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Civil Courage and the Moral Imagination



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Bij ons leer je de wereld kennen

Civil Courage and the Moral Imagination

Cleveringa lecture given by

prof.dr. Michael Ignatieff

On Tuesday November 26, 2013



Universiteit
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At ten o'clock on the morning of November 26, 1940, six months into the Nazi occupation of Holland, a 46 year old father of three, the dean of Leiden University Law School, walked into a lecture hall awaiting a class on civil law from Professor E.M. Meijers and told the students that Meijers had been dismissed from his post for being Jewish. The dean, R.P. Cleveringa, read out the text of the *Reichskommissar's* dismissal notice and, in his own words, "the icy grip of terrible silence" descended upon the lecture hall.

The dean might have stopped there, but instead he offered a *laudatio* to a man he considered a mentor and a friend. Cleveringa enumerated his academic achievements and praised him as one of the most distinguished professors of civil law in Europe. Then he said this of his colleague:¹

It is this Dutchman, this noble and true son of our people, this man, this father to students, this scholar that the foreigner who now dominates us "relieves of his function"! I told you that I would not speak of my feelings: I will keep my word even though they threaten to burst like boiling lava through all the cracks which I feel at moments could open under the pressure in my head and heart.

In Holland, these words are justly famous. In their passion and decency, they spoke up for the connections - between citizens, scholars, human beings and friends - that the occupiers sought to rip apart.

But Cleveringa had not finished. He reminded his students that the Dutch constitution forbade the exclusion of any citizen from public employment on grounds of race or religion. Furthermore, the Hague Convention respecting the Laws and Customs of War on Land adopted in 1907, required an occupying power to respect the laws of the occupied country *sauf empéchement absolu*. There was no *empéchement* whatever. The dismissal was illegal under both Dutch and international law.

The dean urged the students not to do anything foolish and to submit, as he had done, to *force majeure*.

He concluded by telling them that the class would continue to be taught either by him or by his colleagues and that with faith and hope they would await the return of Meijers who one day, God willing, would return to his rightful place.

Let me draw your attention to the significance of this quietly spoken concluding note. To say that Meijers would return pointed to a day when the occupiers would be gone and Dutch freedom would be restored.

This evocation of a future in freedom helps explain why at the conclusion of the lecture, the words of the national anthem, the *Wilhelmus*, banned by the occupation authorities, spread from voice to voice through the hall and to the crowd listening in an overflow room.

Cleveringa left his lecture on the podium. A colleague picked it up and students re-typed copies through the night. Next day it was circulated to universities throughout Holland. In the following week a peaceful student strike began at Leiden, the first such demonstration in Nazi occupied Europe. In revenge, the occupation authorities closed the university.

After the lecture Cleveringa went home to his wife and three daughters. His suitcase was already packed and ready in the hall. They waited quietly for arrest, which came next day, at the hands of the Dutch police, acting under orders from the Germans.

When the Germans interrogated him, they wanted to know whether he was Jewish. He said he wasn't. Why, then, had he 'angered' the Nazi authorities? He said he had no desire to anger anyone. But hadn't he provoked a political demonstration that ended with the singing of the banned anthem? He said he had no desire to provoke. He had merely

spoken up on an issue of principle: the Germans had no authority to dismiss a university professor.

As punishment for his actions, Cleveringa spent from November 1940 to the summer of 1941 in the prison of Scheveningen, which also served as transit camp where Dutch Jews were soon to be assembled for deportation and eventual extermination. Cleveringa was not deported, but he was dismissed and while he received a pension, he was unable to teach at the university.² He joined resistance movements with fellow colleagues and was imprisoned again from January to July 1944 at the transit camp of Vught. His colleague, Ben Telders, a prominent figure in the Dutch Liberal party, was arrested in 1940, confined in Vught and then deported to Germany and confined in Buchenwald. He was moved to Bergen Belsen and died of typhus shortly before the liberation in April 1945.

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As for E.M. Meijers, he was sent to Westerbork transit camp in Holland, then deported to Theresienstadt with his family, but managed to stay alive by working in the camp administration. He was released upon the collapse of Germany in May 1945 and made his way back to Leiden, emaciated and weakened by his ordeal. In September 1945, he resumed teaching his class and did so until his death in 1954.

