

# THE EVOLUTION OF MORAL PROGRESS

A BIOCULTURAL THEORY

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## CHAPTER 10

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### Human Rights Naturalized

The preceding chapter identified and explained six momentous conceptual improvements that are arguably instances of moral progress and showed that the modern human rights movement incorporates all of them. The objective of the present chapter is to draw upon the naturalized theory of moral progress sketched in Part II to explain how these progressive developments came about and achieved concrete expression in a powerful political movement that resulted in the modern system of human rights—and to explain why they came about when they did. We do not attempt to provide a comprehensive explanation of the rise and development of the human rights movement, much less to provide sufficient conditions for its emergence. Instead, the goal is to show how our theory sheds some light on the conditions that made the movement possible and that contributed to both its successes and its setbacks.

#### *What Is the Modern Human Rights Movement?*

Before beginning, it is important to clarify the *explanandum*. By “the modern human rights movement,” we mean both the doctrine and the underlying conceptualization of modern human rights practice and the practice itself, in all its manifold dimensions, including human rights institutions and organizations. The core of the authoritative formulation of the doctrine of the movement

is the three documents that comprise what is sometimes called the International Bill of Rights: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. The authoritative doctrine also includes a number of specialized human rights conventions (treaties), including the Women’s Convention, the Child’s Convention, the Convention on the Rights of Migrants and Their Families, the Torture Convention, the Convention on Ending Apartheid and Racial Discrimination, the Convention on the Rights of People with Disabilities, the Convention on the Rights of Indigenous Peoples, and the Genocide Convention.

The practice of human rights, which is importantly though imperfectly guided by the doctrine and which includes a political discourse that draws heavily on it, encompasses all of the following and more: the processes by which human rights enter customary international law; the activities of international and regional organizations that monitor compliance with the treaties; the actions of international, regional, and national courts when they adjudicate human rights disputes or make reference to human rights in their decisions; the work of nongovernmental human rights organizations; the efforts of individual citizens, various civil society groups, and “whistle-blowing” government officials to hold their governments accountable for fulfilling their human rights obligations under international or regional law; the creation or amendment of national constitutions to reflect international or regional human rights legal obligations; efforts by legislatures to bring national law into conformity with human rights treaty obligations; policies that make a state’s membership in valued multilateral organizations (such as the European Union) or access to loans and credits from the International Monetary Fund, the World Bank, or other funding sources conditional on human rights performance; the imposition of sanctions on states by the United Nations Security Council in response to their human rights violations; military interventions in the name of protecting basic

human rights; and the recourse to human rights norms by domestic, regional, and international organizations in formulating their goals, mission, and policies. The doctrinal compass for all these variegated aspects of human rights practice is the proposition that there is to be a universal standard, framed largely in terms of individual rights, that all states are to live up to in their treatment of all of those under their jurisdiction.

### *Why Is the Modern Human Rights Movement Revolutionary?*

Apart from its rich complexity, what is perhaps most striking about the modern human rights movement is that, like the abolitionist movement that was its progenitor, it was not a top-down creation imposed by a hegemonic state or world government. Instead, as Mary Ann Glendon and other historians of the movement have shown, the most powerful states were at best reluctant participants in a founding process initiated by less powerful states and civil society groups.<sup>1</sup> The very existence and successes of the human rights movement are therefore evidence of a robust, broad-based moral consensus, rather than the result of weaker nations being browbeaten by more powerful ones into merely “assenting” rather than consenting to a system of human rights.

At the highest level of generality, the consensus that created and has subsequently guided the modern human rights movement is agreement on a simple but revolutionary proposition: that there should be a single standard, ultimately formulated in international law, prescribing how all states are to treat those under their jurisdiction. As will become clear shortly, the assumption that the standard should largely consist of a list of individual rights is, while extremely important, nonetheless in a sense a secondary idea. This consensus that there should be a universal standard is

<sup>1</sup> Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (Random House, 2002).

revolutionary because it is a direct repudiation of the traditional notions of international law and state sovereignty, according to which international law should remain silent on how states conduct themselves in their “domestic affairs” and any attempt to interfere in the latter is a violation of state sovereignty.

The traditional state-centric view of the norms governing international relations parallels the patterns of moral norms in hunter-gatherer groups discussed in Chapter 2—where basic moral norms are confined primarily to male group members and are rarely extended to family units within the group. This parallel may not be coincidental: it may reflect a deep tendency of human morality that the human rights regime has begun to challenge. Traditional views of the norms governing tribes and states may in essence be a “scaled-up” version of hunter-gatherer morality, with states substituting for males and domestic citizenry substituting for family units. This speculation is strengthened by the fact that parental metaphors (e.g., king-as-father and country-as-fatherland) and fictive kinship (fellow citizens conceived as brothers and sisters) play a significant role in sustaining the cohesion of states, encouraging within-group altruism and motivating collective action.

The revolutionary consensus on human rights not only called the traditional state-centric view into question but also quickly ripened into a much more specific widespread agreement that the standard for how all states should treat those under their jurisdiction should largely take the form of a list of individual rights. This specification was not by any means a foregone conclusion. The universal standards that all states were to follow could have taken the form of mere duties on the part of states or that of group rights. Even more surprisingly, there was very widespread agreement on what the initial list of individual rights should be. The Universal Declaration of Human Rights, which set forth this initial list and which to this day remains the single most important authoritative articulation of the doctrine of human rights, has been ratified by almost all states, as has the International

Covenant on Civil and Political Rights. Most other human rights treaties have been ratified by a supermajority of states.<sup>2</sup>

### *Human Rights Culture and the Moral Degeneration Thesis*

There is widespread agreement, then, on (1) the basic idea that there should be a universal standard that all states must satisfy, (2) the idea that this standard should largely consist of individual rights, and (3) the authoritative statements as to which rights are in fact human rights. This three-pronged consensus forms the core of what might be called the human rights culture. Later in this chapter we will ponder why this consensus came about and why it came about when it did. For now, we want to point out that the rise of human rights culture flies in the face of claims by degeneration theorists like MacIntyre (discussed in the Introduction) that modern moral culture is hopelessly fragmented or incapable of achieving the moral agreement needed for meaningful moral guidance or for a coherent moral point of view.

It is true that there are some societies, or more accurately some people in some societies, that reject some human rights—especially rights against gender and religious discrimination—and that some governments, most notably that of China, reject the fundamental proposition on which the movement is grounded by asserting that what a state does in its “domestic affairs” is not a proper object of criticism by other states or international organizations. But it is nonetheless a fact that the basic idea of human rights, as well as most of the rights contained in the Universal Declaration of Human Rights, enjoy a very wide, cross-cultural consensus and thus reflect substantial moral agreement. If modern morality was as hopelessly fragmented and incoherent as

<sup>2</sup> See the interactive human rights treaty ratification map at <http://indicators.ohchr.org/>

MacIntyre says it is, it is hard to see how it could have produced the human rights culture.

This is not to say that the existence of the modern human rights movement shows that there is a *comprehensive* modern moral culture, one that provides a complete guide for all aspects of morality. The modern human rights culture, like liberalism, is not and never purported to be a comprehensive morality. Properly understood, it addresses only some moral issues and some dimensions of moral life. But for the reasons just adduced, it stands as a living refutation of the degeneration theorists’ claim that there is no modern moral culture to speak of and instead only fragments of an earlier, supposedly whole and wholesome premodern one.

