value different things. With its strong emphasis on incommensurability, this theory accepts that there can be many answers to the question of what might comprise the good life. Ignatieff is recognizing that if such is the case, the best judge of how you should live that life is you. Ignatieff quotes Jack Donnelly, who argues that human rights "assumes that people probably are best suited, and in any case are entitled, to choose the good life for themselves" (HR 70). In other words, wherever possible the state should defer to the judgment of the individual. This includes protection against the paternalist “therapeutic good intentions of others,” Ignatieff believes (RR 39). As Ignatieff would say: by ensuring individual agency we are helping people to help themselves. So to answer the question of why negative liberty should be a universal value given the pluralism of values, Ignatieff would reply that the very nature of pluralism implies it.
Answering this question is important because value pluralism, if it can be shown to be consistent—seems to have a lot to offer us. It is a comprehensive theory of politics and ethics. So—if true—it provides the principles and method for properly considering any moral dilemma: be it personal or political. Therefore its implications are broad reaching and fundamental. In many ways, it is a theory founded on the premise that there are limits to what theory can offer us. Value pluralism believes that moral dilemmas can only be solved in practice with contextual knowledge. At best, theory can guide us in understanding this context. On the other hand, value pluralists believe that at its worst, theory indoctrinates people into believing that in the name of some good or another anything is permitted. Value pluralism therefore takes an anti-dogmatic stance that recognizes the limits of theory and a corresponding importance of practical knowledge. Even more benign philosophies, Ignatieff believes, will often focus too much on one good or another, leading to disregard for other goods at stake in certain situations. Value pluralism can allow for clarity in moral choice by distinguishing various goods at stake. While many theories might be misguided, value pluralists will argue that in practice we already act according to value pluralist assumptions. That we feel pain and regret after acting on moral dilemmas is evidence of this. And Ignatieff argues that our democratic institutions have evolved over centuries specifically to deal with these tragic choices at the political level. While its application is difficult and the limits it places on theory means the answers it can provide are limited, value pluralism may offer the best principles and method for approaching questions of ethics and politics. If it is, that on its own would be enough to justify this study, but even if it isn’t, there are other ideas that still make value pluralism worth studying.
A major strength of value pluralism is its recognition of the differences in values among people. People value different things. We can see these differences across history: the values of a Christian Florentine during the time of Machiavelli were different than the values of a Roman Florentine and both are different than that of a contemporary Florentine. We can clearly see these differences across cultural lines as well. But if we press the issue, we can also see differences between members of the same community—even the same family. In this way, value pluralism skewers the traditional view of groups as homogenous entities. Yet these differences are a pillar of value pluralist theory. Value pluralism resists the temptation caricature difference and to dismiss it as a sign of unenlightenment or error in judgment. Not only does it view the different values people have as real and worthy of respect, but as the best of us. The values we share by virtue of our humanity are base, while our social values inspire us to greatness. This explains, for value pluralists, why attempts to subjugate and repress these differences are so often met with violence. However, respecting differences in this way comes with its own set of problems. If there are many different visions of the good life, can any sort of good be administered by the state? Value pluralism’s biggest strength is found here, in its thin universalism. Here it maintains a deep respect for difference but avoids the pitfall of relativism. And here Ignatieff’s writings are particularly important.