Cleveringa himself returned quietly to university work after the war and died in 1980.

This university is right to commemorate the civil courage of this man. Without Leiden, it is safe to say, no Cleveringa.

His speech embodied traditions that date back to the founding of the university by William of Orange in 1575 at the beginning of the Dutch revolt against the Spanish occupation. Leiden's motto - "*praesidium libertatis*" - bastion of liberty - affirms this community's enduring understanding of the interdependence of academic and political freedom.³

This lecture is about the connection between civil courage and the moral imagination. In his great essay *A Defence of Poetry*, written in 1821, the poet Shelley wrote, "the great instrument of moral good is the imagination"⁴ I want to take this remark seriously and use Cleveringa's example to explore the constitutive role of the imagination in making civil courage possible.

Civil courage, the bravery of citizens and civilians, is different from the courage of soldiers on the battlefield. The ability to take risks with your life, the ability to endure and rise above pain and danger is a different courage from the kind that consists in defending a friend at the price of imprisonment and dismissal.

Yet both civil and military courage are mysterious virtues, capable of surprising even those who display them. Courageous people will tell you that they did not know they had it 'in them'. Courage is mysterious in another way. Military training seeks to teach courage under fire, yet it remains an unteachable virtue. You will only know what you are capable of when the situation arises and if your courage fails it can shame you for life.

Cleveringa's act was luminous but the light it casts is mysterious. We commemorate it because we wish it to serve as an example. But what exactly can we learn?

In the very hall where Cleveringa gave his speech, I want to use his own words, taken from his memoirs and from the memories of those who were there, to try to understand how a single act of courage became possible.

I want to put the imagination back at the center of both exceptional and ordinary moral lives.⁵ I will claim that it is how we imagine ourselves, then others, then time present, past and future, that enables us to understand moral dilemmas we face. None of this is a given; the facts do not speak for themselves.

We have to *imagine* a future audience for our acts because no such future necessarily exists: we will it into being. It is this imagined future that called Cleveringa to bear witness and it is this imagined tomorrow that calls us to do right today.

Our moral judgment is an exercise in justification before others. We have to explain ourselves with reasons and see whether these reasons succeed or fail with them. Our conscience, I would argue, is a theatre whose seats we people with an audience of our choice. We go wrong in life if we stack the audience with those we know will approve, with a jury we know will acquit. We go right in life if we can justify our actions before an audience that is not capable of being swayed by our wish to be justified. One audience we cannot sway is in the future, imagined figures in our mind's eye waiting to pass judgment. Because we cannot know what they will think of us, we attach special importance to their verdict. They are the impartial spectators of our moral life.⁶

I want to show how this metaphor of the theatre of the imagination helps us to understand how one brave man framed his choices and acted as he did.

In taking this approach, I will compare it to two current ways of thinking about moral life.

The first could be called the neurological-instinctive.

This is the influential school of moral psychology that says, in effect, that moral judgment is the psychic result of a biochemical process, a firing of neurons and synapses structured, over millennia, by evolutionary adaptation.⁷ This school of thought wants to capture how quick, how intuitive our moral judgments feels to us, how little our moral reactions appear to depend on a process of rational evaluation. To use Daniel Kahneman's distinction between thinking fast and slow, when we make moral judgments, we think fast.⁸ Indeed the process hardly feels like thinking at all. We can of course be wrong,

and when we are, we can correct thinking fast, with laborious, conscious thinking slow.

The neurological-instinctive model does capture the speed with which we make moral choices. It captures the profound interpenetration of reason and emotion in moral judgment and captures that sense of virtue being mysterious to us, of not knowing 'we had it in us'. An emphasis on the intuitive, instinctive character of morality seems more psychologically realistic than those philosophical accounts that model our moral reasoning as if our minds were a calculator, testing the applicability of rules by deduction.⁹

Recent neuroscience has uncovered the physical processes in the brain that appear to generate moral behavior. We have learned, for example, that when patients are put through brain scans, we can see different areas of their brain light up when classical moral dilemmas are presented to them.¹⁰ What still remains unexplained is how chemical and biological processes in the brain are translated into intentions and actions.