Further, it is worth asking which moral culture (whether it is comprehensive or not) provides a better guide to moral living in our world: the modern conception of human rights, which requires us to recognize a substantial list of rights for all human beings and includes the idea that the chief role of governments and the basic condition of their legitimacy is the protection of these rights, or a “traditional,” pre-Enlightenment conception of European Christian morality that views political authority as bestowed by God and to that extent immune from human criticism, that accepts slavery and various forms of hereditary domination, that relegates women to an inferior status and counsels obedience even toward the most brutal of husbands, and that encourages the poor and exploited to accept their condition as a natural, inevitable fact, meekly consoling themselves in their misery by contemplating the infinitely better existence they will enjoy when they exit this vale of tears. Some other traditional moralities may fair somewhat better in such a comparison, but none of them includes a clear affirmation of the basic rights of all human beings. In that respect, the modern human rights culture, though it was never intended to be a comprehensive morality, is clearly superior on one of the most important criteria for evaluating moralities—namely, the extent to which they acknowledge the importance of the well-being and freedom of all individuals.

*How Was Progress in Human Rights Possible, and Why Did It Occur When It Did?*

To answer both the “how?” and the “why at that time?” questions, it will be useful to begin by recapping the main propositions of the naturalistic theory we outlined in Part II:

- (1) Key features of human morality originated in the environment of evolutionary adaptation (EEA), during the middle to late Pleistocene, between one million and 100,000 years ago, among scattered, genetically weakly related, small groups of human beings, in the absence of social practices or institutions to enable mutually beneficial interactions between groups competing for resources needed for survival.
- (2) Selective pressures in the EEA created a human psychology that included an adaptively plastic capacity for exclusivist or “tribalistic” moral responses and accompanying social practices, which was responsive to certain threat cues detected in the course of individual and collective moral development; this plasticity allowed for the possibility of inclusivist responses and corresponding social practices if threat cues diminished and there were opportunities for beneficial cooperative relations with out-groups (such as exogamy, trade, and military alliances). In the EEA, the threat cues that triggered exclusivist responses likely dominated, resulting in cultural moral systems that inhibited inclusivist responses—though there were temporary and local exceptions that relaxed constraints on inclusivity and allowed for some peaceful relationships with out-groups.
- (3) If the capacity for responding to out-groups is an adaptively plastic trait, with inclusive or exclusive moral responses being conditional upon the detection of certain EEA-like threat cues, then it is a mistake to say that human beings are hard-wired for exclusivist moralities.

- (4) At least throughout much of recorded human history, and probably much earlier, cognitively normal human beings have had the capacity for open-ended normativity, the ability to become conscious of the particular norms they are following, to subject those norms to critical scrutiny, to modify them in the light of their critical evaluations, and to change their behavior accordingly. This capacity is only exercised, at least by large numbers of people and in ways that effect large-scale social change, under certain conditions. Generally speaking, the harsh conditions of the EEA and similar conditions that exert strong pressures for unquestioning compliance with existing norms, such as states of actual or perceived emergency or war, are not conducive to the widespread exercise of the capacity for open-ended normativity. Further, particular cultural factors, including illiteracy, highly disciplined religious orthodoxy, and authoritarian government, can inhibit the exercise of this capacity.
- (5) In favorable (luxurious) environments in which the harsh conditions of the EEA are diminished, cultural innovations can create opportunities for people to exercise the capacity for open-ended normativity in ways that help activate the adaptively plastic potential for inclusivist moral responses—and which reinforce and stabilize these inclusivist responses through the creation of new social practices and institutions.
- (6) However, if the social environment deteriorates, shifting back toward the harsh conditions of the EEA or if sufficient numbers of people believe that such harsh conditions exist (for example, because they have accepted representations of certain human groups as socially or physically dangerous), then cultural innovations for inclusiveness may also deteriorate. When this occurs, exclusivist moral responses will come to dominate.

The two most important insights that the naturalistic theory provides for understanding the rise and success of the modern human rights movement are these: (1) that the development and persistence of widespread inclusivist moral responses and social practices generally requires certain environmental conditions—in particular, those that reduce the threat cues that were pervasive in the EEA and thus create opportunities and incentives for inclusivist moral responses—and (2) that once these more favorable environmental conditions come into existence, cultural innovations *can* (but do not inevitably) change the environment in ways that make it more conducive to inclusivist morality. As we noted in Chapter 3, there is a sense in which inclusivist morality is a luxury good: it is likely to be widespread and sustainable only where human beings have lifted themselves out of the harsh conditions of the EEA. As we shall see, however, there is no guarantee that even under such favorable conditions cultural innovations will succeed in constructing inclusivist moralities. Our modest goal, therefore, is to identify key necessary (if not sufficient) conditions for the emergence of inclusivist moralities such as the modern human rights system.

First and foremost, inclusivist morality on a large scale requires physical security. Second, once a relatively safe space has been created, social practices and institutions (along with accompanying attitudes) that facilitate peaceful and mutually beneficial relationships with strangers can develop. The “others” who previously were regarded chiefly as prey or predators can come to be seen as potential cooperators or at least as worthy of basic respect.

We noted in Chapter 7 that Hobbes gives pride of place to physical security: without the freedom from physical harm and coercive appropriation, he rightly observes, human life is awful, in part because no one will have an incentive to invest in productive activities if their fruits may be arbitrarily expropriated by others. And we saw in Chapter 8 that Hobbes’s hypothesis is supported by recent empirical work connecting the lack of

an effective security infrastructure to poverty and stymied economic development.<sup>3</sup> What has been overlooked, and what our evolutionary model brings to the fore, is that the lack of an effective security infrastructure is likely to have detrimental effects on inclusivist moral progress by allowing cues of out-group threat to pervade societies, resulting in the emergence of exclusivist moralities that only enhance the social and biological factors standing in the way of economic development. And this is true even when exclusion is internalized, when groups within society are viewed and treated with suspicion and hostility.

Norbert Elias adds a second big piece of the puzzle, emphasizing the importance of markets in creating incentives for replacing xenophobia, hostility, and predation toward strangers with a willingness to engage in mutually beneficial, peaceful relationships with them. Elias argues that once the modern state created a relatively secure environment, the rise of markets and an increasingly complex division of labor became possible. Selection pressures then encouraged both the growth of markets and a transformation of human psychology that facilitated the highly coordinated, complex social interactions that market-based social organization demands. More specifically, a social environment in which markets are developing under conditions of physical security rewards individuals who develop better impulse control and the ability to predict the future consequences of their actions and refrainings. The development of these psychological characteristics enhances the efficacy of the incentives for peaceful behavior that the legal regime’s threat of punishment creates.

