Human rights as a foundation of solidarity. The contribution of Jacques Maritain

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The value of Jacques Maritain's work to a reflection on solidarity is that he gives us a concrete account of what solidarity amounts to, he tells us what it involves, he associates it with something that is interpersonal, he identifies it with something more than a feeling – but, rather, a disposition of a person (and this in turn allows us to distinguish isolated acts of doing good from people who exhibit the characteristic of solidarity) – and he explains how it is obligatory – so that others can be called on to be *solidaires*. In respecting rights, we show solidarity and we are *solidaire* – in solidarity – with others. (And this might give some content to the sense of *engagement* that underlies the sense in which many understand the term).

Introduction

To talk about and, especially, to defend a discourse of human rights these days is a far from easy task. Of course, one sees that marginalized and dispossessed groups often appeal to such rights, and the concept of "human rights" is to be found not only within philosophical texts, but within social and political discourses throughout the world. Yet there has been severe criticism of such talk. There are sceptical philosophers, such as Jeremy Bentham, who have written that natural, human rights are nonsensical and that they are anarchic and dangerous. There are those from certain developing countries who see charters of rights and the discourse of human rights as a tool of oppression employed by western powers. And there are "postmodern" philosophers, such as Richard Rorty, who suggest that there is no possible foundation for a discourse of human rights, and that such talk adds nothing to our sentiments to see justice done or to help others.

This is not, however, the view of Jacques Maritain who was well aware of the challenges of scepticism, pluralism and historicism, but who insisted that human rights were a necessary element to life in common, even in a radically pluralist world.

Admittedly, Maritain did not use the word "solidarity" — or, at least, not in the sense that one hears it so often in today's world. Still; it seems to me that his views on human rights can help us to understand the moral obligation to be "in solidarity" with others and to clarify how to act concretely in a way that promotes solidarity.

In this paper, I want to start with a standard definition of solidarity and, after contrasting the term with a number of other concepts with which it may be associated, consider what is supposed to be a radical criticism of this definition — namely, that found in the work of Richard Rorty. I will suggest that that Rorty's analysis of the concept of solidarity has a number of serious problems, but also that there are elements in his account that are useful in the reconstruction of a more precise description of the concept of solidarity. After sketching out such a revised definition, I will argue that Maritain's discussion of human rights can be quite helpful in articulating how to act with solidarity, how to be in solidarity, why we should be in solidarity with others, and why a "sentimental education" that promotes solidarity — though not in Rorty's sense of the term — is quite appropriate in our (post) modern world.

1.1. Definitions of solidarity

"Solidarity" is a term increasingly present in the different moral, social and political discourses of our world. But what do we mean by "solidarity?" With whom are we supposed to be "in solidarity?" What sorts of actions or activities would fall under such a category?

To help with at least this first question, let us consider a "standard" definition of the term "solidarity."

In the *Petit Robert*, we find the following definition of the word "solidarity" — *solidarité*: "relation entre personnes ayant conscience d'une communauté d'intérêts, qui entraine, pour les unes, l'obligation morale de ne pas desservir les autres et de leur porter assistance" — and we are referred to the words *association*, *entraide*, *mutualité*, and, even, *camaraderie*. And to be *solidaire* — in solidarity — "se dit des personnes qui répondent en commun l'une pour l'autre d'une même chose" — "qui se sentent liées par une responsabilité et des intérêts communs;" the antonyms of this concept are *indépendance* and *individualisme*.

Out of these remarks, one will note the following features:

a) that solidarity is, or involves, a relation;

b) that this relation is among persons;

c) that the basis of this relation is a recognition by the persons concerned;

d) that what is recognized is, at minimum, the existence of certain interests or responsibilities that are common or shared;

e) that the existence of this recognition — not, arguably, these interests alone — entails the existence of a moral obligation to act in certain ways.

And one might also note the following: it is not claimed here that this recognition need be conscious and explicit. Moreover, considering its relation to terms like *camaraderie*, this recognition and relation can involve emotions or, more broadly, affectivity.