This paper focuses on that thin universalism because, as argued, it is its biggest hurdle but also its biggest strength. This has meant other assumptions have been largely unchallenged. We should take a moment to consider a few of these now. The most obvious of these assumptions is the notion that values and cultures are incommensurable. Keeping the praise above in mind—and leaving aside for a moment whether value
pluralism’s emphasis on incommensurability actually reflects reality or not—it is worth considering whether this idea of incommensurability might cripple ethical debate more than it enables it. It is worrying that instead of inspiring due care and attention for difference that value pluralism might handicap the inertia of tradition and, in so doing, inspire a sort of *de facto* relativism. Let’s press the issue for a moment: it is not at all clear to me why authenticity should be valued by me or anyone else. Is it wrong for me to question this value when it is cited as good? If my society generally holds it in high regard—which I believe it does—am I wrong to try to change this view or is it beyond reproach? While rights ensure that everyone is free to practice his own good in his own way, I want to know what role a person can take in changing people’s notions of that good. Ignatieff’s talk of the individual awakening from history and slipping the bonds or nets of one’s culture seems to side-step and important question: how does revaluation happen? In *The Needs of Strangers*, of course, he talks about needs no longer being felt and artists and philosophers creating new ones. Perhaps this is all well and good and we need not worry. Surely there will always be people like Socrates and Hume ready to press our views. And historical change as a force should not be underestimated either. Ignatieff talks of European villagers scarcely feeling social bonds beyond their own village before the First World War. Perhaps Berlin and Ignatieff do not spend much time on values changing because they assume it will happen with or without a theory or perhaps they believe the process to be as changing as the values themselves. These are questions that need to be considered. It just seems that—and perhaps it's even for the better—the idea of incommensurability might lead to a loss of traction in the ability of reason to critique tradition and I think that must be noted.
Another area of Ignatieff’s thought that deserves consideration is his distinction between the natural and the social. Ignatieff goes too far in believing values are socially-derived. He seems to consider any value that could be considered “social” to be socially-derived. For example, he considers the love shared between Lear and his daughters to be a social value in the sense that it comes from society. However, with the advent of new technologies for understanding the mind and human genetics and new academic fields such as cognitive science and evolutionary biology, we are finding out more and more about 'the natural and the social' every day. And the research certainly shows that humans share more than Ignatieff believes. For that matter, the research also shows that many animals share traits with humans that Ignatieff would have considered socially-derived. Finally, this new research also shows a natural variance in the predispositions—and, ultimately, in some of the values—of individuals. Clearly, Ignatieff’s theory needs revision here.

It is less clear what this means for value pluralism. Is a natural value such as the desire to be included more important than a social one? Are all social values essentially variations rooted in natural desires? Can or should a base natural instinct such as the tendency to view social relations in 'friend vs. foe' terms be suppressed or sublimated in order to satisfy another value—even a 'social' one? Certainly these questions would have

32 For instance, Robert Trivers presents an evolutionary model to account for reciprocal altruism. His study is partly constructed based on warning cries in birds. This model, he concludes, can be applied to human reciprocal altruism: “Specifically, friendship, dislike, moralistic aggression, gratitude, sympathy, trust, suspicion, trustworthiness, aspects of guilt, and some forms of dishonesty and hypocrisy can be explained as important adaptations to regulate the altruistic system” (Trivers 35). Another study using neuroimaging has shown social exclusion to excite areas in the brain normally associated with the experience of pain (Eisenberger and Lieberman). Ignatieff’s analysis seemed to consider all values with a pro-social function as having been derived from society, whereas these studies and many others have shown man to naturally hold many pro-social impulses or drives.
to be considered. If there is nothing else these studies show it is that the mind is not
without internal contradictions of its own. And for a theory premised on internal conflict
of the good, it would seem that this new understanding of 'the natural and the social'
might make value pluralism more useful than ever.\textsuperscript{33} In any case, these are questions that
also need to be considered before value pluralism could be accepted.

We spent the last chapter considering the problem of intervening in other cultures,
but Ignatieff is ultimately much more interested in the problems of the multicultural state.
To see once more why value pluralism implies liberalism, we should consider the
example of the multicultural state. By having considered the problem of intervention, we
have already considered all the reasons Ignatieff uses to justify rights in the multicultural
state. Like Plato who found justice in the individual by building his just city, for Ignatieff
the dilemma of intervention is the dilemma of the multicultural society writ large. As
Ignatieff writes:

\begin{quote}
The world's deepest problem is not climate change or the supposed clash of civilizations or
inequality between rich nations and poor ones - as important as these problems are. The
fundamental problem facing humanity is political: how to create stable political order among
people of different religions, cultures, and economic classes. (RR viii)
\end{quote}

By now, it should come as no surprise to the reader why Ignatieff believes this is the
case. As was shown in the first and second chapters, Ignatieff believes that values can
and do conflict, and, indeed, over time, people and groups can come to value things