The insights of Hobbes and Elias, which Pinker eloquently elaborates and deepens, confirm the naturalistic theory’s hypothesis that inclusivist morality is a luxury good. Applied to the project of understanding the human rights project, the luxury good hypothesis implies that one should expect the origins of

<sup>3</sup> See G. A. Haugen and V. Boutros, *The Locust Effect: Why the End of Poverty Requires the End of Violence* (Oxford University Press, 2013).

the modern human rights movement to be found in societies that had succeeded in escaping the harsh conditions of the EEA, at least for many of their members. And, in fact, that is the case, not just for the modern human rights movement and its predecessor, abolitionism, but for virtually all of the major historically well-documented improvements we have highlighted, from the abolition of extremely cruel punishments to the beginning of the recognition of the rights of women to the acknowledgment that non-human animals have moral standing. All of these instances of progress occurred on a large scale only within the last two hundred and fifty years and were either initiated or first became pervasive in societies that had attained unprecedented levels of productivity, physical security, and health—societies that had distanced themselves from the harsh conditions of the EEA.

#### *British Abolitionism and the Origins of the Human Rights Movement*

The changes Hobbes and Elias highlight—the imposition of the king's peace and the introduction of incentives for peaceful interactions and mutually beneficial cooperation through the development of markets and an increasing division of labor—were contingent necessary conditions for the rise of modern human rights culture, but they were not sufficient. The key to understanding the rest of the story lies in the wealth of excellent scholarship now available on the British abolitionist movement, which arguably was not only the first social movement in the modern sense but also the most robust embryonic form of the modern human rights movement.

This literature demonstrates that although there were abolitionist movements in other countries, none became as powerful and successful as the British movement. Preeminent scholars of slavery and emancipation such as Ira Berlin, Seymour Drescher, and David Brion Davis have emphasized that the peculiar success of the British abolitionist movement did not depend *solely*

on material prosperity, increased productive capacity, or the establishment of physical security—since these levels of “luxury” were achieved in other countries in which abolitionist movements were much less efficacious.

Britain in the late eighteenth and early nineteenth centuries also had other characteristics that apparently were needed for the success of abolitionism. In particular, there were relatively well-developed civil society organizations, operating under conditions of considerable freedom of expression and association, in a society with unprecedented literacy rates and a multitude of printing presses not subject to government control. The most important of these civil society groups were the highly organized religious groups at the forefront of abolitionist activity—mainly nonconformist, that is, non-Anglican, Protestant sects and preeminently Quakers. Because, as nonconformists, they were not dependent for resources on the government (as the slave-holding Anglican Church was), and hence were freer of government control, these groups were able to take positions the government did not initially support and exert pressure on it to change. Perhaps most importantly of all, government in Britain was becoming more democratic and increasingly responsive to public opinion, and civil society groups were exploiting the relative freedom of British society to develop sophisticated techniques, including petitions to Parliament to exert pressure on government to end slavery in the empire. To use a philosophical term that historians of abolitionism do not apply but which aptly characterizes their analyses of what made British abolitionism distinctive and distinctively successful, the movement depended not just upon sound moral thinking but upon a complex *social-epistemic environment*—a set of conditions under which such thinking could become not only pervasive but also politically effective.

As we have already noted, the techniques British abolitionists used to mobilize public opinion against slavery included appeals to both emotions and reason, and in particular to consistency in moral reasoning. Abolitionists sent artists, operating under

false pretenses, on Middle Passage voyages to covertly sketch the horrific conditions they witnessed, including the dense packing of slaves in ships' holds that were filled with human effluent, breeding diseases that caused dreadful suffering and mortality. These drawings were then mass-reproduced and widely circulated, triggering emotional responses not just of pity and horror but also of indignation that Britain, a country whose citizens prided themselves on the liberties they enjoyed, should be the dominant country in a trade so unspeakably vile.

Abolitionists also appealed directly to reason. To convince people that Africans were fully human—that is, beings endowed with reason and hence possessors of natural rights—they printed and circulated biographies of freed slaves (perhaps the most famous being that of Equiano) and supported speaking tours for the liberated so that they could demonstrate their rationality in person. They impressed upon people that if Africans were human beings endowed with natural rights, it was no more acceptable to enslave them than to enslave Europeans—a practice that had largely ceased in England around 1000 C.E. In other words, they utilized moral consistency reasoning as well as direct appeals to the moral sentiments.

Other techniques of mobilization included a highly successful boycott of slave-produced sugar and massive petitions stitched together into huge rolls requiring the efforts of several men to lay them at the feet of the members of Parliament.<sup>4</sup> Without mass literacy, a multitude of printing presses in private hands, freedom of association and freedom of expression, and government-independent civil society groups, there could have been no abolitionist movement in Britain to speak of. The major inclusivist victory of emancipation in the British Empire was only possible, therefore, thanks to the complex scaffolding of numerous prior cultural moral innovations and institutions.

<sup>4</sup> Seymour Drescher, *Abolition: A History of Slavery and Antislavery* (Cambridge University Press, 2009, p. 250).

Appreciating the social-epistemic conditions of British abolitionism enables us to avoid a problematic inference that Kwame Anthony Appiah makes. Appiah correctly notes that the moral case against slavery had been well known before abolitionism's successes. But then he mistakenly infers from this that what really drove abolitionism was honor—a concern to be worthy of respect—not moral consistency reasoning. That conclusion does not follow. First of all, no one could plausibly think that moral reasoning on its own, regardless of the social and political circumstances and independently of organized political action, could defeat slavery or for that matter affect any significant moral change. The deficiencies of accounts of moral progress that repose primarily on moral reasoning were documented in Chapter 4. Second, instead of following the careful work of the best historians of slavery in emphasizing the peculiar social and political conditions of British society in the late eighteenth century, including its unique social-epistemic environment, Appiah declares that honor was the major determinant of success. Moreover, the evidence he provides for thinking that honor was of much significance at all is extremely scanty.<sup>5</sup> Appiah simply does not take seriously the plausible hypothesis that moral reasoning did play a central role in British abolitionist success but was only able to do so under certain conditions that had only recently come to exist. This is not to deny that the quest for honor played some role, but it avoids the extreme and implausible assertion that honor, as Appiah suggests, is the central explanatory factor.

As noted above, other countries enjoyed similar levels of material prosperity and physical security and had access to Enlightenment thought, including the belief that all human

<sup>5</sup> See Kwame Anthony Appiah, *The Honor Code: How Moral Revolutions Occur* (W.W. Norton & Company, 2010). Drescher argues against the view that British concern for national honor was heightened at the time of the abolitionist movement due to shocks to self-esteem resulting from the loss of the North American colonies. *Ibid.*



beings had certain natural rights. And though these countries had abolitionist movements, they were never as efficacious as that of Britain. The best explanation of why this is so is that none of them had the full suite of conditions that were present in the case of Britain and that served as difference-making causes.<sup>6</sup> So, although physical security and material prosperity may be important, indeed necessary, conditions for inclusivist gains, including those of abolitionism, they are not the only necessary conditions. More technically, they are causes but not “difference-making” causes—that is, they do not explain differential inclusivist outcomes *across well-developed societies*, even though they do serve as difference-makers and form part of the explanation of differential inclusivist outcomes when we compare weakly developed societies with developed ones. Our assertion that inclusivist morality, when widely distributed and stable, is a “luxury good” must be interpreted broadly, then, to include other factors, such as the difference-making cultural innovations listed above.