Of course, the preceding account, taken from the *Petit Robert*, is simply a lexical definition and a set of synonyms for the word "solidarity." It has a prescriptive force for ordinary discourse, but lexical definitions are not, obviously, conclusive in philosophical debate. Nevertheless, I think that they cannot be ignored either, and that if one wishes to speak of solidarity — or of rethinking solidarity — one must take account of common usage.

I want to make two brief comments here before discussing the relation of this term to allied concepts. First, this description says nothing about *how* solidarity might come to exist; a moment's reflection suggests that it might do so, in fact, in different ways. It may arise spontaneously, as it does in a family or in a community, or it may be something willed or commanded, and it may also be something one chooses. [1] Still, while such a distinction may tell us something about how solidarity is motivated, it is not obvious that this is relevant to understanding what solidarity is. Second, from the preceding description, the nature or character of the "relation" that is recognized is unclear. This, I think, is essential to understanding solidarity, but I will defer this matter for the moment.

Generally, when one thinks about "solidarity," one may think of it as roughly the same as "being just" or "doing justice," or as "cooperation," or as having a "fellow feeling" (*fraternité*) for others, or as *pitié* (in Rousseau's sense), or as "the willingness to do good to another," or "loyalty," or as "understanding" or "showing tolerance" for others. I would argue, however, that the concept of solidarity is much richer than any of these.

Solidarity might seem to be much the same thing as "justice" or "being just," and it is true that solidarity, like "justice," may have both moral and political implications; when one thinks of the political side of "justice," one thinks of it as focusing on institutional arrangements and relations — and these arrangements and procedures would also be involved in what I would call defining the practical side or the mechanics or the procedures of solidarity. Still, this is not to say that solidarity and justice are the same — but simply that both have a moral and political dimension. It seems clear, in fact, that justice is not the same as solidarity. One can act justly without being in solidarity with another. Indeed, there are situations where "solidarity" requires something more than "being just" — one can imagine "justice" being done "from above," or dispassionately, or as motivated solely by principle but not by regard for the other or "fellow interest," whereas I do not think that we would think of solidarity as existing if any of these

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1 See Emile Durkheim, *De la division du travail social*, Paris: Presses Universitaires de France, 1991, for a discussion of different types of solidarity, based on the issue of origin.

features were present. Perhaps sometimes justice may seem to imply more than solidarity; it may seem that one can be in solidarity without being just — e.g., where solidarity with one's family causes one to break the law or treat others in a way that one knows to be wrong. However, first, I would say that here we are confusing solidarity with "loyalty" (about which I shall say more in a moment) and, second, it does seem odd to think that one might be "in solidarity" and yet have a moral obligation to act unjustly. In short, then, I would suggest that solidarity does imply, but goes beyond, acting justly. Admittedly, when one is acting in solidarity, the issue of being just may not have occurred to one — i.e., even though solidarity may require us to act "justly," if we are already "in solidarity," we do not have to be reminded to be just. Still, "being just" would be a necessary element in describing what is involved in solidarity.

Again, consider the notion of "fellow feeling" (*fraternité*) — here we see the other as a "brother" or "sister" (more precisely, as a fellow citizen or parent, etc.) and feel that we have something in common with them. But the existence of fellow feeling doesn't entail that we *must* act to help these "fellows" or that acting would be one's *duty* (as distinct from simply doing a good thing for another), or that refusing to help them would not only be harmful, but wrong. Moreover, while there may be a feeling of closeness to the other, there need not be any obvious common or shared interest involved. Similarly, "cooperation" does not carry any sense of whether one *should* cooperate; one can cooperate in a project "out of the goodness of one's heart," but (unless it entails a violation of justice or something else) may not be blamed if she refused to do so. Again, one can cooperate in something in which one does not have much interest, and one can think of "passive cooperation" — i.e., a refusal to stand in the way of another — which is surely far removed from the activism evoked by the concept of solidarity. And, of course, one can cooperate in the realization of immoral ends whereas, if one speaks of "solidarity" here, it is surely by extension; usually in such cases one speaks of "collusion." As the definition of the *Petit Robert* and common usage would suggest, "solidarity" carries a positive moral dimension to it.