Going back to our primary example, what exactly would we learn were a neurologist to tell us that certain zones of Cleveringa's brain were especially activated in the stressful weeks before his decision? Almost certainly they were. Presumably other brains at Leiden were similarly activated by the widely rumored news of the impending dismissal of Jewish professors.

In the weeks before his action, Cleveringa records that he felt a physical pressure in his brain and a constant sense of stress that he had to release. If we can't understand how these instinctual reactions, perhaps felt by many others, were translated into his specific actions, we have no account of the singularity of his ethical judgment.

The central difficulty with neurological-instinctual theory is that it gives us a biological account of how our emotions

work that may explain aggregate and average behaviors in large groups, but fails to give us a story about what is surely distinctive about moral experience: that it is ours and ours alone.

Neurological-instinctive theory holds, moreover, that moral patterns are hard-wired in the brain through a millennial process of environmental adaptation. Thus, we are wired to accord moral preferences to kith and kin over strangers; to be aggressive and defensive in relation to aliens; prone to favoritism, nepotism and other forms of ethical partiality to blood relatives and others whose well-being has survival value for us.¹¹

Environmental adaptation through natural selection also provides an account of how cultures of morality change through long epochs of time, in particular how ethical codes emerge to restrain forms of selfishness that will damage the group. We can explain the slow emergence of the idea of equality before the law, for example, as an adaptive solution to the tribe's problem of adjudicating competing selfish interests for the sake of group cohesion and survival. It would seem that the most impressive achievements of human culture are precisely those that restrain selfish ethical partiality.

The problem with Darwinian explanation, it seems to me, is that while it can explain slow change in the culture of ethics, it has more difficulty accounting for rapid change.

If the first defining element of our moral life is that we experience it as our own, the second element is that we decide nowadays in a situation of almost constant moral upheaval.

Our supposedly hard-wired instincts change so rapidly that it is difficult to understand the changes we have lived through as Darwinian adaptation based on natural selection. From the 1880's to 1945, virulent anti-Semitism was a commonplace in some groups in European culture.¹² In 2013, it is the

delusion of a marginalized few. In 1960, it would have been relatively common in the American South to find whites physically repelled at the prospect of sharing toilet facilities with black Americans. Today, these feelings have vanished or at least disappeared from public expression. In 1960, many heterosexuals felt repulsion towards homosexuals. In 2013, these instincts are restricted to a minority.

What appears to be instinctual, natural, tribal, hard-wired is susceptible to historical change in the short run and if so our deepest emotions respond to opinion, language, political campaigns and legislative change. But if this is so, we need a theory that would explain how change in moral language works its way into our synapses.

My point is not to question that moral action is activated by instinctual reactions, but rather to question how, exactly, biochemical processes shape individual action, especially in the Cleveringa case. It would have been adaptive for him to stay silent, prudent to keep his head down, sensible to avoid confronting the issue. He acted against prudence, self-interest even his own survival. Can instinctive-neurological accounts give us a story of such singular decision-making and can these accounts explain how moral lives change? For we need to see Cleveringa as an agent of change, one of those individuals whose singular acts disgraced commonplace anti-Semitism forever. We are here, tonight, after all, because he - and others like him - succeeded in changing the culture of his time.

If we are tribal beings, moreover, hard-wired to favor those close to us, how is it that our tribal feelings are so labile, so subject to variation?

More basically which tribe do we think we belong to? Which tribe - religion, family, race, gender - determines our instincts?

In the dean's decision, we see that, for him at least, nothing is instinctual. The question of loyalty and belonging is one

he must decide for himself. Should he think of himself as a Gentile and Meijers as a Jew? Or should he think of them both as Dutchmen, members of the university and fellow scholars of law? Only the Nazis and their Dutch sympathizers think the choice should be instinctual.