What went right in British abolitionism? How did the distinctive features of British society work together to foster an inclusivist moral outlook that regarded slavery as unacceptable and mobilized people so effectively to end it? Here we can only sketch in broad outlines the complex answer to this question, drawing heavily on the work of Hobbes, Elias, and Pinker, as well as Dresher and other historians of abolitionism.

In the last quarter of the eighteenth century, Britain achieved unprecedented levels of physical security for many members of its population. A relatively safe zone was created by the preponderance of the “king’s peace” within a constitutional monarchy in which the rule of law (including the protection of property rights and habeas corpus) was taken seriously, making possible the proliferation of markets and robust and stable property

<sup>6</sup> Seymour Dresner, *From Slavery to Freedom: Comparative Studies in the Rise and Fall of Atlantic Slavery* (New York University Press, 1999, pp. 216–218).

rights, thereby increasing the opportunities for mutually beneficial, peaceful cooperation with strangers. This situation created strong selection pressures for a psychology that not only featured increases in impulse control, drastically reducing homicide rates, but also enabled people to think of strangers as objects of respect and worthy of solicitous behavior, rather than as dangerous predators or prey whose resources were to be coercively expropriated. Equally unprecedented levels of freedom and expression, along with some of the highest literacy rates in the world at the time, combined with a large number of private (i.e., nongovernmental) sources of print literature and with freedom of religion (at least for Protestants), allowed for the formation of civil society groups that government could not afford to ignore.

In other words, the environment of late eighteenth-century Britain improved sufficiently that people could afford to care about strangers and had strong incentives to cater to their preferences in the market. Further, the market was increasingly global, so it became possible—and for economic success necessary—to think of people in distant lands as reciprocating participants in cooperation. In addition, the Enlightenment idea that all human beings have certain natural rights proliferated among people who could now afford to take the rights of strangers seriously, and those who absorbed these progressive ideas were able to change government policy through political mobilization relying on improved communication technologies relatively unhindered by government control.

This sketch of the remarkable phenomenon of British abolitionism accords well with the naturalistic theory of inclusivist moral progress laid out in Chapter 3. The major gain in inclusiveness achieved by British abolitionists occurred when major threat cues characteristic of the EEA—in particular, the risk of violence and predation by strangers as well as disease transmission—sufficiently diminished; quarantining and other measures for curbing the spread of infectious diseases became more widely used during this period, and vaccination against smallpox reduced

the threat of one of the most serious diseases of the era. Only then did it become less costly, and as markets flourished even beneficial, for large numbers of people to think of out-group members, including individuals on other continents, as part of the basic moral community of human beings.

At the same time, cultural innovations, including great advances in communication due to the spread of literacy and the birth of civil society organizations in a society in which government was becoming increasingly responsive to organized public opinion, allowed and even incentivized the exercise of the capacity for open-ended normativity, especially in the form of improved moral consistency reasoning. Increasing numbers of people came to understand that Africans were rational beings and that if their own rationality endowed them with natural rights, then Africans must have natural rights, too. More people also came to believe that united public opinion could prompt major social changes, and acceptance of slavery as a natural fact or economic necessity began to erode.

There is an important connection in this story between literacy—a good that remained “luxurious” (reserved for the privileged few) until very recently in human history—and improvements in moral consistency reasoning. Moral consistency reasoning is often facilitated by perspective-shifting techniques available only to the literate. To understand what someone else has written involves occupying that person’s perspective, or at least recognizing his or her thoughts as coming from a different center of consciousness from one’s own. It has also often been noted that the period in which British abolitionism originated and flourished witnessed the birth and wide dissemination of the novel—one of the greatest technologies ever invented for engaging the human imagination and moral emotions in ways that allow us to transcend the narrow confines of nationality, class, race, and gender, through identification with fictional characters of diverse backgrounds. When perspective-shifting techniques engage belief through stimulating the imagination and the emotions, it

becomes easier to detect inconsistencies in one’s moral views and harder to suppress awareness of them through cognitive dissonance reduction maneuvers that sacrifice truth for self-satisfied epistemic inertia.

One might object, at this point, that we have paid short shrift to religion as a progressive force in British abolitionism. It cannot be denied that religious organizations, especially nonconformist Protestant groups, played a central role in the movement. But it would be a mistake to confuse that statement with the more dubious claim that Christianity was the main driving force of the movement, if this means that changes in religious beliefs and commitments were its primary cause. It is true that many abolitionists joined the movement at least in part because they had come to a new understanding of what it was to be a Christian, repudiating the traditional acquiescence of Christianity in slavery. But it would be hard to make the case that this new understanding of what being a Christian required was an immanent transformation—a change that came about primarily if not exclusively through the development of religious thought as a phenomenon independent of the economic, cultural, social, and political changes we have emphasized.

Instead, it is more likely that secular Enlightenment ideas, along with selection for inclusivist moral responses prompted by the favorable socioeconomic and political conditions of British society noted above, prompted many Christians to reinterpret what it was to be a Christian, focusing the exercise of the capacity for open-ended normativity on the character of their religious identity. Although we reserve a more comprehensive investigation of the role of religion in moral progress for a future work, here we will venture to agree with Norbert Elias, who held that the character of a religion at any given time, including its understanding of human rights, is generally a reflection of the larger culture in which the religion is embedded, not an exogenous cause of the character of that culture. Regardless of whether Elias’s generalization about religion is exceptionless or statistically sound, it

seems to be highly plausible in the case of British abolitionism. To our knowledge, no credible contemporary historian of the British abolitionist movement assigns the role of a primary cause to internal developments in Christian thought.

To appreciate the accomplishments of British abolitionism, it is important to remember that slavery was not a European invention. It existed in most societies through most of human history and continued to exist on a massive scale, especially in Africa, parts of the Middle East, and India, long after the British abolished slavery in their empire and used the British Navy to demolish the transatlantic slave trade. Indeed, chattel slavery existed well into the twentieth century.<sup>7</sup> But as Seymour Drescher notes, the movement to abolish slavery originated in the West and more specifically in a country that had only recently come to enjoy favorable conditions—that is, greater distance from the harsh conditions of the EEA—than existed in the countries where slavery persisted on a large scale. Further, the dismantling of the institution of slavery in other lands came about primarily through the influence of Western countries. Although slavery (especially sex slavery) still occurs in most, if not all, countries even today, the highest concentrations of all forms of slavery at present are in countries in which the rule of law is less developed, extreme poverty is widespread, and physical security is still in short supply for many people.

We have made no attempt to provide anything approaching a comprehensive explanation of the origins and timing of the modern human rights movement. Our more modest claim is that the best explanation of the origin and timing of British abolitionism and the modern human rights movement that followed must include reference not only to Enlightenment ideas, moral consistency reasoning, and new interpretations of Christianity but also to the material, political, and social-epistemological

<sup>7</sup> For a comparative perspective on abolition and the history of slavery, see Drescher, *Abolition*, *supra* note 4.

conditions—in interaction with evolved components of human moral psychology—that translated these changes in thinking into effective political action. We have not sought to substitute an evolutionary explanation for a cultural one or vice versa. Instead, we have tried to show how our naturalistic theory provides important links between evolved human moral nature and its interaction with scaffolded cultural conditions.