"Tolerance" is clearly not the same as solidarity — indeed, it seems to be something that involves characteristics that are almost the opposite of being "in solidarity," for "tolerance" would seem to be "accepting the other, usually where the other has a different — i.e. not a common — interest with oneself," and it may require only a minimum of positive acts on one's part — simply the committment not to impede the other in the exercise of her actions. In fact, the concept of "tolerance" suggests the existence of *important* differences among individuals (as, for example, the notion of religious tolerance), whereas solidarity implies, I would say, that what differences there are among the individuals concerned are not important, that there is a recognition of common interests, and a willingness to engage in actions with that other, even if it involves sacrifices on one's part. Nor is solidarity the same thing as loyalty. Loyalty certainly may involve "acting justly," but it certainly need not. Moreover, while loyalty does involve some kind of recognition of a relation with the other — the object of one's loyalty — it need not be *mutually*

recognized, it need not be because of any common or shared interest, and there need be no equality or parity among those involved in this relation.

Pitié or sympathy or empathy for the other is a feeling, but solidarity is surely much broader than this. Feelings are also contingent and can even be "accidental," whereas the existence of solidarity would suggest a continuity over time and a relation to the other that is not arbitrary. Moreover, it does make sense to say that one ought to be in solidarity with another, whereas it scarcely makes sense to say that one (morally) ought to "feel" sympathy. Finally, the concept of *pitié* does not imply that such a sentiment is shared or is based on a shared interest or mutual recognition; one simply has this "reaction".

Again, it seems a mistake to confuse "acting charitably" or "being helpful" or "joining one's forces with another," with "being in solidarity" — for many of the reasons already cited — and the first of these might even be said to conflict with acting in solidarity with others.

Thus, there is something in "solidarity" — or, at least, something suggested in the above description taken from the *Petit Robert* — that goes beyond the characteristics of "being just", "cooperative," "tolerant," "fraternal," "loyal" or "doing good". It may be true that some of these behaviours may causally lead to the development of solidarity, but they do not necessarily lead to it. The problem is not just that there is a prescriptive character involved in solidarity which is lacking in some of the concepts cited above. It is that, in solidarity, we show a recognition of a common interest and of the other as in some sense an equal, which "colours" the nature of the relation to the other — that it be non-exploitative and non disempowering. Moreover, "solidarity" involves acting or doing (or, at least, a firm and resolute willingness to act), which is manifest in the notion of commitment or *engagement* that is also suggested. Also, being in solidarity is not, I would say, something that one can do casually or accidentally, and it is an activity that takes place over time, whereas in some of the preceding cases, time is not relevant to the ascription of the characteristic.

Finally, when we reflect on the term "solidarity," we are invited to think of it not simply as a "behaviour," [2] but a particular kind of behaviour — as a *practice* — and to speak of people being "in solidarity" with one another is to say that they are participants in a practice. Some of these latter characteristics of solidarity are, I would admit, not fully spelled out in the definition in the *Petit Robert*, but they are consistent with it, and together they allow us to distinguish "solidarity" from a number of other ethical and quasi-ethical terms.

One will note that the description I have been discussing does not specify with which persons one should be "in solidarity" (assuming that this needs to be specified) or what exactly we should do. But one might argue that this can be provided by a general moral or normative

[2] See Durkheim's *De la division du travail social*, *op.cit.*, and François Ewald's description in his article "Solidarité" in *Dictionnaire d'éthique et de philosophie morale*, edited by Monique Canto–Sperber, Paris, Presses Universitaires de France, 1996, pp. 1433-1440.

theory. And no doubt this is precisely how the matter might have been resolved — until relatively recently.

1.2. Rorty's challenge

Recently, there has been a widespread suspicion, if not rejection, of the need for a general moral theory and, for that matter, of the possibility of such. One such challenge — one which has been discussed earlier in this course — is that provided by Richard Rorty. [3] Rorty argues that to look for such a theory is a mistake, but that this does not prevent us from talking about concepts such as "truth" and "solidarity." (I am not going to rehearse all of Rorty's arguments, nor repeat the criticisms outlined by André Duhamel,[4] but I do think that a review of some of Rorty's arguments may be useful.)

