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Human Dignity as the Foundation for Human Rights: A Discussion of Kant's and Schopenhauer's Work with Respect to the Philosophical Reflections on Human Rights

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HUMAN DIGNITY AS THE FOUNDATION FOR HUMAN RIGHTS

A Discussion of Kant's and Schopenhauer's Work with Respect
to the Philosophical Reflections on Human Rights

By Paul Cliteur, Amsterdam and René van Wissen, Den Haag

I. Introduction

Since the conception of human rights, there has been a wide consensus that they are beneficial to everyone. They concern self-evident notions, such as people's rights to freedom of speech, religion, and life. Yet in spite of the fact that the rights themselves are almost beyond criticism, their foundations are questionable. This applies in particular to the scope of the rights (i.e. whom they aim to protect). Human rights aim to protect human beings exclusively, and whereas the foundation for human rights gradually shifted from a religious one to a secular one, their limited range has remained unchanged over the years. Therefore, granting rights to other species, such as animals, has never been seriously considered. This is somewhat remarkable, since so many other emancipated beliefs have gained a strong foothold today.

This essay discusses the rationale behind the limited scope of human rights. To this end shall be outlined how the perception of human rights developed through time. Especially Immanuel Kant's and Arthur Schopenhauer's views on this issue shall be analysed. Also, explorations shall be made to see whether human rights should apply to animals as well.

II. A Brief History of Human Rights

In 1948, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights. The preamble of the Declaration explains its goal and foundation.

Whereas recognition of the *inherent dignity*, and of the *equal* and *inalienable rights* of all members of the human family is the foundation of freedom, justice, and peace in the world. (Italics are ours)

For various reasons, the proclamation of the Universal Declaration of Human Rights can be considered a success. First, because it is a compro-

mise between East and West. The West received recognition of its classical fundamental rights, which resulted in rights for individuals concerning the protection of a private sphere, where government intrusion is not allowed; the East saw several social fundamental rights recognised. Second, because this was the first time a set of values was presented with a claim of universality, which was truly shared by a large part of the world community. Finally – and that forms the essence of this essay – it is noticeable that this was the first time a set of rights was justified solely on the basis of human dignity. In the quotation above, this is clearly discernible. This shift betokened a radical reconceptualisation, and a break with a longstanding and cherished tradition, in which higher law derived its status from divine will. Previous generations justified all law by reference to God's will. This religious basis for law is quite apparent in the Declaration of Independence (1776).

We hold these Truths to be self-evident, that all men are created equal; that they are endowed *by their Creator* with certain unalienable Rights [italics added]; that among these are Life, Liberty, and the pursuit of Happiness.

The theistic foundation becomes quite clear in the italicised words. The rights to life, liberty, and the pursuit of happiness derive their binding force from God's will. The theory on ethics behind this, is today known as the theory of the "divine command." It essentially holds that an action is either good or evil insofar it is or is not in accordance with God's will. Something is not good or evil in itself (which is the point of view of the theory of moral autonomy), but rather because God ordained that some things are good and other things are evil (which is the standpoint of the theory of moral heteronomy). From a theistic perspective, heteronomy, or the theory of divine command, made perfect sense.¹ However, in the eighteenth century, a century of secularisation, the divine basis for good and evil became increasingly implausible. Therefore, people were looking for alternative foundations for ethics. One of the ways to understand the Enlightenment, is to see it as an attempt to find such a new foundation for the moral and political order. Thus, new concepts were developed, which included "human dignity," and "inalienable

¹ This is well put by: *James M. Gustafson*, Religion and morality from the perspective of theology, in: *Religion and morality*, A collection of essays, Garden City/New York: Anchor Books 1973, pp. 125–154, p. 126: "If God is One, in Western religious beliefs, and if he is (in some sense) sovereign, and if his will is a moral will, and if all that occurs is (again, in some sense) dependent on him, can one readily distinguish between a 'religious' and a 'moral' obligation? Between a religious and a moral relationship (or response) to God? If goodness is attributed to God – in giving his gifts of life to the world and man in sustaining and restoring human life – and if that goodness is (in modern distinctions) both moral and non-moral, does man's gratitude to God require deeds that are moral and religious at once?"

rights." Dignity functioned as the basis for those rights, and in a way this dignity had a higher status than the rights themselves.

