

(Preprint, Dec. 2020)

UNITED NATIONS HUMAN RIGHTS ETHICS: For the Greatest Success of the Greatest Number

Clark W. Butler

PREFACE

This is a book that offers a new way to look core issues in the field of ethics. However, it is not a book aimed merely at informing academic debates. Rather, it is intended to be a practical guide for people involved as educators, policy makers and lawyers. Yet, of the three readerships, the primary audience is human rights educators. After all, ethical theory is incomplete without a successful method of human rights education. None can be implemented without such a method. Hence the second to last chapter is devoted to human rights education. Half my undergraduate philosophy majors became lawyers. I want human rights educators addressing people on the ground to be a key part of my audience.

The problem with the Universal Declaration of Human Rights is that it only declares human rights and does not support them with reasons. Indeed, people who are disappointed with the record of the United Nations in preventing all the regional wars and high crimes against humanity since 1945 are a further audience. Human rights education was handed to the international human rights law profession in part because thinkers like Jacques Maritain, a moral philosopher on the drafting committee, said everyone agrees with human rights until one asks why. Lawyers know how to prosecute human rights crimes, but are not trained to reduce human rights crimes as educators. We must not forget that the first person to speak of human rights was not a lawyer, but was Jean-Jacques Rousseau in 1762 in *Le Contrat Social*.

Many teachers of college- or university-level elementary ethics may agree with my criticisms of the way the elementary ethics courses are taught in the US and other countries in the West. Such courses are taught as a survey of 2500 years of normative ethical theories, but without coming to any conclusion as to what the *true* ethical theory might be, a stance quite at odds with the claims of universality made on behalf of human rights by the United Nations. Another important audience for this book is people who are deeply concerned by the resurgence of ethical political nationalism since 2015, and by the simultaneous decline of the post-World War II consensus on human rights.

The book title, *UN Human Rights Ethics: For the Greatest Success for the Greatest Number*, shows I have no interest in a personalized ethical theory. This is not just another textbook on ethics.

Rather, I am interested in fostering a global consensus on the fundamentals of ethical knowledge, and so regaining respect for ethics as a form of knowledge. The subtitle, has been added to complement the possibly pompous-sounding main title and to convey popular appeal. This Preface is limited below to a presentation of the book's organization.

For an ethical theory not to be utopian or purely ideal, an accessible path of steps toward its general realization is needed. A global popular culture of human rights-based ethics is further than ever since 1948 from existing. Yet an ethics of moral progress towards its existence by on-going research can come into existence as a global project. Why should this path not be taken, and if so why not under the auspices of the UNESCO? For UNESCO to sponsor international research into the Universal Declaration as the global standard of normative ethics is one way of giving UNESCO new relevance?

Part One of this book, following two introductory chapters, presents popular ethical theories that have rarely inspired recognized philosophers to sustain them with reasoning after their popular success. Part Two examines Immanuel Kant's ethics that made a significant impression academically, but that enjoyed limited subsequent popular support. Part Three examines theories with past or present popular appeal that have also inspired significant academic support in philosophy. Part Four supports the rights-based ethical theory that became popular after World War Two.

Parts One through Three develop a negative case for the human rights standard in ethics by explaining why other norms should be set aside. Part Four gives a positive case for the standard, pointing to merits of that norm apart from the demerits of other theories. The need for ethical theory to be more accessible has been felt since 2015, the year in which the popular following which the human rights norm had in ethics after the War lost ground to ethical political nationalism. One cause is that the human rights standard has not been understandably explained to the educated public. If the reasoning for a rights-based ethics theory is sound, better human rights moral education becomes possible. That can promote moral progress.

Parts One through Four analyze normative ethical theory concretely into alternative particular normative ethical theories. Major ethical theories first emerged naturally in the human career as people looked for and find new ways of responding to new social and environmental conditions. Some ethical theories—since the professionalization of philosophy in the eighteenth century—have arisen as single-authored theories in rivalry with colleagues in moral philosophy of a given generation. Some of these theories gain temporary prominence among colleagues in the profession and then are forgotten except by historians of moral philosophy. A few single-authored ethical theories escape confinement among contemporaries and influence the university-educated public and leaders of society of more than one generation.

The most prominent of all professional ethical theories that went beyond rivalry with contemporaries of the same generation was single-authored by Immanuel Kant. Kant responded not just to living contemporaries but to the whole history of modern philosophy that began in the previous century. Responding to the division in modern philosophy between Continental rationalism and British empiricism, he sought to overcome the divide by distinguishing both an empirical self

and a rational self in an encompassing view of individual human nature. His single-authored ethical theory is subject to alternative particular interpretations, but is not a naturally arising generic moral theory in the general public. Yet it offers material for the careers to professional philosophers who try to legitimate or critique it in one way or another.

A naturally arising general moral theory in the public domain divides into contrasting types. Such theories in non-theoretical form have arisen among people long before the existence of philosophy. None has first arisen on the level of abstract theory, although philosophers eventually articulate some of them on that level. They do not arise in a random order, but respond to the need for the guidance of conduct in a new natural and social environments.