In his essay "Solidarity," Rorty describes two views of solidarity: one, he says, is that solidarity means "that there is something within each of us — our essential humanity — which resonates to the presence of this same thing in other human beings" (CIS 189) [5]; the other — his own view — is that solidarity is a "sense" (CIS 191, 192, 195) or a "feeling" — though what kind of feeling is left unclear. The former view, Rorty argues, hinges on an essentialist and universalist account of human nature — that there is something essential and common to all human beings which does or should "resonate" or is recognized by other human beings, and that is the *basis* of solidarity — and, indeed, of all moral predicates. He says that, according to this view, it is on the basis of the existence of some essential property of human beings that we can speak of one as being "human" or "inhuman" and that defenders of this view claim to be able to justify the existence of an obligation of solidarity.

But, as is well known, Rorty argues that there is no such essential property, and that whatever property a defender of solidarity or human rights might appeal to as a "foundation" for either or both is contingently, if not somewhat arbitrarily or *post facto* (see CIS 194, n. 6), determined, and admits of no ultimate justification. There could never be, then, any general or universal obligation to be in solidarity with others.

Rorty's own view is that solidarity is not something that is based on or is the result of the intellectual recognition of the existence of certain properties in the other, but exists on the affective level. He describes "solidarity" also as a "self-doubt which has gradually... been inculcated into inhabitants of democratic states" (CIS 198) — perhaps he means here "a feeling of uncertainty about there being any objective property that we have in common" — or even "a

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[3] See, in particular, his essay "Solidarity" in his *Contingency, Irony and Solidarity*, Cambridge: Cambridge University Press, 1989.

[4] "Solidarité internationale et universalisme moral: A partir de Rawls et Rorty," Document de travail No 26, Chaire Hoover d'éthique économique et sociale, Louvain-la-Neuve, 1996.

[5] Rorty says that this is "(t)he traditional philosophical way of spelling out what we mean by 'human solidarity' " (CIS 189), but he gives no reference to who, if anyone, actually holds this view.

feeling of guilt." But he also says that it is an "ability to see" differences between human beings "as unimportant" (CIS 192) or an "ability to notice, and identify with" the pain of others (CIS 193). He says as well that it is something "made" or "produced," rather than something "found" or "recognized" (CIS 195).

Rorty thinks that it is important to develop or "create" (CIS 196) this feeling or ability — to "try" [he says this three times on page 196] to keep expanding the sense of "us" as far as we can. And he even proposes a means by which we can arouse this "imaginative identification" (CIS 190) with others, namely, by what he calls "sentimental education." [6]

But if asked why we — by which Rorty means "we 20th century liberals" (CIS 196) — should engage in such an activity — why we should "keep trying to expand our sense of 'us' as far as we can" and why we "should try to notice our similarities with others" (CIS 196), Rorty's answer is that "there is nothing to back up such a request, nor need there be" (CIS 197) — by which he means that there is "no *neutral*, non-circular way" to defend this view (CIS 197). But he insists that even though people are or should be aware that the feeling or belief in solidarity that arises "is caused by nothing deeper than historical circumstance", such a belief "can still regulate action and can still be thought worth dying for" (CIS 189).

To repeat, if Rorty is right about what solidarity is, why is it *important* that we engage in actions of solidarity? He suggests that if we are to be consistent liberals, we are "dedicated" to this — i.e., we "should" — though the force of this "should" adds nothing to saying that we just *want* to be consistent liberals. Of course, Rorty acknowledges that there is no good "objective" reason to be a liberal; if one asked whether this "liberalism" is a better view than, say, Nazism, it seems that all he can say is that "it is, if you are a liberal" or, at worst, "it depends on where you are."

1.3. Why Rorty's model fails as an account of solidarity and of the "basis" of community

Is this a substantive view of solidarity? Does it capture what calls for solidarity are about? I will allow that Rorty's postmodern view may help to correct some elements of post-Enlightenment philosophy, particularly concerning the relevance of appeals to the sentiments. Nevertheless, his account in general is seriously defective.