Of course, none of this happened overnight. It is, in fact, doubtful whether the focus on the Enlightenment furthers our understanding. First, because the Enlightenment was preceded by theories that were afterwards considered specific for enlightened thinking. This applies for example to the theory of moral autonomy, mentioned above. Grotius asserted that even if there was no God (this, to him, was an horrific thought, which he merely used as a thought experiment) the *ius naturalis* would still hold.² This makes him an early proponent of the theory of moral autonomy.³ Grotius disconnected morality and religion, and contributed to what has been called the "conceptual elimination of God," which started in medieval times.⁴ It was not until centuries after that, though, that this theory would come to full fruition. Second, the emphasis on the Enlightenment is questionable because the latter included a number of theistic structures – even for the explanation and justification of the social order.⁵ The example of the Declaration of Independence proves this, because the rights mentioned in the Declaration are still ascribed to divine will. The Universal Declaration of Human Rights was the first legal document which offered nothing but *human dignity* as the ultimate justification for the rights included in it. Therefore, it can be regarded as the completion of the philosophy of the Enlightenment, and perhaps as an echo of that famous thesis by Grotius.

III. The Secular and Theistic Roots of the Concept of Human Dignity

If one were to try to find the origin of the concept of human dignity, one should first be more specific about the contents of the concept. When reflecting on the central significance of man, a statement by the philosopher Protagoras comes to mind: "Man is the measure of all things." However, Protagoras appears to have meant this comment in a matter-of-factly manner, which was not prompted by the conviction that man is a very elevated creature.⁶ The way the idea of human dignity is

² Hugo Grotius, *De iure belli ac pacis*.

³ Of course, every precursor has a precursor. In Plato's *Euthyphro*, the question is raised whether goodness is good in itself which causes the gods to desire it, or that something is good because the gods desire it.

⁴ Hans Welzel, *Naturrecht und materiale Gerechtigkeit*, Göttingen: Vandenhoeck & Ruprecht 1980, p. 127.

⁵ See: W. T. Stace, *Religion and the modern mind*, London: MacMillan & Co. 1953.

⁶ This is really only an observation, though; it is not a moral judgement. Therefore it may not be entirely justifiable to consider Protagoras a protagonist of hu-

portrayed in Sophocles's tragedy "Antigone," is more in accordance with the way it is perceived today.

Wonders are many on earth, and the greatest of these is man (...). He is the master of ageless Earth, to his own will bending (...). He is the Lord of all living things; birds of the air, Beasts of the field, all Creatures.

Man as ruler over the earth, with the ability to make everything subservient to his will: the birds in the sky, the animals in the field, and all other animals in the sea and on land. The resemblance with *Genesis* is striking:

"And God said: let Us make people after our own image, so that they rule over the fish in the sea, the birds in the sky, and over cattle, and over the entire earth, and over all vermin which crawls the earth."⁷

Of course, one might claim this is not a panegyric to man's central position in the cosmos, but a panegyric to God. In a way, this is surely true, but the central position that is ascribed to man is manifest.

The question then arises whether the Greek and the Jewish-Christian tradition agree on this point, in that both stress the importance of man as lord and master over nature. Although this appears to be the case, there is one clear difference, one of which Dutch historian Romein is well aware in his paper on the cultural-historical roots of the concept of human dignity.⁸ Romein tells about a visit to the sales department of plaster casts at the Louvre. The statues of Voltaire, Goethe, Descartes, en Diderot were the best-selling ones, which does not surprise Romein. He considers these people as the prime bearers of human dignity.⁹ One might ask why there is such an elaborate representation of enlightened eighteenth-century philosophers, whereas Jesus Christ and Augustine are absent. According to Romein, this has to do with the eighteenth-century breach with an older "cultural matrix," whose characteristics are the *perception of sins, the belief in authority, and the communities* in which people lived.¹⁰ In his opinion, all three circumstances mentioned above are detrimental to the modern concept of human dignity.

This appears to hold true,¹¹ and makes possible the detection of differences between the nature of the emphasis on man in certain Greek texts

manism, as do *J. V. Luce*, *An introduction to Greek philosophy*, London/New York: MacMillan & Co. Ltd 1960 (1920), p. 112.

⁷ *Genesis* 1:26.

⁸ *Jan Romein*, *Over de menselijke waardigheid. Uit de geschiedenis van een begrip* [On human dignity. From the history of a term], in: *Historische lijnen en patronen. Een keuze uit de essays* [Historic lines and patterns. A choice of essays], Amsterdam: Em. Querido 1976, pp. 119–146.

⁹ *Ibid.*, p. 119.

¹⁰ *Ibid.*, p. 126.

and its nature in *Genesis* and in the psalm mentioned before. There are two differences between the conception of human dignity in the Christian tradition and in the secularised tradition. The first difference is that, according to the secularists, human dignity is autonomous, in the sense that it is not derived from the Creator. The second difference is that human dignity is "complete," in that it does not detract from the perception of sins, which is specific for the Christian tradition. Thus, the concepts of human dignity, as used in Greek and secularised traditions, as well as in the Jewish-Christian tradition, have different origins.¹²

IV. Kant on Human Dignity

The secularised concept of human dignity proved decisive in the development of human rights. The rights mentioned in human-rights declarations are no longer justified by reference to divine will, but by reference to the disposition of man; man is what Romein calls the bearer of human dignity.