Our view is an attempt to avoid both simplistic, reductionist biological explanations, on the one hand, and explanations that regard moral reasoning as a kind of free-floating, *sui generis* force, on the other. We have also avoided the assumption that culture is independent of evolution. We have acknowledged that an understanding of the evolutionary origins of human morality is relevant to moral development—and perhaps especially to moral regression. But we have also identified a series of important conceptual transformations and changing social–environmental factors that must be taken into account in any attempt to understand the origins and timing of the modern human rights movement.

### *Why Did the Human Rights Movement Stall?*

As noted earlier, abolitionist movements generally, including the British instance, have rightly been regarded as the forerunners of the modern human rights movement. But it is important to realize that the conception of human rights that animated abolitionism was highly constrained: the moral justification for the liberation of slaves presupposed only rights not to be enslaved or deprived of the fruits of one's labors—not anything like the full panoply of human rights that are recognized today in international, regional, and domestic legal systems, as discussed in the previous chapter. Nor is it true that abolitionism marked the beginning of steady, ever-advancing progress toward the modern human rights idea and its institutional embodiments.

On the contrary, the greatest triumph of abolitionism—the instant emancipation of 800,000 slaves from chattel slavery in the

British Empire that occurred in 1834—was soon followed by what might be called the “century of scientific racism,” in the West, beginning around 1840 and continuing until the destruction of the racial inegalitarian Nazi and Japanese regimes in World War II. In the United States, the end of slavery marked the advent of Jim Crow—a dense cluster of legal, institutional and social measures deliberately designed to undercut the inclusivist achievements (in particular, the Thirteenth, Fourteenth, and Fifteenth Amendments to the U.S. Constitution) that were instituted in the wake of the Civil War. There was, in other words, a great discontinuity and indeed a serious regression with regard to inclusion that occurred *after* the major triumphs of abolitionism but *before* the founding of the modern human rights system in 1948.

This raises a critical question for any naturalistic theory of moral progress: why was the success of abolitionism followed by stalling and regression? Is this moral sputtering in tension with the naturalistic account of inclusivist moral progress developed in this book? We do not believe that it is. Our naturalistic theory finds nothing surprising in the fact of regression and stalling. It denies the inevitability or normality of progress. Instead, its central idea is that progress, like stalling and regression, is environmentally conditioned and depends on cultural changes. And like all theories that take evolution seriously, it recognizes that developmental environments change. Further, it rejects any suggestion that when conditions favorable to inclusivist moralities manage to emerge, they will be sustained. As we have emphasized, inclusiveness is the peculiar institution over the long sweep of history, and the social and political conditions for it have only emerged in the last two-hundred and fifty years—and then only in certain locales. The harder question is not why stalling and regression occurred after the promising start of abolitionism, but why progress resumed when it did, at the beginning of the human rights movement.

Nonetheless, we will add some flesh to the skeletal explanation of the brutal, massive exclusionary events of the twentieth

century that we offered in Chapter 3. The key to understanding the broader stalling and regression that followed the partial human rights victory of British and American abolitionism lies in the burgeoning of racial thought in the second half of the nineteenth and the first half of the twentieth centuries.

Some prominent historians of British abolitionism have noted something that students of American abolitionism may find surprising: British abolitionists did not focus their efforts exclusively on refuting the idea that Africans were not rational beings and therefore not human beings or proper subjects of justice.<sup>8</sup> Instead, much of their effort was devoted to making vivid the suffering of slaves, especially in the Middle Passage; documenting the negative psychological and health effects suffered by those involved in transporting slaves across the Atlantic; highlighting the wrongness of stealing human beings; and rebutting arguments that emancipation would bring violent reprisals by liberated slaves and economic ruin to the British Empire. Considerable energy was also devoted to making people concretely aware that they were being complicit in the operation of a system that was in fact incompatible with their acknowledgment that Africans had basic rights.

In contrast, by the time the American abolitionist movement became powerful, during the twenty years preceding the start of the Civil War, much of the national debate about slavery consisted of claims and counterclaims about the supposed natural inferiority of people of color. Abolitionist discourse changed, most likely, in response to the growing prominence of racialized thinking—a prominence due in part to the increasing prestige of what was believed to be science in a period in which science was becoming ever more racialized.<sup>9</sup> The more vigorous opposition to American slavery became, the more pro-slavery arguments came to rely on pseudoscientific theories of biological racial

<sup>8</sup> Drescher, *From Slavery to Freedom*, supra note 6, p. 285.

<sup>9</sup> See D. Kevles, *In the Name of Eugenics* (Harvard University Press, 1995).

differences. American abolitionists, therefore, unlike their British predecessors, had to focus their attention almost exclusively on rebutting racial arguments for slavery. During this period, the social and biological sciences became more explicitly racialized than ever before. And the high regard in which science was held in the nineteenth century made racialized science the most potent ally of slavery apologists. Because science was widely regarded as epistemically authoritative, its racialization had large social effects beyond the community of scientists.

### *Racial Science and Moral Regression: From Colonialism to Eugenics*

Racist thinking, bolstered by racial science, was invoked to justify European colonialism in the second half of the nineteenth and the first third of the twentieth centuries. Ironically, as David Brion Davis has brilliantly documented, the moral imperative of emancipation from slavery was used to justify colonialism, especially in Africa.<sup>10</sup> Davis demonstrates that emancipation from slavery was first invoked, during the initial abolitionist movements, in the service of a genuinely progressive moral change but that later, during the heyday of European colonialism, it was employed to justify actions and policies that were anything but progressive—hence the title of his book, *Slavery and Human Progress*. In its more coherent forms, the ideology of colonialism acknowledged the moral truth that justified abolitionism—namely that people of color are genuine human beings entitled not to be enslaved—while at the same time denying that they had sufficient rationality, discipline, and cultural development to govern themselves or to be accorded the full set of rights that Europeans enjoyed. The progress toward full recognition of human rights during this period not only failed to advance beyond the partial gains

<sup>10</sup> David Brion Davis, *Slavery and Human Progress* (Oxford University Press, 1984).

of abolitionism; it also exploited this shortfall to rationalize brutally exclusionist behavior. Europeans justified colonizing African territories as necessary for eliminating slavery there that had persisted after its abolition in the British Empire and the Americas.

The idea that there is a racial hierarchy among human beings, given greater credibility by the pervasiveness of racial thought in the social and biological sciences, remained popular up through the period between the world wars. The League of Nations, hailed at the time as a milestone of moral progress, rejected Japan's plea to commit the organization to a principle of racial equality. Ironically, Japan then joined fascist Germany and Italy in invoking the doctrine of racial inequality as part of the justification for aggressive war and especially brutal forms of colonial domination.