I want to begin by simply noting two points: first, it is interesting that Rorty's view, and the one he explicitly opposes, are not too far apart. Rorty says that, on the one hand, solidarity (in some, unattributed, "traditional" sense) might mean "that there is something within each of us

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6 See "Human Rights, Rationality and Sentimentality," in S. Hurley and S. Shute (eds.), *On Human Rights*. The Oxford Amnesty Lectures 1993, Basic Books, 1993, pp. 111-134, at p. 122.

— our essential humanity — which resonates"; *his* view, on the other hand, is that it is a "sense" or, perhaps, an "awareness." But, upon examination, it sounds like both of these accounts see solidarity as a *feeling* — and that, in a way, there is very little difference between these two views at all. It is odd that Rorty does not consider that solidarity might be something substantive (e.g., acting in a certain way, doing certain things), and that its concern is not just with some essential character of others, but with interests that are shared — interests that may "pre-exist" an encounter with others. Second, Rorty's cure for the lack of solidarity in the world is definitely not philosophical or moral argument — he would see these as, at best, just "spinning one's philosophical wheels." It is, rather, a "sentimental education" (HR 122).

There is something intuitively persuasive about this latter point. Since the early modern period, there seems to have been an emphasis on the role of (instrumental) reason and a suspicion, if not an outright exclusion, of the powers and data provided by the passions or emotions. Such an approach, many people have recently argued, provides too narrow and too limited a view of what sort of appeals are appropriate in philosophical argument, for it ignores much of what is characteristic of how people in fact think and come to know. And it is a view that is not only challenged by many contemporary philosophers, but which would have been contested by Aristotle, Thomas Aquinas, and many others from "pre-modern" times. Even Plato would agree that it is often through some kind of non-rationalist education rather than through philosophical argument that individuals can come to have *understanding*; think of the use of myth and "noble lie" in his work. It is quite plausible that if we are able to appreciate the sufferring of others, we will be more likely to act in ways that show solidarity. So we might, I think, admit that Rorty is right in saying that we need sentimental education.

Still, there are several things not quite right about Rorty's analysis. I cannot list them all here, but I want to provide a few that bear on points that I will have occasion to refer to later.

One general problem concerns the description of "solidarity" that Rorty provides. To begin with, Rorty's account of the standard view of solidarity is somewhat of a caricature. One might allow that there is some "resonance" between two persons which occurs in one's awareness of one's solidarity with another — but (as suggested in the description from the *Petit Robert*) it is not the "resonance" that is central to solidarity, but the existence of a recognition of the other and of a shared interest — and this relation is something that the persons concerned recognize. Again, as Rorty describes it, solidarity sounds rather "one-dimensional" — i.e., it deals with a subject who "acquires" a feeling of solidarity — but there is, then, no "reciprocity" with others — no recognition of a common interest. And, obviously, there is no (objective) moral obligation. In the sense in which Rorty describes it, "solidarity" is not distinct from "just wanting to be helpful" — and, for at least this reason, his description is not a very useful understanding of the term.

Again, Rorty argues that our feelings of solidarity are "contingently determined" and that there can be no justification of solidarity, by which he means there is "no *neutral*, non-circular

way" to defend this view (CIS 197). But, to begin with, *if* solidarity is just a feeling, this may simply be tautologically true. If solidarity is a feeling, it is undoubtedly contingently determined — as all feelings are — and while it might admit of explanation, it may well not admit of justification. But is Rorty right in describing it as a feeling? If solidarity is more than a feeling, as the *Petit Robert* suggests, then it may well not be something whose prescriptive force is based on contingent factors. In fact, I would suggest that, to be said to appreciate the sufferring of others, it is not enough just to have one "feel" it; one must also *believe* that one must do something about it. And, at this point, providing a justification for being "in solidarity" does not seem to be irrelevant.