After this discussion of the concept of human dignity, the question arises how the secularised concept developed, and who were the major contributors to its development. There is one person who had a decisive influence in this field: German philosopher Immanuel Kant. The Declaration of Independence was inspired by Thomas Jefferson and John Locke, the Universal Declaration of Human Rights – at least its foundation in human dignity – might be contributed to Kant. It was Kant who first suggested human dignity was the anthropinon, and who convincingly repudiated the ethics of the divine command.

He did so in a book that formed the groundwork for his later writings on ethics and law: *Foundation for the metaphysics of morality* (1785).¹³ Kant propounds an important difference between *dignity* and *value*.¹⁴ In his "The empire of goals" everything has *either* value *or* dignity. Things

¹¹ Criticism on the idea of the original sin is, of course, a typically enlightened issue. See the American humanist *Paul Kurtz*, *The courage to become. The virtues of humanism*, Westport (Connecticut)/London: Praeger 1997, p. 95: "Many theists hold a bleak view of human nature; the doctrine of original sin demeans who we are."

¹² Attempts to rehabilitate the vocabulary of "sin," "devil," "demonism," from a secular world-picture, as *Kolakowski* does, merely lead to confusion of tongues. See: *Leszek Kolakowski*, *Kan de duivel verlost worden?* [Can the devil be liberated?], in: *Encounter*, July 1974, and in: *Essays van Leszek Kolakowski*, Utrecht: Het Spectrum 1983, pp. 84–99.

¹³ *Immanuel Kant*, *Grundlegung zur Metaphysik der Sitten* (1785), in: *Werkausgabe*, Band VII, Hrsg. W. Weischedel, Frankfurt am Main: Suhrkamp 1981, pp. 11–102.

¹⁴ *Ibid.*, p. 68.

that have a price are expendable; things that are above financial value have dignity. That which has dignity is a goal-in-itself; it does not have a relative value, but an absolute one; it is the "subject of an immediate respect".¹⁵

In Kant's view, only man meets this requirement. Only man, as a rational being, exists as a goal-in-itself, and not as a means for others.¹⁶ All *things* in this world merely have a relative value. This special position man has designated himself, is closely linked to his ability to subject himself to moral law. Ethics are about *duty* and not about *proclivity*. To this end, Kant formulates his categorical imperative. He already offers a few variations on this, one of his central terms, in *Foundation on the metaphysics of morality*:

- (1) Act in such a way that the maxim of your action should be a general law (or, more succinctly, act the way you would want everyone to act);
- (2) Act in such a way that humanity is always treated as a goal, and never as just a means to an end, both for yourself and for others.

Paul Deussen, a follower of Schopenhauer but also someone who has great sympathy for Kant's theories, gives the following example to illustrate the nature of the categorical imperative.¹⁷ Supposing that one is hungry would lead to the necessity of one's eating. Kant would call this an imperative; he distinguishes between two imperatives: hypothetical and categorical ones. Hypothetical imperatives hold that if one is hungry, one needs to eat; but if one does not want to allay his hunger, one does not need to eat. The imperative that one needs to eat, only exists under the presupposition that one wants to lessen his hunger.

According to Kant, he who adheres to hypothetical imperatives does not act in a truly moral fashion, but merely appropriate or inappropriate; someone who does not make mistakes in this is not good, but simply sensible.

Not so with the categorical imperative, though. This imperative is communicated to a person through their conscience, which says: "Do good and not evil." This imperative has no presuppositions, is not hypotheti-

¹⁵ Ibid., p. 68.

¹⁶ In Anglo-Saxon philosophy, this topic is generally treated in the form of the question as to which creatures have an "intrinsic value". See: G. E. Moore, The conception of intrinsic value, in: James Rachels, ed., *Ethical theory*, I, The question of objectivity, Oxford/New York: Oxford University Press 1998, pp. 28–42; Jeremy Waldron, The edges of life, in: *London Review of books*, 12 May 1994, pp. 11–13.

¹⁷ Paul Deussen, *Allgemeine Geschichte der Philosophie*, Zweiter Band, Dritte Abteilung; *Neuere Philosophie von Descartes bis Schopenhauer*, 2. Aufl., Leipzig: F. A. Brockhaus 1920 (1917), p. 251.

cal (for instance in the sense that one wants to be a good person), but absolute.

In Kant's theory, the will that is ruled by hypothetical imperatives is *heteronomous*; the will that is ruled by categorical imperatives is *autonomous*.¹⁸

V. Kant's Influence

Kant's ideas on moral autonomy and human dignity have greatly influenced his contemporaries. This applies in particular to Fichte, the philosopher who the history books consider as Kant's great successor. No one puts more emphasis on human dignity than Fichte does.¹⁹ He asserts: "Everything that is now shapeless and disorderly, will be put in order by man, and that which is already in harmony will become ever more harmonious – by laws that are as yet undeveloped."²⁰ Man "organizes the turmoil".²¹ Not only does man choose the necessary order in things: he also chooses one randomly. There where man enters, "nature awakens".²² The human body is the most spiritual thing that can be created by matter. Nature rejoices in being taken care of by man and being allocated a place in the universe.