\textsuperscript{33} There are many interesting works on this issue and it seems more are published every day. To
begin to explore these issues, I would recommend looking at Steven Pinker's “The Moral Instinct,” an
\textit{Braintrust: What Neuroscience Tells Us About Morality}. Another valuable resource is a transcript of a
conference held by edge.org entitled “The New Science of Morality.”
\texttt{<http://www.edge.org/3rd_culture/morality10/morality10_index.html>} For an interesting take on the
complexities of adjudicating between "natural" and "social" values, read Joshua Knobe's piece entitled “In
Search of the True Self” (Knobe).
differently. This is such a difficult problem because we lack a single dependable path to resolving these conflicts. Consequently, Ignatieff believes that there can be many valid answers to value conflicts. These claims form the basis of Ignatieff’s pluralist approach to ethics and politics. However, as can be seen in his approach to intervention, Ignatieff is a universalist and this universalism carries over to his views on the multicultural state.

The question of the last chapter was that given the social and incommensurable nature of values, how one culture can compel another to adopt its values. The answer there was that far from imposing values, rights understood as agency allows people to freely choose the life they want to lead according to their own beliefs. The question I now wish to pose is, given his value pluralist outlook, how can Ignatieff justify any collective action by today's increasingly multicultural states.

A strong interpretation of Ignatieff’s (and Berlin’s) arguments might see him as supporting a radically individualist moral subjectivism or relativism. After all, if values are ultimately incommensurable—as argued in the first chapter—what is right for me may be wrong for you. One person may feel equality to be the value that should be prized above all others and, as such, advocate a socialist government, while his libertarian neighbor champions liberty. As Berlin points out, these values conflict: “the liberty of some depends on the restraint of others” and the equality of all means curbing the liberty of some (Liberty 170). The Berlinian value pluralist would not call either of these neighbors wrong in holding the values that they do. Hence the challenge of individual moral subjectivism is a real one. Forget the problem of compelling other cultures to respect human rights: Berlinian value pluralism presents a very real challenge of what right governments have to compel their own citizens to respect their laws.
The social nature of values discussed in the second chapter dampens this radical individualist moral subjectivism. For Ignatieff, we are social creatures and our identities—including the values we hold—develop within this social framework. Hence our libertarian and socialist neighbors will probably have a lot more in common than they believe; this is emphasized by the fact that they would probably frame their differing views in the language of rights. But consider when a member of another culture immigrates to Canada. Unlike our socialist and libertarian neighbors, this person could have been raised in a very different tradition and, as a result, the dampening effects of the social nature of values could be much less. Here the possibility of conflict between the values held by an individual and the policies of the state are very real. And, of course, this is something we see in the news regularly: when non-Western traditions that focus more on the values of honor and familial duty conflict with Canadian law and its emphasis on equality and individual rights. If faced with such a scenario, Berlinian value pluralism, with its emphasis on the incommensurability of values might seem to offer a neutral response: neither supporting nor condemning the Canadian, liberal values, nor the non-Western traditions. How can the state justify the compulsion of recent immigrants?

The dampening effects of the social nature of values may similarly be of no use when the state is comprised of multiple communities. A country like France, with one dominant language, one dominant religion, and a long shared history will have less trouble finding a common basis in values for its legal order than a country like Canada, with its multinational origins and makeup. Ignatieff fully recognizes this. It would come as no surprise to him that as it becomes more plural, France has grappled with questions of its own identity. So while the social nature of values may dispel the possibility of
radical individual subjectivity, the greater question remains: how does Ignatieff justify his universalism in the form of human rights laws?

We could state this problem another way: does value pluralism imply liberalism? This is the question George Crowder sets out to answer in his excellent analysis of Berlin’s philosophy, *Isaiah Berlin: Liberty and Pluralism*. As Crowder points out, it is not at all clear that value pluralism implies liberalism. By process of elimination, he attempts to answer the question of whether it can. He argues that value pluralism clearly excludes monist-inspired utopian projects and other political philosophies that rely on monist assumptions such as utilitarianism. However, as Crowder points out, it is less obvious that value pluralism would necessarily entail liberalism. While it might exclude monist-based political views, Crowder argues that in addition to liberalism, value pluralism may also be understood to imply either a conservative or pragmatist politics (Crowder 148). Crowder ultimately concludes that value pluralism does imply liberalism, and his reasons are quite similar to Ignatieff’s.