It is not merely that he has to decide which tribe he belongs to. This is part of the still larger challenge of deciding who he is. The deciding moral self is not a given. Instinctual-neurological and rational-deductive models of judgment alike assume a stable, unencumbered self, but this takes for granted precisely what needs to be constituted.¹³

The fact is that we are a mystery to ourselves and in moments of moral crisis, we ask: who, in this scene, do we wish to be? Whose values do we wish to enact? Moral action can serve as an affirmation of who we are, but it can also represent our wish to redeem ourselves in our own eyes and in the eyes of others. Our first act of the imagination is to settle on which character we will play in the moral drama.

The decision to ban Meijers forces Cleveringa to decide who he wishes to be, in his own eyes and in the eyes of a watching audience. The person whose opinion matters most to him is his wife. He consults with her constantly. A close relationship like this is a moral theater in which our deepest sense of self-worth is tied to *their* sense of who we truly are.¹⁴ We know from Cleveringa's memoirs that he was only at peace with his decision when he knew that he could count on his wife's full support.

We also know that she came from a liberal Mennonite family.¹⁵ This does not mean that specific religious doctrine determined their choice. While Cleveringa makes reference to God, he does not convey any sense that he secures any guidance from above. Yet there seems little doubt that Mennonite Protestantism plays a role in framing how he sees himself as a moral actor. He takes it as a fact of his situation that he must choose. The religious

milieu of his house also tells him that the choice he makes will be with him for the rest of his life. Faith defines the ultimate temporal frame of his moral life as eternity.

The second place in which Cleveringa's choice is framed is the university itself. Leiden has been his life. He has taught there for his entire career. His closest friends and colleagues are members of the community. His connection to Meijers is at once institutional and personal. He is Meijers' former student, now colleague and his dean, indeed nominally his superior.

Basic to Cleveringa's self-understanding is that he belongs to a free university community. If 'bastion of liberty' is to have any meaning, it must be that the hiring, promotion and dismissal of professors, for example, should be based on teaching and scholarly ability not race. This is precisely what is at stake in the Meijers' case.

In October 1940, the *Reichskommissar* had forced all Dutch public servants, including university professors, to sign a declaration stating that they were Aryan or face dismissal. Cleveringa and Telders had objected - in private Cleveringa called the decision monstrous - and together they protested to the Dutch Supreme Court. To their immense disappointment the Court ruled the declaration constitutional. After this, seventeen of eighty one Leiden professors signed the Aryan declaration, including Cleveringa.

His signature was a decisive catalyst to his ultimate action. Once he signed, weeks of guilt, doubt and rising inner pressure followed.

The key issue, as Cleveringa came to see it, was not simply what he owed Meijers, but what he owed the institution at large. He was able to see this because he made his decision with his colleagues. The choice to address the students was jointly taken at a faculty meeting. Once taken Ben Telders immediately volunteered to speak, arguing that as he had

no wife or children he did not face the same pressures as the married faculty. At this point, after leaving the meeting to consult his wife, Cleveringa declared that as dean, the responsibility was his.

Here we see two institutions - marriage and a university - framing moral duty. In this crucible, Cleveringa considered and rejected the idea that he should use the occasion of his speech merely to express human sympathy for Meijers: [if] “I was to limit myself to a compassionate face and a compassionate word. This seems like a betrayal to me, I cannot be so passive, I need to seriously express myself.”

The issue at stake went beyond compassion to the very idea of justice that his institution and his country should live by. As he later recalled:

No criteria such as values, scholarship, merit, humanity or citizenship would be decisive or would count, except merely the Jewish descent. For our feeling, that was pure arbitrariness, a sinking into the darkness of our past, where from our people had already come; it went against everything we were used to here in the Netherlands, which was considered our most precious cultural trait.

His audience that November morning understood his deed in exactly the same way. When the students began singing the *Wilhelmus*, it was their way of acknowledging that he had defined everyone in the hall as citizens of a state under occupation and members of a community fighting for its freedom.

Neurological-instinctual models of moral choice fail to accord a role to the moral imagination of both speaker and audience in framing the meaning they shared in the hall that morning. Moral instincts of this complex sort are not triggered, but constituted, brought to consciousness and then to action through the agency of historically created meanings bequeathed to individuals by their institutions. Yet even here,

institutionally inherited meanings are not determinative. We need to leave a role for singular moral leadership in making these meanings come alive to an audience.