"That is man; that is anyone who can say to themselves: *I am a human being*. Should he not to have this holy deference for himself, and shiver and shudder for his own majesty! – That is anyone who can say to me: *I am*. wherever you live, you, who has a human countenance."

Needless to say, this is an enormous glorification of man. Fichte radicalises the idealistic impulses of Kant's thinking, in that he explains the whole of the outside, phenomenological world as a product of the activity of the self.²³ In ethics too, the further development of Kant's thinking leads to a centering of man in the cosmos.

¹⁸ Ibid., p. 254.

¹⁹ *Johann Gottlieb Fichte*, Über die Würde des Menschen (1794), in: ders., Werke, herausgegeben von Immanuel Hermann Fichte, Band I, Zur theoretischen Philosophie I, Berlin: Walter de Gruyter & Co. 1971, pp. 412–416.

²⁰ Ibid., p. 413.

²¹ Ibid., p. 413.

²² Ibid., p. 413.

²³ American philosopher *George Santayana* criticized the "egotism" of Germans. He did so in his *Egotism in German philosophy*, first published in 1916, then again in 1940. However, Santayana's criticism is not founded on ecological considerations, but on political ones. See: *Edward L. Schaub*, Santayana's Contentions Respecting German Philosophy, in: *The philosophy of George Santayana*, ed. Paul A. Schilpp, La Salle (Illinois): Open Court 1940, pp. 399–415.

Another philosopher who played a pivotal role in stressing the significance of the concept of human dignity as a foundation for ethics, is Wilhelm Block. In his *New foundation for the moral philosophy*, published in 1802, he was the first to take human dignity as the solitary startingpoint of ethics.²⁴

Still, it almost goes without saying that Kant's emphasis on moral autonomy and human dignity contributed greatly to ethics.²⁵ Kant's categorical imperative may not be that different from the golden rule that is to be found in all large world religions, but he was the first to give a solid justification of this principle, thereby cleansing ethics of all theistic references. He who is virtuous because God ordained it, acts in a heteronomous manner and, from a moral point of view, improper. Only he who is virtuous out of respect for moral law, acts impeccably. One could put it differently: true morality is inherently autonomous, in the sense of being free from religious influence. The Universal Declaration of Human Rights can be regarded as the apotheosis of Kant's approach. The concept of human dignity is presented as the foundation of a universal morality, and this is precisely what Kant had in mind.

VI. The Drawbacks of Kant's Theory

The Kantian approach has its downsides which, in a way, have been exemplified by Fichte's anthropocentric rhetoric. Like his precursor Descartes, Kant creates an enormous gap between man and the rest of nature, by emphasising the moral significance of the human personality. It is true that Kant does not view non-human animals as machines, as Descartes and the Cartesians did, but it is clear that he also believes that animals have only an instrumental, not an intrinsic value – no dignity. Man may do as he pleases with these "irrational animals," because animals are creatures with a completely different value.²⁶

²⁴ According to *Arthur Schopenhauer*, *Über die Grundlage der Moral*, in: *Sämtliche Werke*, Band III, Stuttgart/Frankfurt am Main: Cotta-Verlag/Insel-Verlag 1976 (1840), pp. 631–815, p. 695.

²⁵ After that, the autonomy of morality was furthered in even more impressive fashion in two books that were both published in 1925: *D. H. Kerler*, *Weltwille und Wertwille. Linien des Systems der Philosophie*, Leipzig: Alfred Kröner Verlag 1925 and *Nicolai Hartmann*, *Ethik*, Dritte Auflage, Berlin: Walter de Gruyter 1949 (1925). Under the heading "Religion and myth", Hartmann discusses the correlation between religion and morality. The older philosophical ethics were always religion oriented. For hundreds of years, moral conceptions were derived from positive religion. But that is over: "Times of such dependence are surely gone." (*Ibid.*, p.66). *Derik Parfit* writes that, contrary to popular opinion, ethics as an independent – i.e. detached from religion – discipline, is quite new. It is only since the second half of the twentieth century that the autonomy of ethics is taken seriously. See: *Derik Parfit*, *Reasons and Persons*, Oxford: Clarendon Press 1984, p. 454.