Admittedly, Rorty has said that our belief in solidarity is something that is contingently determined and, therefore, that it admits of no "ultimate" or "absolute" theoretical justification. Moreover, he has already asked what sort of justification one could give, and has replied that we can give no neutral, non-circular one. But, first, one might well reply that no one had said that such a "justification" had to be "neutral" — "neutrality" being, in any event, a term that is itself vague and, arguably, ambiguous — and no one had said it had to require some sort of axiomatic demonstration? Even Kant denied that moral action could be (contra Rorty's suggestion) "deduced" from a moral standard. [7] Again, to hold that one can have no "rational" justification for a view because our "beliefs" are "historically contingent" is, surely, to go beyond the evidence. It is one thing to say that the belief has arisen in me, or in others, as a matter of contingent circumstance, but it does not follow that its "truth" is held to be a matter of contingent circumstance. And, Rorty's comment notwithstanding, it is not obvious that we should think of people blithely going to war who thought that their convictions were just one in a set of convictions, with nothing that makes them especially worthy, other than the fact that they are just those of which they happen to be convinced.

There is a second general peculiarity about Rorty's account. Rorty recommends that we pursue a "sentimental education" to develop the feeling of solidarity. What I find curious about this notion is not that it is something "sentimental" — for, long before, Hume and Smith and Flaubert spoke of the education of the sentiments — but that he speaks of it as "*education*" and not "training" or "manipulation" or "brainwashing" or "indoctrination." The distinction here is not just a verbal one. To speak of "education" suggests that one is being led (*ducere*), not only to an "end" which is a belief or a set of beliefs (something cognitive) and to an end that is in some way objectively "good," but away from (*ex*) something that is, presumably, "bad" or ideological or parochial. Now Rorty could argue — indeed, he would have to argue — that he can use this term because this is how a liberal would see the matter — that we are being led out of a narrow view to a broader, more comprehensive view. But he would also have to allow that the "values" here have no moral weight outside of this context. And one wonders whether the persuasiveness

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[7] See Kant's discussion, in Chapter 1 of the *Groundwork of the Metaphysic of Morals*, on the distinction between "deriving" and "deducing" moral claims.

of his ironist approach doesn't just depend on people *not* making this distinction — i.e., their failing to recognize that "sentimental education" is not an education towards a better view or set of beliefs, but is simply towards some feelings that are more consistent with Rorty's liberal ideals. Rorty's "education" is not an "education" informed by a model of "the good" or "the right." In fact, it is not clear how it corresponds to an "education" at all. Rorty says that we may "tell some sad stories" to bring about solidarity, but he could say little, I think, against some gentle brainwashing or indoctrination — such as obligatory anger management courses or sensitivity sessions — which is far from the way in which education is usually understood.

There is another difficulty in Rorty's view of "sentimental education." Consider what he says is the point of sentimental education — it is to make us come to "notice" (CIS 196) that the differences of race, sex, etc., are trivial compared to what we have in common (though from Rorty's examples, what we seem to "notice" tends to focus on our capacity to feel pain and humiliation [CIS 192]). But then Rorty is at least dangerously close to inconsistency — for the object of the sentimental education is not (just) to get us to feel a certain way or to have a particular sense, but to get us to *know* or *recognize* something or to make us more aware — i.e., to see that something *is true*, namely, *the fact* (pace Rorty) that these differences among people really are trivial.

This leads to a further problem in Rorty's analysis of solidarity and sentimental education. For Rorty, we can give no reason for solidarity, and our engaging in solidarity is not based on some particular property of the other. Yet in "creating" solidarity, it matters whose pain and sufferring (or, more generally, whose interests) are at stake. Thus, it is appropriate that we should think that sad stories about mothers and children are more relevant to our sense of solidarity with others than stories about cats and kittens. Arguably, the reason why Dickens moves us more than philosophy is not just because his work is probably much better written but because, as Dickens recognized, others and their interests count, and this is *why* it is important to write passionately about — and to promote solidarity with — others. Indeed, if Rorty's etiolated account of solidarity is right, then there is in principle no reason why one could not speak of feeling a sense of solidarity with animals or plants. But while I may have some sense of duty or obligation concerning animals and plants, it is by no means obvious how I can be in solidarity with them. (Admittedly, I may want to do good for them but, again, unless there are not only common interests (if plants have interests), and there is at least the potential for *reciprocal* recognition, it is not clear how there can be solidarity.) Surely, however, the point of sentimental education is *not* just that we should come to hold that the differences between one another should not be felt to be important — it is that they are not important and, *therefore*, should not be felt to be so.