If leadership articulates the moral tradition of a free institution, then we have an account of his actions that appears to return us to rational-deductive models of explanation. These have the advantage over the neurological-instinctive in according to cognition and hence to choice a determining role in moral decision-making; if cognition is involved, it can be singular, it can give us an account at the individual level of what decision making means; and if rational deduction is involved, it embraces language; once it embraces language and metaphor, it embraces historicity and change. We can begin to understand how moral actors reinterpret the rules over time.

Rational-deductive approaches reflect what philosophers think we ought to do when we face a moral dilemma. What they want us to do is to reason, to pare away the penumbra of extraneous circumstances, identify the relevant specifics and then methodically evaluate what we should do against two competing modes of moral evaluation: the consequentialist-utilitarian or deontological-principle.

Philosophers study how we make moral decisions by studying complex hypotheticals.¹⁶ These ‘trolley problems’ test the limits of consequential reasoning, when lives are on the line, and they illustrate the ongoing tension in our hearts and minds between deontological and consequentialist rationales for handling moral dilemmas.

The question is whether most of us actually make moral choices as philosophers wish us to. Our life is not a trolley problem: it is not a cleaned-up hypothetical and, as cognitive psychologists point out, real-life decisions, involving real people trigger deep emotions that are inseparably implicated when we attempt to apply reason to our dilemmas.

When faced with real-life dilemmas we do not reason like philosophers and we do not reason like lawyers or judges either. The historian and philosopher Judith Shklar counseled against 'legalism' in our moral thinking, the tendency to think of moral conduct as a "matter of rule following and moral relationships. . . as duties and rights determined by rules".¹⁷

If we return to the case in question and to the philosophers, neither utilitarianism or deontological Kantianism - these beautiful machines - seem to have been removed from their glass cases and pressed into service as the dean made up his mind. As Cleveringa said, later, recalling his state of mind: I cannot say that I weighed everything with a cool mind; my heart and conscience called upon me quickly, decisively and intensely; it pounded into me several times; I felt tense, moved and under pressure, which I had to get rid of.

Philosophers may see his decision as a deontological versus a consequentialist choice, but if so, it radically simplifies what was at stake for him.

This is not to say he did not weigh consequences. He worried what would happen to his daughters if he were arrested and taken away, but what worried him even more was what they would think of him if he remained silent. In particular, he worried that if he did nothing and they survived him, they would live with a 'tainted name'.

If this is consequentialist reasoning it is of a particular kind. It actually imagines a future in which his daughters survive him and the question is whether their name is honored.

This is where we see, once again, the constitutive role of imagined futures in determining his choices. Let us pause here to appreciate how difficult it was, in November 1940, to imagine the future Cleveringa called to mind.

In November 1940 the Nazi occupation of Holland was only five months old. All of Europe lay at Hitler's feet. Across the Channel, London was in ruins. Across the Atlantic, the Americans were still on the sidelines. On Europe's Eastern frontier, the Russians still remained Hitler's allies. From one end of Europe to the other, Nazis were proclaiming the birth of a Thousand Year Old Reich.

Hence, it was not coercion alone that made Dutch people submit to occupied rule, but also the conviction that the Nazis owned and defined the future. In such a frame, resistance, needless to say, was useless.

Accordingly, an undetermined percentage of the Dutch population, perhaps as many as 1 in 5, either sympathized with the German occupation or actually joined the NSB, the local Nazi party.¹⁸ They did so either because they were believers or opportunists. Either way, they assumed that the Thousand Year Reich was not a boast, but a plausible bet on the future.¹⁹

This is why, I think, some Leiden professors sang the praises of German *Kultur und Civilization*, why the NSB mayor who was imposed on the town of Leiden in 1941 told colleagues that 'some sacrifice' of university values was justifiable at this time 'of crisis of European culture'.²⁰

In declaring publicly that Meijers would one day return, the dean declared his faith in a future that some of his countrymen believed in too, but most did not.

To be able to imagine such a future, however, he had to feel the strength of a living past. This is why, no Leiden, no Cleveringa. For the *auditorium*, the hall in which he spoke, this very hall built in the late Middle Ages and used by the university since 1581, had existed centuries before the German invasion. It was the place where the adolescent Hugo Grotius had learned his law. The very bricks and mortar of this place proclaimed: we survived the Spaniards. We will survive the Germans.