Kant also criticises Baumgarten, who believed that man had certain obligations towards creatures both lower and higher than he in the hierarchy. Kant does not discuss rights towards higher creatures, but he is very much opposed to rights for lower creatures. He claims that animals have no self-consciousness and are simply a means to an end – that end being man. We may very well ask: “Why do animals exist?” whereas the question “Why do people exist?” would be erroneous. Man’s obligations towards animals are merely indirect, because by adhering to certain rules towards animals, man indirectly imposes them upon himself. The following example, which is derived from Kant, may serve to illustrate this. When a dog has faithfully served its master all its life, it deserves a “reward;” it does not deserve to be shoved aside when it is no longer of use. The reason for this, however, is that man thus cultivates his moral possibilities for himself, who is the only one to be able to make a *direct* claim to help by other human beings.²⁷

It needs to be said that this assertion was not widely shared in Kant’s days. He himself mentions Baumgarten, who thought that rights towards animals were possible. One could also look at Jeremy Bentham (1748–1832) – more or less a contemporary of Kant (1724–1804) – who, in 1789, introduced a new criterion for the question whether animal’s interests should be taken into account: “The question is not, Can they *reason*? nor, Can they *talk*? but, Can they *suffer*?”²⁸ It is clear that this idea focuses on the similarities between humans and animals, rather than on the differences, in deciding to whom rights should be given. This was a completely different perspective than the Kantian one, one that became quite popular in the Anglo-Saxon community.²⁹ However, it was not really a confrontation with Kant’s perspective, since Bentham did not present arguments to refute Kant’s thesis, but merely posited his own view, in a somewhat matter-of-factly fashion. Kant on the other hand *did* repudiate the empiricist philosophy (convincingly, according to his contemporaries). If one were to follow the perspective of Bentham and other British

²⁶ *Immanuel Kant*, Anthropologie in pragmatischer Hinsicht (1798), in: W. Weischedel (Hrsg.), Werkausgabe, Band VII, Frankfurt am Main: Suhrkamp 1982, pp. 399–690, p. 407.

²⁷ See: the text and commentary: *Immanuel Kant*, We have only indirect duties toward animals, in: Louis P. Pojman (ed.), *Environmental ethics. Readings in Theory and Application*, Boston/London: Jones and Bartlett Publishers 1994, pp. 27–28.

²⁸ *Jeremy Bentham*, An introduction to the principles of morals and legislation, edited by J. H. Burns and H. L. A. Hart, London/New York: Menthuen 1982 (1789), p. 283.

²⁹ Among others in: *Peter Singer*, Practical ethics, Cambridge: Cambridge University Press 1990 (1979), pp. 48–72; *same*, Animal liberation, 2nd Edition, London: Jonathan Cape 1990; *same*, How are we to live? Ethics in an age of self-interest, Amherst/New York: Prometheus Books 1995 (1993).

empiricists, this would only pollute ethics, as an a-prioristic undertaking with all kinds of empiricist material. It was generally held that Kant had the better argument, and human dignity, as defined by him, was triumphant in continental philosophy. As a result, the Universal Declaration of Human Rights became the new foundation for human rights.³⁰ It is debatable whether this was a fortunate development, because a more empiricist approach might have been preferable. The "ability to suffer" might have proven to be more fertile soil for further development of the theories on the foundations of ethics and human rights.

The reason for this, is that the "ability to suffer" is a better starting-point for recognising rights for animals and even the ecosystems, than the dominating approach that is based on Kant's theories. His approach, which put an emphasis on *human* dignity, introduced an anthropocentric way of thinking about human rights. It is questionable whether this was a positive development.³¹ But the question is if there are alternatives; it is clear that an approach would be desirable which, firstly, incorporates the core of the Kantian heritage (i.e. the moral autonomy); and secondly, mitigates – or better yet: eliminates – its anthropocentric aspects.

Such a theory does in fact exist: at least, there is one with such a pretence: the ethics of Arthur Schopenhauer. In 1840, Schopenhauer wrote an essay on the foundation of morality,³² which merited a lot more recognition than it received in the history of European culture.³³ In this essay, Schopenhauer elaborated on his thoughts on ethics first mentioned in *Die Welt als Wille und Vorstellung*.³⁴ For several reasons, Schopenhauer's ethics seem a better basis for an ecological ethics and a new foundation for human rights than the Kantian heritage.

³⁰ See for the cultural history of the term and the way it was rooted in the German constitution: *Bernhard Giese*, *Das Würde-Konzept*, Berlin: Duncker & Humblot 1975.

³¹ See for criticism on anthropocentrism, also: *Alexander Glimpse*, *International environmental law policy and ethics*, Oxford: Clarendon Press 1997.

³² *Arthur Schopenhauer*, *Über die Grundlage der Moral*, in: *Sämtliche Werke*, Band III, Stuttgart/Frankfurt am Main: Cotta-Verlag/Insel-Verlag 1976 (1840), pp. 631–815.

³³ *Taylor* calls Schopenhauer's *The basis of morality* as "one of the most original and inspired writings". Until now, it has remained "relatively unknown". See: *Richard Taylor*, *Schopenhauer*, in: D.J. O'Connor (ed.), *A critical history of Western philosophy*, New York/London: The Free Press 1964, pp. 365–384.