It is clear that Ignatieff has considered these alternatives of pragmatism and conservatism. He does not spend much time directly considering the alternative of pragmatism. However he does talk about it in *The Lesser Evil*. He argues that “[r]ights, on a pragmatic reading, are side constraints on the public policy choices of legislatures and governments” (34-35). He points to the words of pragmatist Richard Posner, who argues:

In hindsight, we know that interning the Japanese American residents of the West Coast did not shorten World War II. But was this known at the time? If not, should not the government have erred on the side of caution, as it did? (35)
Pragmatism, for Ignatieff, is indistinguishable from positivism: the same positivism that led legal theorists such as Carl Schmitt in Weimar Germany into the arms of the National Socialist party (41-2).\(^{34}\) In short, Ignatieff believes that pragmatism fails to appreciate that real values are at stake in political decisions.

Ignatieff develops his critique of conservatism more carefully. In his essay “Understanding Fascism?,” Ignatieff points out a possible problem with Berlin’s liberal views. Berlin’s liberalism, Ignatieff writes, rested on a view that human nature was ultimately good. Ignatieff makes this judgment in comparison to the ideas of Joseph de Maistre, whose ideas Berlin analyzed in one of his essays. De Maistre, Berlin argues was a Nineteenth-century, French proto-fascist. “De Maistre is a disturbing figure for liberals… because he set out to demolish faith in any trans-historical moral scale based on an anthropology of human nature,” Ignatieff says, summarizing Berlin (“Understanding Fascism?”). He points out that de Maistre believed that more than self-preservation or happiness, man’s fundamental desire was self-immolation and war.

Ignatieff writes that:

> From this vision of animal life and human psychology, an authoritarian political order is easily derived…. Berlin clearly believes that de Maistre's vision of human nature exaggerated human

\(^{34}\) Berlin has much more to say on positivism. As Ignatieff notes in Berlin’s biography, much of Berlin’s thought developed as a response to grand monist-inspired political projects on the one hand and positivism on the other. Ignatieff summarizes Berlin’s position, saying Berlin:

> …always insisted on the cleansing properties of analytical philosophy. 'It got rid of a lot of clouds of Hegelianism which were no good … it was a great rejuvenating force.' But he was utterly unconvinced by logical positivism's redefinition of philosophy as the handmaiden of science…. For Ayer and the positivists, the historicity of human thought was an incidental or uninteresting feature. For Berlin, it raised the central problem of philosophy itself: whether the idea of continuous, stable human values could be reconciled with the manifest historical variation in the way these values were expressed across time, across cultures and between individuals within cultures. The emphasis on values, moreover, returned ethics and political philosophy to centre stage. (Isaiah Berlin 88)
malignity, yet could it not be said that Berlin himself exaggerates the commonality of moral outlook and cooperation? (“Understanding Fascism?”)

Here then, we see Ignatieff break from Berlin. He acknowledges that politics depends greatly on one’s understanding of human nature and that, with a dark enough understanding a conservative outlook is possible and even inevitable.

In *The Lesser Evil*, Ignatieff argues that lawmakers should have a “conservative bias” when approaching a terrorist dilemma (LE 9). He believes that “tried and tested standards of due process should not be hastily discarded” (9). So in a sense Ignatieff is a conservative—or at least has what might be called a conservative disposition. However, this conservatism is not unquestioning deference to the past. Ignatieff believes we should generally defer to tradition because our problems are not new: most of the time previous generations have grappled with the same value conflicts for thousands of years. The political institutions that now exist and traditions we now hold are carefully honed responses “developed over centuries, to the inherent difficulty of making appropriate public judgments about… conflicts of values” (3). At root, then, are still the values we hold. Also, one of the reasons tradition can never be wholly deferred to is that these values themselves change and every value conflict is unique.