These halls would remain, Cleveringa could say to himself, and because they would, there *will* come a time when the usurpers would be gone, when the community would once again be able to define who belonged not by race but by scholarship. It is this imagined time future that calls forth his act of courage.

Not all ancient institutions speak to their members in the same way. If I have criticized neurological-instinctive models for reducing meaning to biology, I should not replace them with models in which history determines the conscience. Institutions are not determinative. In few other ancient universities anywhere in Europe did deans and professors stand up for Jewish colleagues. In the University of Berlin, for example, Carl Schmitt, Nazi theorist, spent a pleasant 1930's, happy that Jewish colleagues had been driven into exile, believing in the future Hitler wanted to create for Europe.²¹ There is never any certainty that the traditions in a community of learning will call forth the best in people. In Leiden, this happened to be the case and it is a matter of sorrow - and perplexity - that other intellectuals failed to see that if the institutions they served had survived earlier tyrannies it would survive this one. But this is what Leiden's walls seemed to say to the dean.

Cleveringa's faith is what the American philosopher Jonathan Lear has called 'radical hope'.²² The hope is radical because it requires a sustained imaginative projection of faith beyond a desperate present.

Radical hope is something more than optimistic hopefulness, something more than Mr. Micawber's belief that something is bound to turn up. It is not an individualized conviction, but rather a belief in a collective future that will redeem a blighted present. Most frequently it takes the form of a political ideology or creed. For nearly 150 years in Europe, for example, Communists fought and died in the name of a 'radiant tomorrow' laying down their own lives, but also sacrificing millions of others for the construction of some socialist

paradise that receded inexorably with every step they took towards it. Cleveringa's faith, needless to say, was of a different order. His faith that Meijers would return did not depend upon any political ideology we can detect. It was simply the modest faith that loyalty, scholarship and ties of citizenship would prevail over murderous opportunism in a Holland that one day would see the back of the occupiers.

In 1940 and 1941, radical hope was in short supply in Europe, but it was present, in some of the darkest places, in the prison yards of occupied France, for example, where young *resistants* were taken out to be shot. We know, from those who heard them in nearby cells, that some called out *Vive la France!* before they fell. These words were more than patriotic defiance. In their temporal dimension, they affirmed faith in a France of tomorrow that would remember their sacrifice.

I would also cite the case of Primo Levi in Auschwitz in late 1944 circling the exercise yard with a fellow prisoner, clad in filthy rags, ill with fever, struggling to recall some lines from Dante. When they finally remember the lines, Levi later recalled, they felt overwhelmed, as if a trumpet had sounded in the darkness:

Consider your seed:
You were not made to live like brutes
But to follow virtue and knowledge.

In recalling these lines to memory, it was as if the prisoners had succeeded in transporting themselves, if only for one moment, into the future, into a world in which people could freely exchange lines of poetry. This imagined future rekindled their longing to live, to endure and to survive.

We now live in this future, and so we should ask ourselves what we must do to be worthy of their example. If the university made Cleveringa's act of solidarity possible, can we be certain that universities today remain capable of the same? Does the university still function as a moral community, capable of

standing up for its members when their freedom and dignity are challenged? We will not know the answer till the challenge arises. All we know is that this place did function as a moral community in November 1940.²³

Moving beyond this community, what right does Dutch society have to claim Cleveringa's legacy? Here we have to face the reality - well known to all of you - that eighty percent of the Dutch Jews, citizens of this country, perished in the Holocaust, a higher percentage than anywhere in Europe other than Germany and Poland.²⁴ There are many possible explanations of this fact: the particularly violent character of Nazi rule in Holland, but also the strength of the Dutch Nazi Party and the willingness of Dutch administrators to facilitate the deportation and murder of their fellow citizens.²⁵

Evidently, not all Dutch people of that generation behaved in the same way. We know this because the percentage of Jews saved in Holland varied markedly from place to place. In some cases, citizens hid and saved their fellow citizens and in Leiden for example, 50 percent of the Jews survived the war; in other famous cases, Amsterdam dock workers went on strike to protest the rounding up of Jews; in other cases, however, the moral reality was darker.