Rorty's pragmatic view, of course, is that reasoning about these matters doesn't work, and concludes that reasoning isn't important; that one can't answer this question of "why" we should feel as we do. Certainly, attempts at answers to this question do not *work* often; on this point, I

fear, he is quite right. But it does not follow from the fact that sentimental education might get us to certain humanistic conclusions about others that it is inappropriate to try to get to this conclusion in some other way (e.g., by reason). Nor does it follow that we are quite right not to bother with arguments. There is a difference between saying that sentimental education can get us to see a point or see something about the interests and needs of others, and saying that this is all we need to defend our commitment to that point or to defend what we have come to see. Indeed, we might, for example, come to recognize a certain truth via sentimental education, but be reluctant to say that this truth *depends on* sentimental education. For example, to teach children certain fundamental mathematical propositions, we may use apples or oranges or coloured beads, but this does not entail that what makes these propositions true is a property of apples or oranges or beads. There is, then, simply no reason to conclude, as Rorty writes, that

> If it seems that most of the work of changing moral intuitions is being done by manipulating our feelings rather than increasing our knowledge, that will be a reason to think there is no knowledge of the sort which philosophers like Plato, Aquinas, and Kant hoped to acquire. (HR 118)

In fact, if sentimental education does not lead to some kind of knowledge or belief about those with whom we are in solidarity, but only to "feeling," then it is not at all clear why I would — or would for any length of time — treat the "other" with whom I am invited to be in solidarity as an equal and not simply as an object of pity. Indeed, suppose that I now say "I feel your pain is the same as mine" — what consequence can I draw from this? It could be to show compassion, or it could be indifference. So, if sentimental education is to be sufficient, i.e., to create solidarity, it must do something more than merely evoke a feeling. But, it is not clear how Rorty's version of sentimental education leads to solidarity, except by accident.

Furthermore, if one should have any doubts here about whether there need be a "basis" or "reason" that could justify a genuine solidarity, consider the following question: Can one have a sense of solidarity with a man or a nation that treats me like a mere animal or as an inferior race? My feelings might be manipulated so that we say "yes" — but this, I think, would be seen as outrageous. A Christian slave might wish good things for her abusive master, but cannot, I think, be said to be "in solidarity" with him. The obvious answer to the question, then, would be a definite "no." And so, it *does* matter with whom or what we are called on to be "in solidarity."

There is one final criticism of Rorty's account that I want to note here. It is not simply, as noted above, that it is not clear *what motive force* or what legitimacy or what prescriptive power Rorty's "solidarity" would have to call on those *within* our own discourses and communities to engage in solidarity; it is that it is not clear how we can even call on *others* outside our group, *communicate* with them, or ask that they engage in actions of solidarity with us. In fact, if Rorty is right about "incommensurable final vocabularies" (CIS 198), it is seems that others could likely not understand our calls to solidarity and that the calls to solidarity of one group would not amount to, or mean, the same thing that others' do. There would be, after all, no common good, no common moral discourse, no vocabulary to which all can turn for guidance. If Rorty is right,

then, it is not at all obvious that solidarity can exist in such an environment. And yet experience does suggest that there is and can be solidarity between members of different cultures, classes, religions, and so on.

Rorty's analysis of solidarity and the method of sentimental education which he thinks will lead us to it, then, seems to be seriously flawed. So is there any way in which we can find (pace Rorty) a "basis" for solidarity, a justification for encouraging solidarity, and a method for engaging in solidarity, that takes account of these features?

2.1. An alternative model of solidarity

What Rorty fails to see is that solidarity is not just, and is certainly not primarily, a "sense" or "feeling," though it has a relation to these things. His description of it as an "ability" to see or to empathize with another's pain comes, I think, closer to the matter — but again, falls short of what solidarity is.