³⁴ *Arthur Schopenhauer*, *Die Welt als Wille und Vorstellung I*, in: *Sämtliche Werke*, Band I, Stuttgart/Frankfurt am Main: Cotta-Verlag/Insel-Verlag 1976 (1818).

VII. Schopenhauer Starts with Kant

Schopenhauer had been inspired by Kant's philosophy,³⁵ but he drew conclusions from it that Kant himself would have considered impossible. Schopenhauer argues that ignorant people see the phenomenal world (i.e. the world as it presents itself to us) as the ultimate reality. According to Schopenhauer, this belief is erroneous, because that which we perceive through our senses is merely a facade. It is an illusion, a world whose nature is presented to us by our senses. The world is only an "idea" – a mere figment of our imagination. The world of individual things, structured in time and space, is an illusion, a veil of Maya. The wise man can see through this, because he learns to see that time and space are an addition of the human subject to the world.

The question then arises how to penetrate the true essence of reality. To put it in Kantian terms: "How do we get through to the thing-in-itself?" Schopenhauer believes this is possible because man forms an integral part of reality, and because the deepest being within ourselves also forms the deepest being of reality. By means of introspection we can learn "that which holds together the world-in-its-essence" (see Goethe, *Faust*). This introspection is not an activity in which we are helped by *reason*, as Kant seems to think; we cannot observe ourselves from a distance, like we do with an object in the outside world. Introspection is a matter of *intuition*. When using our intuition, we know what man, and therefore what reality is in its essence: will (*Wille*). Our thoughts, the expressions of our individual will, our bodies, the things in the outside world – they are all merely manifestations of this single will. On the one hand, therefore, the world is representation or idea; on the other hand it is will: the world is *both* will *and* representation.

VIII. Voluntarism: Bridging the Gap between Man and Animals

So far, this does not point toward a philosophy that would betoken a huge step forward in the existing perspective on animals and ecosystems, compared to the philosophies of Kant and Fichte. However, this changes when we consider the following. Schopenhauer's voluntarism had the effect that something came to the fore "what is by now increasingly taken for granted," Richard Taylor, a present-day follower of the

³⁵ The criticism of Kant that Schopenhauer added as an appendix to "Die Welt als Wille und Vorstellung" begins as follows: "It is far easier to demonstrate the errors and mistakes in the works of the great minds, than to give a clear and complete development of the value itself. Then the mistakes are separate and ultimate." See: *Schopenhauer, Die Welt als Wille und Vorstellung* (FN 34), p. 561.

German philosopher, writes.³⁶ In Taylor's view, man is related to the rest of nature. He states that man is an animal that is a part of the animal world. He admits there are differences between human and non-human animals, but he claims they are gradual differences, not essential ones.

Continental philosophers tend to connect such a standpoint with a materialistic view of reality, with Darwinism,³⁷ or with positivism. Schopenhauer, however, reaches this conclusion by furthering "idealism," which is also specific for the Kantian philosophy. Although Schopenhauer's philosophy is idealistic, it has empiricist traits in that he believes there is not as sharp a dividing line between the world of *Sein* (the way man is) and that of *Sollen* (that which man ought to do) as Kant suggests. Traditionally, ethics or moral philosophy is not regarded as an empirical science, but rather as a science that has more to do with ideals than with facts. *Experience* can never teach us what ought to be the case, advocates of this point of view claim. It can merely inform us on what people do, not on what they ought to do. Kant went so far as to state that it is irrelevant for the validity of a theory for even one person to act in accordance with its principles.

Schopenhauer believes this assertion to be a mistake, for it is the philosopher's task to describe the source from which stems our indignation or praise. Consequently, Schopenhauer thinks that ethics are closely related to a reflection on human nature. By contemplating this, he introduced three basic motives for human behaviour:

- Egotism, or love for the self.
- Malice, or the impulse to harm others.
- Compassion, or the impulse to keep other people's welfare in view.

Egotism is the emphasis on the self; it is the most important *Leitmotif* for people. People always let their own interests prevail to those of others.

Sometimes people are even malicious; i.e. they harm another person without securing any sort of advantage from this for themselves. Schopenhauer considers malice the basis of immorality. It exists exclusively in man, not in other beings. This made Gobineau characterise man as "*L'animal méchant par excellence*."

³⁶ Ibid., p. 368.

³⁷ See: *James Rachels*, *Created from animals. The moral implications of Darwinism*, Oxford: Oxford University Press 1991; *Paul Cliteur*, *Onze Verhouding tot de apen. De consequenties van het Darwinisme voor ons mensbeeld en voor de moraal*. [Our relationship to monkeys. The consequences of Darwinism for our view of man and for morality], Inaugural address, Delft 1995.