Ignatieff also spends a few thoughtful pages on the conservatism of Edmund Burke. In *The Rights Revolution*, Ignatieff asks:

…whether a rights culture is enough to hold the country together, whether it creates a sufficiently robust sense of belonging, and a sufficiently warmhearted kind of mutual recognition, to enable us to solve our differences peacefully. The criticism most often advanced against a civic nationalist vision of national community is that it is too thin. (RR 126-7)

As Ignatieff acknowledges “[t]his is a very old worry about societies based on rights,” dating back at least to Burke’s *Reflections on the Revolution in France* (127). Contracts
can be dissolved, Burke reasoned, only tradition could provide the sort of foundation that political institutions could be built upon. Ignatieff writes that:

The enduring relevance of Burke’s critique suggests that he identified a crucial weakness in rights-based societies. Clearly, rights are not enough. The elements that hold a country like Canada together run deeper than rights: the land, shared memory, shared opportunity, and shared hope. Yet Burke and his fellow conservatives underestimated the power of rights as a source of legitimacy and cohesion in modern societies, just as they sentimentalized the legitimacy of the ancien régime. The ancient and immemorial tissue of connections was insufficient to keep the France of the ancien régime together, and the democratic republic that succeeded it, which was based on consent and contract, has endured for two hundred years. Yet even though contractual societies have shown themselves to be remarkably robust, we continue to worry that, to paraphrase William Butler Yeats, the centre cannot hold. (127-8)

As we can see from this passage, there is a deep anxiety in Ignatieff over whether multicultural societies have enough common ground to hold together. This anxiety should come as no surprise given the importance Ignatieff places on history and society in the values we hold. However, while Burke would almost certainly have held that pluralist or multicultural societies could not cohere, Ignatieff concludes that they can. They can do so because of rights. This is the basis of his liberalism—the basis for his rejection of conservatism as an ideology.

As has been shown, the importance of society, of history, of culture is essential for Ignatieff. Even that is an understatement. Far from being dismissive towards culture, Ignatieff’s theory of rights is predicated on his belief in its importance. Belonging, for Ignatieff, is more important than other values. This is because it is essential in the formation of the individual. The best of us is social, he argues. In some of his best writing, he says:

35 Here we might recall Berlin’s argument that: “For what I am is, in large part, determined by what I feel and think; and what I feel and think is determined by the feeling and thought prevailing in the society to which I belong, of which, in Burke's sense, I form not an isolable atom, but an ingredient (to use a perilous but indispensable metaphor) in a social pattern” (Liberty 203)
Being human is an accomplishment like playing an instrument. It takes practice. The keys must be mastered. The old scores must be committed to memory. It is a skill we can forget. A little noise can make us forget the notes. The best of us is historical; the best of us is fragile. Being human is a second nature which history taught us, and which terror and deprivation can batter us into forgetting. (NS 141-2)

The part of us that is natural—our naked humanity—is shared with the animals of the heath. Included in our social clothing are things traditionally associated with culture: differences of faith, or music or a national pastime. But our clothing also includes things that are not traditionally associated with culture—things that many would consider a part of human nature—like beauty, humility and love. In short, Ignatieff believes it is our social selves that make life worth living—that a life without these things would be nasty and brutish. And yet, as just shown, Ignatieff believes our social selves are fragile. We need to be secure in our belonging in order to flourish. Rights are the answer to this fragility.

Nowhere are rights more necessary than in the multicultural state, Ignatieff believes. In *Blood and Belonging* he asks: can multi-ethnic states cohere? In a homogenous nation-state, he argues, people are likely to feel secure in their differences. This is why nationalism has such a strong draw. He concludes that only when individuals feel secure in their difference can multi-ethnic or plural states survive.

“Cosmopolitanism,” he argues, “is the privilege of those who can take a secure nation-state for granted” (BB 13). Ignatieff believes that the key to being able to feel secure in your differences in a multicultural state is rights. Recall that he argues the Holocaust showed both the necessity and fragility of human rights. Rights themselves are fragile. They rely on values such as equality and empathy in order to take root in a community. And they protect many other equally-fragile values. As he argues:
The function of human rights, then, is not to protect the abstract human identity of nakedness, or to express in juridical language our instincts of pity for denuded human suffering. Its function is to protect real men and women in all their history, language, and culture, in all their incorrigible and irreducible difference. (RR 43)

Rights allow us to pursue our own good in our own way. They are the best guarantee that we can feel secure in our differences. And it is because of this that Ignatieff believes the multicultural state can only survive when it has an effective regime of individual rights. This is what makes rights a universal value for Ignatieff. Negative liberty is not a universal value because is the highest value, but because it allows everyone to maintain all of the other values they wish to hold on to. Hence value pluralism implies liberalism.