In the period between the world wars, a new “scientific” doctrine of inequality developed, combining flawed beliefs about human genetics with a vulgarized version of the Darwinian idea of the survival of the fittest: eugenics. Many varieties of thought are often lumped together under the title “eugenics,” but, as we saw in Chapter 7, all or at least most have something in common: the belief that major social ills of modern, urbanized life are caused by defective germplasm; that those individuals with defective genes are outbreeding those with “good” genes; and that consequently, unless there is some major change in reproductive behavior, social ills will worsen, and the human race will degenerate, even to the point of the destruction of civilization.<sup>11</sup>

The idea of a dangerous class within society internalizes exclusion: the morally deficient, disease-bearing others are no longer members of some alien society—they dwell inside our own society, and their existence threatens its very fabric. Inferior

<sup>11</sup> Diane Paul, “Darwin, Social Darwinism and Eugenics,” in J. Hodge and G. Radick (eds.), *The Cambridge Companion to Darwin* (Cambridge University Press, 2003, pp. 214–239).

germplasm was thought to involve a bundle of undesirable characteristics with ethno-racist overtones, including (inter alia) dispositions to criminality, violence, indolence, disease, sexual lasciviousness, and hyper-fecundity—thus triggering a number of out-group threat cues which, according to our model, drive disgust and fear responses that result in moral exclusion. Margaret Sanger, widely admired for her work promoting birth control, likened those with defective germplasm to sewage flowing into the municipal water supply.<sup>12</sup> Indeed, her chief motivation for trying to make birth control available was to stem the transmission of defective germplasm. She believed that many women of the better sort were already using birth control and that because the lower orders were not doing so, the result would be an increase in the proportion of defective human beings and with it a worsening of the social ills caused by their moral and physical defects and ultimately their genes.

The exclusionist thinking of eugenicists in some cases reached the limit: people with supposedly defective genes were to be either murdered or prevented from being born. Compulsory, involuntary eugenic sterilization programs were implemented not just in Nazi Germany but also in the United States, Canada, Denmark, Norway, Sweden, and other countries; and tens of thousands of people were murdered in the inaptly termed “euthanasia” (good death) program of the Nazis, which was a precursor to the Holocaust.

The radical collectivism and racial inegalitarianism of the Nazis took the form of an extreme version of eugenics. But even in its less extreme forms, eugenics represented a new way of characterizing not just foreigners but also people of one’s own society, as dangerous “others.” As a number of historians have noted, Hitler brought back to Europe an extreme form of colonialism: “non-Aryan” Europeans were to be enslaved or exterminated, even if

<sup>12</sup> Margaret Sanger (1919), “Birth Control and Racial Betterment,” *Birth Control Review* 3: 11–12.

they were members of German society. Eugenic doctrine provided the ideological justification for the Nazis’ application of the most extreme colonialist practices to European populations. Here we have a striking example of how flexible the evolved tendency to separate human beings into “our group” and “others” is. The boundary between the included and excluded was shifted from a national or geographical basis to a supposed biological one. This demonstrates at once both the robustness and the flexibility of the capacity for exclusivist responses. In-group/out-group dynamics are reliably triggered under the right sorts of social and epistemic conditions, but there is a great deal of flexibility and contingency as to how these groupings are drawn up in any given case.

So, in the eugenics movement, racial thinking, dressed up in scientific garb, brought modes of thinking and behavior prevalent in colonialism back home to the societies that had engaged in colonialism. Why did this redirection of exclusivist moral responses occur? One plausible hypothesis is that eugenics was at least in significant part an ideological response by the middle and upper classes of advanced capitalist societies to two perceived threats. The first was a perception of the emergence not just of increased crime and immorality but of their concentration in the members of a distinct and dangerous class, evident especially in the growing urban centers of the modern manufacturing economy. The second was a perception that the emerging capitalist social order and all the benefits and privileges it conferred on the middle and upper classes were threatened by social revolution. The great attraction of eugenics for the middle and upper classes lay in the fact that it provided both a diagnosis and a scientific cure for modern social ills that did not concede the need to change the nature of the capitalist social order. Rather than having to admit that the crime and immorality they were witnessing was the result of an unjust economic system, believers in eugenics could conveniently “medicalize” these problems and in a way that exculpated themselves and the system from which they disproportionately benefited.

The problem, they were relieved to learn, did not lie in capitalism and its ruling class but within the bodies of a certain subset of the population.<sup>13</sup> Change was needed not in the social system but in the reproductive habits of the dangerous class. Whether or not this explanation can be adequately fleshed out, it is clear that eugenics fits the naturalistic model of moral regression regarding inclusivity that our theory provides. In a future work on ideology we hope to explore a critical issue that we can only flag here: the extent to which socioeconomic inequalities within society encourage the phenomenon of “internal exclusion” exemplified by the eugenics movement—in particular, of the better off coming to regard the worse off as dangerous or inferior “other” and as a result having diminished sympathy for the poor and their plight. A central focus of that work will be a biocultural account of ideology that emphasizes the essentially exclusionary character of ideological thinking and its social function within particular sorts of environments.

The naturalistic theory of inclusivist moral progress outlined in Part II makes perfectly explicable the fact that the initial human rights gains of the abolitionist movement stalled and even suffered regression, for that theory asserts that human beings always retain the potential to develop exclusivist moral responses, even extreme ones that withhold basic moral standing from some human beings. Unlike earlier theories of moral progress, it denies that there is anything natural or inevitable about the march of moral progress; and unlike certain traditional theories in cultural anthropology, it denies that there is anything unnatural or even biologically pathological (in the descriptive, etiological–functional sense) about extreme forms of exclusion. Instead, it stresses that human beings have evolved an adaptively plastic capacity for moral responses that produces exclusion under certain environmental conditions—conditions that have characterized most

<sup>13</sup> This is not to deny that there were leftist eugenicists. There clearly were, but they were in the minority (see discussion of reform eugenicists below).

human societies throughout most of human history and the escape from which is both unusual and fragile. Further, the theory’s focus on out-group threat cues characteristic of the EEA explains why exclusionary thinking and discourse takes a characteristic shape, why it is replete with disease metaphors that overlap with techniques of dehumanization, why it focuses on free-riding, and why it fosters exaggerated fears of violence or cultural disruptions at the hands of the other. The eugenics movement, in particular, emphasized the dangers of free-riding, branding those with supposedly defective genes as parasites depleting the resources of the fitter types through social welfare programs that catered to their various flaws, pathologies, and disabilities.

In addition, as we suggested earlier, the naturalistic theory coheres nicely with facts about the origins of the highly regressive exclusionary Nazi and Japanese regimes. These regimes came to power partly in response to a worldwide depression that greatly decreased material prosperity and which (especially in Germany) resulted in civil strife that eroded physical security (both actual and perceived), prompting a significant dismantling of the global economic order that had emerged in the early twentieth century. Hence, there was a regression toward three exclusion-promoting features of the EEA: first, a reduction of social surpluses that made sharing with out-groups costlier and heightened people’s sensitivity to perceived free-riding; second, a decrease in physical security; and third, a breakdown of institutions for mutually beneficial cooperation across groups.

We also emphasized that the leadership of Japanese militarism and German fascism deliberately worked to destroy some of the most progressive features of the international order. This included dismantling the League of Nations and the treaty-based system of constraints on the means of waging war, thereby increasing the belief that war was normal and peaceful cooperation among nations was an illusion—all the while creating a structured social-epistemic environment at home that inculcated highly exclusivist norms.