We can only conclude that in this country and many parts of occupied Europe, common bonds of citizenship turned out to be too weak to stand up to the barbarism of Nazi rule. Once citizenship no longer proved strong enough to protect the Jews, did common humanity step into the breach? In some cases yes. Pity, compassion and empathy did inspire acts of rescue. Unfortunately this was the exception, not the rule. When Jews were stripped of citizenship, expelled from communities, when they were forced to wear the yellow star, when they could only appeal for compassion to their fellow human beings, it was too late. Jews across Europe were to discover the bitter truth in Hannah Arendt's words, written in 1948:²⁶

It seems that a man who is nothing but a man has lost the very qualities that make it possible for other people to treat him as a fellow man.

We must acknowledge the difficult fact that human rights alone cannot protect the vulnerable. Their protection depends more on securing rights of citizenship, membership bonds in strong communities, neighborly ties and friendship too.²⁷ When these ties are absent, shared recognition of common humanity is weak. Meijers was defended because he was a professor and a member of a community proud enough of itself to rise in his defense.

There are lessons we can draw from the courage displayed here one November night in 1940. We must strengthen institutions so that we accept a common obligation to stand up for each other, extend citizenship so all shelter under equal rights; be unbending in ensuring that the rule of law applies to all; and we must have the imagination to understand that fascism is never securely in the past. Indeed, terror can be incubated in democracy. We should fight constantly against the besetting sin of democratic politics: demagogues who trade on prejudice and fear and seek to rally 'us' against a supposed 'them'.

Once people are lawfully within our borders, whether as citizens, visitors or guest, we must affirm: they are part of us. There *is* no them.²⁸

Goodness is fragile, a philosopher once said.²⁹ Cleveringa's example is respected best when we acknowledge how rare it was. We should ask ourselves whether we have the capacity to believe so fervently in a better future that we make it our judge. Since we know that such imagining is hard, the truest way to honor Cleveringa tonight is to leave this hall, asking, with a troubled heart, whether we would be capable of what he did, here in this place, seventy three years ago today.

References

- 1 I wish to thank the Rector of the University, Professor Larissa van den Herik and Professor R.A. Lawson, Dean of the Law School for inviting me to give this lecture. Thyla Fontein, a student at Leiden, provided invaluable research assistance in the Dutch language. Joods Historisch Museum Amsterdam, *Documents on the Persecution of Dutch Jewry 1940-1943*, (Amsterdam: 1969) pp. 149-151.
- 2 Van Holk, L. E. & Schöffers, I., in *Gedenkschriften van Prof. Mr. R. P. Cleveringa betreffende zijn gevangenschap in 1940-1941 en 1944*, E. J. Brill: 1983.
- 3 <http://www.about.leiden.edu/about/university-city.html>.
- 4 Percy Bysshe Shelley 'A Defence of Poetry' in *Essays, Letters From Abroad, Translations and Fragments*, ed. Mary Shelley (London: Moxon, 1840)
- 5 See Mark Johnson *Moral Imagination: Implications of Cognitive Science for Ethics*, (Chicago: University of Chicago, 1993).
- 6 The metaphor of the impartial spectator is of course taken from Adam Smith *The Theory of Moral Sentiments* (Edinburgh: 1756).
- 7 Antonio Damasio *Descartes' Error* (London: Penguin, 2005).
- 8 Daniel Kahneman *Thinking, Fast and Slow* (New York: Doubleday, 2011).
- 9 Jonathan Haidt "The Emotional Dog and its Rational Tail: A Social Intuitionist Approach to Moral Judgment", *Psychological Review*, 2001, 108, 4, 814-834.
- 10 Joshua Greene *Moral Tribes: emotion, reason and the gap between us and them* (New York: Penguin 2013), introduction and part 1.
- 11 Joshua Greene *Moral Tribes: emotion, reason and the gap between us and them* (New York: Penguin 2013), introduction and part 1.
- 12 Daniel Goldhagen *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Knopf, 1996).
- 13 This is a variation on a point made by Michael J. Sandel in "The Procedural Republic and the Unencumbered Self", *Political Theory*, 12, 1, Feb. 1984, 81-96.
- 14 For an example of an exceptional family as a crucible of moral courage see the beautiful account of the Bonhoeffer family in Elisabeth Sifton and Fritz Stern *No Ordinary Men: Dietrich Bonhoeffer and Hans von Dohnanyi Resist Against Hitler in Church and State* (New York: New York Review Books, 2013).
- 15 I am grateful to Ian Buruma for this information and for his 2008 Cleveringa lecture.
- 16 Judith Jarvis Thomson "The Trolley Problem" *The Yale Law Journal*, Vol. 94, No. 6 (May, 1985), pp. 1395-1415; Michael Sandel *Justice: What's the Right Thing To Do* (New York: FSG, 2009).
- 17 Judith Shklar *Legalism* (Cambridge: Harvard University Press, 1964, p.1.
- 18 J.T. Romein "The Spirit of the Dutch People During the Occupation", *Annals of the American Academy of Political Science*, 245, May 1946, 169-180.
- 19 Aantekeningen van mr. P.J. Idenburg betreffende het Leids universitair verzet.
"We would have to get used to a German domination. For that reason, he was of the opinion that the Netherlands should stay in good harmony with the Germans. That would inevitably lead to sacrifices, for some sacrifices of essential values, but if cooperation could be achieved, then that would be less damaging for the Netherlands in the long run than a purely negative resistance attitude. De Ruyter principally differed in a few matters concerning the German national-socialist conception, especially the 'Jewish question'. He found it necessary to cooperate and offer manpower in this crisis of the European culture". Idenburg's memoirs about Ruyter van Stevenick, the NSB rector of Leiden May 1941 onwards.
- 20 See footnote 18.
- 21 Gopal Balakrishnan, *The Enemy: An Intellectual Portrait of Carl Schmitt* (London: Verso, 2000).