Lastly, compassion is a motive for human behaviour that we consider "good."

When we look at how human nature is ruled by egotism and malice, the question arises whether it is possible that we are driven by something other than these two motives. To be sure, compassion is a laudable motive, but it is doubtful whether it suffices to make man act. Schopenhauer believed it is possible for man to escape the forces of egotism and malice; it is quite rare, but it does happen. It can be seen in people who are capable of experiencing compassion or sympathy. Compassion or pity³⁸ have to do with our identification with others who are afraid or in need.

IX. Schopenhauer's Criticism of Kant

1. Not a Goal-in-itself

With the above in mind, one can understand Schopenhauer's ethics and his radical criticism of the concept of human dignity as the foundation for law and ethics. A previous paragraph described that Kant believes the axiom that man should never be regarded as a means to an end but always as a goal-in-itself, to be the highest commandment. Schopenhauer sharply criticises the Kantian reflections on "goal" and "means". His criticism is rather concise: a goal is the *direct* motive for an act of will; a means is the *indirect* motive.³⁹ Kant, on the contrary, states: "Man, and every other being that is gifted with reason, for that matter, exists as a goal in itself."⁴⁰ Yet it is obvious that this is incompatible with the framework of concepts that Schopenhauer presented. "Existing as a goal in itself" is a *contradictio in adiecto*. Being a goal means being wanted. Thus, every goal is only a goal with regard to a will of *which* it is a goal. Only in that context, therefore, of a will that is aimed at something, does the word "goal" apply. The term "goal-in-itself" is equally as pointless as the term "friend-in-itself".

Kant's definitions "insult logic", as Schopenhauer puts it.⁴¹ And not only are they an affront to logic, they also insult "true morality", which is even more grave. Schopenhauer is one of the few philosophers who compare Kant's perspective on ethics with the latter's statements about animals.⁴² This is a test Kant's philosophy does not withstand, since he

³⁸ Perhaps this word should be avoided, because it can have evocations that Schopenhauer did not have in view.

³⁹ *Schopenhauer, Über die Grundlage der Moral* (FN 34), p. 689.

⁴⁰ *Ibid.*, p. 689.

⁴¹ *Ibid.*, p. 690.

feels that all non-rational animals – and therefore animals – are merely *things* which should only be used as *means* to increase man's sense of well being. According to Kant, people can only have obligations towards other human beings. Of course, Kant agrees that the ill-treating of animals is wrong, but he feels its prohibition should be seen as an obligation of man toward himself.⁴³ Schopenhauer brilliantly captures the essence of Kant's mentality about animals, arguing that Kant believes that one should only abstain from the ill-treating of animals because it is an *exercise for just behaviour towards human beings*. Animals in themselves are completely outlawed: they are means; things that can be made completely subservient to man's caprices.

The implications of Kant's point of view – insofar it concerns the attitude toward animals, that is – are here explicitly considered shortcomings of his theory. It is not the case that Schopenhauer theorises and takes for granted the implications and consequences for the relation between humans and animals. On the contrary, he uses this relation to demonstrate an issue where Kant's theory is seriously flawed.

2. No "Absolute Value" in the Form of "Human Dignity"

Schopenhauer is even more opposed to the concept of human dignity than to the other parts of the Kantian ethics. Schopenhauer challenges those who use the term *human dignity* without thinking, to think about it. There is a real danger of the term "human dignity" becoming a hollow phrase in which one can discover random rights and duties.⁴⁴

Again Schopenhauer uses the arguments he also used in relation to the concept of the goal. According to Schopenhauer, a goal presupposes a will. The term "value" is the judgement of one thing in comparison to another. Therefore, the term "value" is comparative, or relative; relativity is the *essence* of the word "value." An incomparable, unconditional, absolute value, which the human "dignity" ought to be, according to Schopenhauer, is therefore – as so many things in philosophy – a concept that is impracticable. It is like the highest number, or the biggest space.⁴⁵

This completes the discussion of Schopenhauer's criticism of Kant *in abstracto*. It is an incisive confrontation with the two basic terms of

⁴² See: Albert Schweitzer, *Kultur und Ethik*, München: Verlag C.H. Beck 1996 (1923), p. 252 and onwards. Here one finds a similar approach.

⁴³ Immanuel Kant, *Metaphysische Anfangsgründe der Tugendlehre*, Par. 16, 17. Schopenhauer, *Über die Grundlage der Moral* (FN 34), p. 690.

⁴⁴ Schopenhauer, *Über die Grundlage der Moral* (FN 34), p. 95.

⁴⁵ Ibid., p. 696.

Kant's ethics: a "dignity" which should not be thought of in terms of as a comparative magnitude, and a "goal-in-itself." Schopenhauer launches a quite frontal attack on Kant, by raising the matter that has been discussed in the above on several occasions: Kant's attitude toward animals. It seems that this is the core of his criticism: Schopenhauer criticises Kant's ethics because of its anthropocentrism (although Schopenhauer does not use this word).