*An Apparent Problem for the Naturalistic Theory*

So far so good. But our naturalistic theory ought to help explain not only the lack of human rights progress and regression during the period leading up to the Second World War but also why the modern human rights movement originated when it did, at the end of the war. How can the theory help explain why progress in human rights resumed and burgeoned after the period of stalling and regression that followed the very limited, though impressive victories of abolitionism? Given the fact that racist thinking in Europe (and America) bloomed *after* the triumphs of abolition, received credibility through scientific endorsement in an era in which science enjoyed enormous prestige, and persisted in extreme forms even in liberal constitutional democracies until the end of World War II, how can one explain the sea change that the founding of the modern human rights movement in 1948 represents? Why did the adaptively plastic toggle (or dial) move toward inclusion at that moment rather than remain fixed in the exclusion position?

This is not an idle question for our theory. Recall that the naturalized theory of moral progress set out in Part II holds that, generally speaking, the emergence and flourishing of widespread inclusivist moralities is a “luxury good,” something that occurs only under certain favorable conditions, including relative material prosperity. If that is so, how do we explain the fact that the modern human rights regime emerged at a point in history at which the most destructive war of all time had eradicated so much material wealth and devastated the economic infrastructure of large portions of the globe?<sup>14</sup> According to our theory, such an environment should be ripe for the development of exclusivist morality and hostile to inclusion.

In an earlier work on human rights, one author of the present volume has argued that the best explanation of why the stalling

<sup>14</sup> We are grateful to Rainer Forst for urging us to consider this question.

and regression that afflicted the human rights project during the century of scientific racism was followed by a revitalization of the human rights project at the end of World War II lies chiefly in the nature of a popular diagnosis at the time of why the war had occurred and the prescription for change that was based on that diagnosis. Amid the smoking, reeking ruins of this global catastrophe, a politically potent consensus emerged on three points. The first was that the primary cause of the catastrophe was aggression perpetrated by Japanese militarism and German and Italian fascism. The second was the idea that what these two ideologies had in common, and what made them so horrifically destructive, was radical collectivism combined with racial inequality. These ideologies were radically collectivist so far as they regarded individual human beings (even those of “superior” races) as having little or no worth on their own account; instead, the worth of the individual depended on her contribution to the good of the nation or the folk. The racial inequality element was the conviction that there is a biologically based hierarchy of value among the world’s peoples—a conviction that was shared, though to a much lesser extent, by many people in some non-fascistic societies. The third point of agreement in the aftermath of World War II was that something revolutionary had to be done to ensure that the catastrophe should not recur, where this meant taking unprecedented, deliberate measures to reduce the chance that the ideologies that fueled the “hemoclysm,” as Pinker calls it, would ever again become powerful. In a future work, we will apply in detail our naturalistic theory to the phenomena of ideology.

This explanation becomes more plausible if one adds two facts about the world in 1948 that distinguishes it from standard EEA conditions. First, while there was great destruction in much of Europe and East and Southeast Asia, many countries, including one of the two most powerful ones, the United States, emerged from the war unscathed and indeed even more prosperous than before. Second, the United States soon made credible pledges



to restore European economies through the operation of the Marshall Plan and other forms of economic aid and acted quickly to create a new, functional, and more stable global economic and financial order grounded in the Bretton Woods agreements. So it was not the case that the prospect at the time of the founding of the modern human rights project was one of universal and persisting material deprivation. Third, the United States greatly reduced the threat of physical security by extending a “security umbrella” to cover western Europe, Japan, and South Korea, just as the Soviet Union provided security to Warsaw Pact countries.

Just as importantly, it appears that by building on human reasoning skills that had developed in the more favorable conditions that existed prior to the hemoclysm, as well as on the gains in inclusivist moral thinking promoted by the abolitionist movement, a broad consensus formed that it was in the interest of all people to resurrect and amplify the discourse of human rights and to ensure its institutional implementation. Further, major gains in the development of inclusivist political institutions that had occurred prior to the war survived the conflict—in particular, constitutional democratic forms and cultural norms that underpinned entrenched individual rights. The survival of these constitutional democracies in some of the most powerful among the victor nations (in particular the United States and the United Kingdom), at the end of a period during which it had appeared to many that democracy was doomed, provided a template for the legal aspect of the new human rights project. Indeed, many of the founders of the modern human rights project, as well as many contemporary human rights lawyers, regard the international legal human rights system as an extension of Western-style democratic constitutionalism to the global level. It is not an accident that the three most important modern human rights documents are called “The International Bill of Rights.”

Because of these favorable conditions, the loss of material prosperity caused by the war did not prove to be an insurmountable obstacle to a resumption of progress in inclusion in the name

of human rights. Our naturalistic theory can thus accommodate this fact. If the devastation of the Second World War had not been followed by a miracle of reconstruction spearheaded by an exceptionally prosperous victor nation, if it had been quickly followed by a new worldwide depression, or if the decades following the conclusion of the Second World War had been followed by a series of other major wars rather than a remarkable period of peace, then the emergence of the modern human rights movement at the time would be highly anomalous for the naturalistic theory; but thankfully things turned out much better.

Given the consensus diagnosis as to the primary causes of World War II and the Holocaust, the founding of the modern human rights project was a remarkably apt prescription for prevention of a recurrence of these catastrophes. Establishing new international standards as to how all states must treat those under their jurisdictions, framed chiefly in terms of individual human rights, kills two ideological birds with one stone. By ascribing certain rights to *individuals*—as individuals, on their own account—the modern human rights idea unambiguously rejects radical collectivism, affirming that individuals are bona fide moral and legal subjects, rather than valuable only in virtue of their connection or contribution to some group. By ascribing these rights to *all* human beings, the modern human rights idea also unambiguously rejects radical inegalitarianism, including all its racial variants; and as the human rights project developed, a special treaty, the Racism Convention, drove the point home with even greater force. So, our naturalistic theory can help explain the beginning of the human rights project in British abolitionism, as well as the stalling and reversals it suffered in the nineteenth to mid-twentieth centuries. It is also compatible with the timing of the founding of the modern human rights movement.

If fleshed out in a more complex way, the theory might provide an even more convincing explanation of the timing of the advent of the modern human rights movement—its emergence immediately following the most destructive war in history. Suppose

that one distinguishes between the environmental conditions necessary for the first emergence of certain inclusivist ideas and social practices and the environmental conditions necessary for resurrecting them after a period of regression. Even if relatively favorable environmental conditions were needed for the emergence of the inclusivist ideas that eventually achieved robust expression in the human rights movement, it does not follow that they could not be given new life in the less favorable environment created by the Second World War. After all, even though certain cultural innovations are only likely to originate in certain environments, it is the distinctive nature—indeed, the evolutionary function—of culture to preserve valuable ideas that have gained traction in human beliefs and social practices—even in the unfavorable circumstances in which they most likely would not have originated.

### *The Fragility of Human Rights*

Our naturalistic theory not only helps explain the successes of the human rights movement and the timing of its early manifestation in abolitionism and later more expansive development after World War II. It also affirms the fragility of human rights. It tells us that a human rights culture, and the inclusivist morality of which it is a shining example, can only flourish under certain conditions—peculiar conditions, given the broad expanse of human history. It emphasizes that these peculiar conditions must obtain if exclusivist moral dispositions that were selected for in the EEA are not to dominate the moral thought and behavior of modern humans. The theory also warns that human rights culture, like other inclusivist moral orientations, can come under threat not just by objective deterioration of the environment but also if enough people come to believe that EEA-like conditions prevail—since enculturated beliefs can serve as faulty cues of out-group threat. The same cultural resources that promote inclusion can be co-opted to foster exclusion.