However, one final thing to note is that this universalism of rights does not mean Ignatieff is advocating a libertarian state. To believe so is to seriously misread Ignatieff and misunderstand value pluralism. Ignatieff is arguing for a certain minimum degree of personal autonomy, not the maximum degree personal autonomy possible. To limit the state’s role in society to that of a referee would be to sacrifice too many of the values we hold dear. Ignatieff argues “people may enjoy full human rights protection and still feel they lack essential features of a good life” (55). Clearly, while some of these “essential features” can be satisfied by individuals on their own, some of them need the full efforts of the community in order to be fulfilled. In The Needs of Strangers, he asks “[i]s society a moral community” (NS 13)? In that book, he argues that:

A free society can stand for justice — for the idea that private preferences should not result in harm to others — but if it stands for more than justice, it will jeopardize the freedom of individuals to choose their needs as they see fit. This is the core of the liberal creed in politics. It draws a line between the needs which can be made a matter of public entitlement and those which must be left to the private self to satisfy. (NS 135)
But, he says, paradoxically for “all the apparent relativism of liberal society — our interminable debate about what the good in politics consists in — in practice a shared good is administered in our name by the welfare bureaucracies of the modern state” (136). The welfare system, then, is an example of a shared good administered in a modern pluralist state.

“Apparently, societies that seek to give everyone the same chance at freedom can only do so at some cost to freedom itself,” Ignatieff writes (136-7). Here we see Ignatieff rejecting the libertarian credo by acknowledging that beyond enforcing people’s rights, that the state can have a role in administering a shared good. In other words, Ignatieff has answered his own question: society is a moral community. He continues, arguing:

It is a recurring temptation in political argument to suppose that these conflicts can be resolved in principle, to believe that we can rank human needs in an order of priority which will avoid dispute. Yet who really knows whether we need freedom more than we need solidarity, or fraternity more than equality? Modern secular humanism is empty if it supposes that the human good is without internal contradiction. These contradictions cannot be resolved in principle, only in practice. (NS 137)

With this sentiment, we come full circle to the idea that values are plural and often conflict. This is the core of the idea he terms “rights as politics.” The essence of this idea is that no value—not even rights—should trump. And as Ignatieff acknowledges, any attempt to resolve these conflicts “in principle” is bound to fail. It is only in practice that value conflicts can be resolved.

To answer the question posed at the start of this chapter then, we can now say that Ignatieff can justify his universalism in multicultural states because value pluralism implies a commitment to protect human rights. As mentioned above, Ignatieff believes the biggest political problem the world faces is “how to create stable political order among
people of different religions, cultures, and economic classes” (RR viii). Value pluralism, in Ignatieff’s view, would not lead to radical individual subjectivism because of the social nature of values and belonging. But the problem becomes more salient when considering the justifications for human rights law in multicultural states, where many different histories intersect—not all of which draw on traditions that includes human rights. However Ignatieff believes that this way of posing the problem is backwards:

The usual criticism of this sort of individualism is that it imposes a Western conception of the individual on other cultures. My claim is the reverse: that moral individualism protects cultural diversity, for an individualist position must respect the diverse ways individuals choose to live their lives. (HR 57)

Ignatieff argues that pluralism demands moral equality: rights ensure that equality. But, to the degree that it does so, Ignatieff points out, it creates a more contentious debate over what is right in society. “Rights language says: all human beings belong at the table, in the essential conversation about how we should treat each other,” he argues (RR 94). But this is a good thing. Everyone at the table sometimes disagreeing is better than a chosen few deciding for everyone. This is what he means when he says we all want to be treated the same and differently. Human rights, Ignatieff argues, “is the language that most consistently articulates the moral equality of all the individuals on the face of the earth” and in so doing protects our differences (57). In short, Ignatieff believes the key to creating stable and just political order in multicultural society is rights. And for inspiration, he believes we need look no further than Canada itself—for Canada has been grappling with these questions since Montcalm and Wolfe were carried off of the Plains of Abraham. Because of this, Ignatieff argues, “Canada has shown the way: maintaining freedom among peoples who value their differences yet desire to live as equals in a political community” (x).
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