- 22 Jonathan Lear *Radical Hope: Ethics in an Age of Cultural Devastation* (Cambridge: Harvard University Press, 2006).
- 23 R.D.Kollewijn “The Dutch Universities Under Nazi Domination”, *Annals of the American Academy of Political Science*, 245, Msy 1046, 118-128.
- 24 Lawrence Baron “The Historical Context of Rescue” in S.P. Oliner *The Altruistic Personality: Rescuers of Jews in Nazi Europe* (New York: Free Press, 1988), 13-48.
- 25 Marnix Croes “The Holocaust in the Netherlands and the Rate of Jewish Survival”, *Holocaust and Genocide Studies*, Winter 2006, 474-499; Michael Gross “Jewish Rescue in Holland and France during the Second World War: Moral Cognition and Collective Action”, *Social Forces*, Dec. 1994, 73, 2 ,463-496.
- 26 Hannah Arendt *The Origins of Totalitarianism* (1948) (New York: Harcourt Brace, 1979), p. 300.
- 27 Michael Ignatieff *Human Rights as Politics and Idolatry* (Princeton: 1998).
- 28 Ian Buruma *Murder in Amsterdam: The Death of Theo Van Gogh and the Limits of Tolerance* (New York: Penguin, 2006).
- 29 Tsvetan Todorov *The Fragility of Goodness : Why Bulgaria’s Jews Survived the Holocaust* (London: Weidenfeld and Nicolson, 2001).

PROF.DR. MICHAEL IGNATIEFF



When Rudolph Cleveringa defied the Nazi authorities to protest their firing of a Jewish colleague from Leiden University in November 1940, he displayed unforgettable 'civic courage'. In this lecture, Michael Ignatieff asks what it takes to display such courage. Is it a neurological-instinctual reaction? Is it a form of rational deduction from moral principles?

Ignatieff argues that civic courage should be understood as an act of the moral imagination: the ability to envision a future that will redeem and validate the lonely act. In this case, Cleveringa was able to act because he was able to imagine a future beyond tyranny.

The lecture is an attempt to re-think civic courage as a certain way of imagining time. If this is the case, we should be asking ourselves whether, in our own time, we still possess the capacity to imagine a redemptive future.



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