X. Schopenhauer and Animals

Schopenhauer believes that the specific reason why his own conceptions of morality are superior to other systems of morality is that his ethics also aim at protecting animals. According to Schopenhauer, the alleged "rightlessness" of animals, our pretence that our attitude towards animals is without moral significance or that we have no obligations towards animals is seriously mistaken.⁴⁶ This attitude is totally different from that of other cultures: the Egyptians placed ibises, crocodiles, and other animals amidst their dead. Only in Europe is it considered horrendous when someone wants to be buried beside their dog.

Not only the Jews are to blame, according to Schopenhauer. He also points his finger at philosophy. In philosophy, it is mainly the ideas of Descartes and Kant that have emphasised the unbridgeable chasm between humans and animals.⁴⁷

Schopenhauer tells a story about a man who had become very disturbed after he had killed a monkey, which looked into his eyes before it died. Schopenhauer also gives the example of the idiocy of someone who shot an elephant "for the fun of hunting." When that man returned to the scene the next morning, all elephants had fled except for this little elephant whose mother had been killed the day before. That made the hunter see the error of his ways. He felt "true remorse" about his behaviour and he felt as contrite as if he had committed first-degree murder.⁴⁸

Examples as the one mentioned above are understandable without the help of Schopenhauer's metaphysics. Eventually his ethics gain more depth, when one realises the background from which they have sprung. It has to do with the fact that individuation is merely an *appearance*, which in its turn has to do with the fact that space and time are not

⁴⁶ Ibid., p. 773.

⁴⁷ Ibid., p. 774.

⁴⁸ Ibid., p. 777.

rooted in reality, but in the human intellect, that uses them to learn about reality.⁴⁹ Schopenhauer regards as the highest attainable goal the identification with all living beings. He who recognises himself in all living things, he whose existence coincides with that of all others, only loses a small part of his life when he dies. He lives forth in all the other manifestations of the will to live.⁵⁰

It is clear that this elevated ethical insight is hard to realise, yet this is invariably the case when an insight of this nature is formulated. It applies amongst others to the core of ethics as it is presented to us by Jesus Christ, Albert Schweitzer, Ghandi, or Tolstoi. It is hardly surprising that many of Schopenhauer's followers did not adhere to his every recommendation and its consequences: the negation of the will to live. Still, the ethical approach Schopenhauer advocates seems to be a plausible guideline. Perhaps no one has phrased this more succinctly than Paul Deussen, one of Schopenhauer's followers. Deussen argues that the true moral attitude lies in the possibility of "the extension of the ego over the outside world."⁵¹

Deussen demonstrates how we can bring Schopenhauer's ethics to life in our everyday phenomenal world. According to Deussen, there is a way in which the categorical imperative can make its entrance in the world of phenomena, because it expands its natural borders. First, because it results in treating one's family, compatriots, and lastly all others – even animals and nature itself – with the proper respect.⁵² In the instinctive love for our spouses, our children, our countrymen, nature shows us the way through which *eros* leads to *filia* and *agapè*, Deussen argues in an attempt to reconcile Christianity with Schopenhauer's perspective.⁵³ However, it is obvious that he introduces a rather idiosyncratic Christianity and that he interprets Schopenhauer's views in a way with which the latter himself would not have agreed. Under the pretence of following in Schopenhauer's footsteps, Deussen proposed the elaboration mentioned before, which Christianity does not preach at all. Contrary to Buddhism and Hinduism, Christianity believes the moral community is limited to human beings. Kant's theory therefore seems to be more in accordance with Christianity than Schopenhauer's.

⁴⁹ Ibid., p. 811.

⁵⁰ Ibid., p. 812.

⁵¹ Deussen, *Allgemeine Geschichte* (FN 17), II, 3, p. 268.

⁵² Ibid., p. 269.

⁵³ Ibid.

XI. The Significance of Schopenhauer's Philosophy for a New Ecological Ethics

The relation between Schopenhauer's ethics and Christianity is not our primary concern here. The important question is whether Schopenhauer's philosophy could form the basis of a new ethics, a new source of inspiration perhaps for a declaration of the rights of animals. This would be a declaration in which the rights and interests of other "earthlings" would also be taken into consideration. The answer to this question has to be affirmative, and indeed Schopenhauer has furthered Kant's ethics.

Therefore, the conclusions Deussen draws in his discussion of Kant is thinking in his history of philosophy are justified. Deussen is quite positive about Kant, yet there was a need for a completion of Kant's heritage. There were loose ends, and that would remain unchanged until providence sent us a man that was able to fathom the depth of Kant's philosophy while making considerable efforts for its further development.⁵⁴

That man, of course, was Schopenhauer.

⁵⁴ Ibid., p. 290.

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