A key message of the theory, therefore, is that it is a dangerous mistake to assume that the only question is how to continue the advances of the modern human rights movement. Instead, the more fundamental question is how to sustain the conditions that have made the progress already achieved possible. We therefore agree with Jonathan Glover's prescription that the priority should be on preventing major regressions regarding the protection of human rights.<sup>15</sup> That is the first order of business. And that is why we think our theory is valuable, even if it turns out to do a more thorough job of explaining regression than progress.

Bluntly put, no one should assume that the human rights project is locked in. The naturalistic theory that we propose identifies a number of contingencies that could shift the world or parts of it toward an environment that is hostile to human rights. In simplest terms, any changes that either objectively drag us back toward conditions of the EEA that promoted exclusivist responses and any manipulations of belief that convince large numbers of people that EEA-like threat cues are present have the potential to reverse the gains of the human rights movement. The increase of objective threat cues that trigger exclusivist response includes large-scale, highly destructive wars, failed states, lethal global pandemics, ethno-racial conflicts within and between states, and environmental deterioration that severely reduces material prosperity, engenders resource scarcity, and damages civil order. Much of the Middle East deteriorated into these objectively inclusivist-hostile conditions after power (and hence security) vacuums were created by the U.S. invasion of Iraq in 2003 and the destabilizing revolutions of the Arab Spring. Together, these events gave rise to ISIS—a group that operates in accordance with one of the most brutally exclusivist ideologies in modern human history—one in which genocide, slavery, torture, and rape take center stage.

<sup>15</sup> Jonathan Glover, *Humanity: A Moral History of the Twentieth Century* (Yale University Press, 2001).

Meanwhile, in the United States extreme right-wing demagogues have manipulated people's beliefs by creating false perceptions of EEA-like conditions, including existential out-group threat (both exogenous and home-grown), resource scarcity, free-riding, and overall national doom and gloom with a xenophobic, hyper-nationalistic, racialized, misogynistic gloss. Especially during his campaign for the Presidency, Donald Trump has proposed various measures to dismantle inclusivist gains, marketing them as necessary to meet these supposed threats to the safety and character of America: overtly discriminating travel and immigration policies targeting Muslims, deportation of undocumented persons who were brought to the United States as children or infants, violation of international rules governing torture and self-defense, and dismantling key elements of the existing multilateral framework for international cooperation that was developed after the Second World War. Poorly educated white men are disproportionately represented among Trump supporters. This demographic not only is sympathetic to authoritarianism but also is among the most vulnerable to the recent economic downturn (the so-called Great Recession that began in 2008), exhibits poor health outcomes, and is now being forced to come to terms with the challenges that gains in racial and gender equality pose to the traditional privileged status of white men. These are all characteristics that, according to our naturalistic theory, make this demographic highly vulnerable to exclusivist belief manipulation—in this case, by a social media savant with a knack for political propaganda and demagoguery. By the time this volume is published, we may know whether Trump's presidency is likely to deliver on his most exclusionary promises. The key point, however, is that even if Trump's rise to political prominence in the run-up to the election of November 2016 was in many respects unprecedented, the techniques he and some of his supporters have utilized and the social psychological bases of his popularity are not: they are disturbingly familiar and squarely in line with our naturalistic theory.

Another risk is probably considerably greater: oppressive regimes that are hostile to human rights can restrict the diffusion of inclusivist ideas, outlaw the civil society organizations that were so important both for abolitionism and for current human rights work, and utilize control over education, propaganda, and censorship to stultify the development of moral consistency reasoning, while presenting foreigners, members of opposing alliances, political opponents, and media critics as dangerous and even less than fully human. If such regimes become powerful enough to influence environments beyond their borders, they can disable inclusivist achievements on a large scale. One fateful question for the future of the human rights movement is whether China, as it becomes a major player on the world stage, will persist in its rejection of the foundational idea of the human rights movement—the conviction that how each state chooses to treat its own people is a matter of international concern and a legitimate subject for criticism by outsiders.

Further, if we take seriously the naturalistic theory's thesis that exclusivist moral responses can be prompted not only by an objective deterioration of the environment toward EEA-like conditions but also by people's perception that such harsh conditions exist, then a criticism of the modern human rights movement immediately follows: insufficient energy and resources have been devoted to preventing the manipulation of belief that fosters exclusion. It is true that some human rights treaties, including the International Covenant on Civil and Political Rights, include prohibitions on propaganda for war and ethnonational hate speech; and it is also true that some human rights organizations have worked to improve tolerance among groups in persisting conflict, such as Palestinians and Israelis. But it is fair to say that much more needs to be done to combat exclusionary propaganda and to reduce ordinary normal cognitive biases that encourage exclusivist moral responses. It is especially important to develop ways of combatting exclusivist propaganda in the rapidly evolving and de-personalized

world of social media. For the first time, scientific information about biases and de-biasing techniques is being developed, and the first rigorous scientific work on social information technologies and their psychological and political impacts is being conducted. Such developments make the redirection of effort toward the improvement of social moral-epistemic resources all the more cogent.

Even if the moral arc has bent (rather recently) toward justice in some important respects, in particular in the dimension of inclusivity, this trajectory is not inevitable or perhaps even probable. To think otherwise would be to dangerously underestimate the amount of cultural and institutional scaffolding that is necessary to bring about, sustain, and advance moral progress. We explained at the beginning of this book that one peculiar feature of moral progress is that over time it tends to become invisible. Yet this invisibility can foster fragility as the inclusivist foundations that we take for granted can suddenly be undermined without anyone noticing until it is too late. If we wish to shore up moral progress, it is crucial that we begin by bringing it out into the light of day.

## CHAPTER 11

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### Biomedical Moral Enhancement and Moral Progress

#### *The Evolutionary Mismatch Problem, Again*

Humans in the twenty-first century are confronted with a daunting array of moral problems, from climate change and poverty to the prospects of nuclear war, terrorism, and genocide. These are all ethical challenges that human moral psychology seems ill-equipped to address, given that it evolved to function under very different social and technological circumstances: namely, in small, scattered hunter-gatherer groups packed full of kin, armed with primitive weaponry, and possessing only a very limited capacity for ecological impact. The high levels of cooperation and technological prowess achieved by human hunter-gatherer groups may have enabled them to wipe out continental megafauna and carry on tribal blood feuds, but it did not give them the capacity to destroy ecosystems on a planetary scale and, with them, the human species itself.

The situation is very different for large post-Neolithic societies like the ones we inhabit today, with sophisticated divisions of labor, powerful technologies, gigantic surpluses, and an energy share rapidly rising to the level of a Type-1 Kardashev civilization—one that controls a major share of all the energy found on planet Earth.<sup>1</sup> Humans now engage in niche construction on a truly

<sup>1</sup> In a well-known paper in the *Journal of Soviet Astronomy*, the astrophysicist Nicolai Kardashev classified civilizations into three types: Type