I want to comment on "solidarity" in two ways — about what "solidarity" is, and about what it is "to be in solidarity."

Solidarity, as I have suggested above, is a practice. By this, I mean (to follow, in general terms, Alasdair MacIntyre)

> any coherent and complex form of socially established cooperative human activity through which goods internal [and, I would add, external] to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of ends and goods involved, are systematically extended. [8]

To begin with, then, solidarity is an activity rather than just a sense or a feeling.

What kind of practice or activity is solidarity? It is one that involves promoting shared interests — particularly the *building of supportive relations among persons (entraide)*, the respect of these relations, and the achievement of physical, intellectual, moral and spiritual well being for all concerned, by all concerned, to the best of their ability. (These are the "goods" that are both internal and external to that practice.) What is also characteristic of this form of human activity is that the matter of who contributes more or who benefits more is not one that is of relevant concern to the participants in the practice — there is, then, a certain parity or equality among the participants.

When one actively engages in a practice, one acquires a disposition. Thus, not only does solidarity indicate the existence of a relation among persons, but it indicates the existence of a tendency and a willingness by these persons to act to promote an interest that they share, and that entails *having acted* in a way that shows a recognition of such an interest and of such persons.

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8 *After Virtue*, 2nd ed., Notre Dame, IN: University of Notre Dame Press, 1984, p. 187.

(Otherwise, we are talking simply of "doing good," even if in a non-exploitative or non disempowering way, or acting "charitably," or "acting with" another which — as I argued earlier — are conceptually distinct from the notion of "solidarity.") Thus, solidarity, in the sense of "being in solidarity," is best understood as an intentional or a *dispositional* notion or term (in much the same way that we say the courage is a "disposition"). The acquisition of such a disposition is, I would say, something that is, in the overwhelming majority of cases, voluntary — i.e., one chooses to engage in actions that produce this intentional character — but it can occur (in Durkheim's sense of) "spontaneously."

To be "in solidarity" with others, then, is to have this disposition which means being in this actively supportive relation with others, in view of a common interest. Moreover, to be in solidarity also involves having a sense of commitment or *engagement* to the ends of the practice and to the fact that these ends cannot be pursued except with the will and the commitment of others who seek the same end.

Though ascribed primarily to individuals, dispositions are *social*, in that practices do not exist, and the acquisition of dispositions does not occur, in solitary. They require the presence of others, not only because one acquires one's dispositions through acting with others, but because, when one acts on the basis of the disposition, it always involves others. In the case of solidarity, there is more "social contact" than this. Solidarity involves some level of *mutual recognition* (i.e., recognition of the beings with whom we are in solidarity as beings like ourselves who in some way recognize us and who share an interest with us). This "recognition" need not be specific. Think of the work of Amnesty International. A prisoner of conscience might be aware of "Amnesty" being in solidarity with her, but this does not mean that she is aware of *each member* or any *particular member*. Still, without some kind of mutual recognition, solidarity may end up being just "doing good," which runs the risk of making one a "do-gooder."

There are other features of solidarity that should be noted. First, while solidarity isn't based on sentiment, sentiment still is involved — though it may be a product of our engaging in practices — and it is a more fraternal "care" than *pitié* or empathy. One usually cares about the practice — is *engagé* and committed to the end of the practice — but also cares for those with whom one works. Indeed, if one didn't care at all — if one were indifferent — then one would think that there was no real solidarity. Second, when one acts with solidarity, one not only acts with others for the same interest, but in a way that is not disempowering or exploitative. Indeed, the nature of the relationship to the other is part of the interest to be realized. And this kind of activity is possible only among beings of a certain type (i.e., beings with self-consciousness and consciousness of others). Solidarity, then, is a relation among persons and involves a recognition of one another as persons.

Finally, it seems that there is a sense of both moral rightness and obligation that is involved in "solidarity" — that to "be in solidarity" — to have this disposition — is valuable and

important, and that one ought to continue to act in this way. Now, is this sense of rightness and obligation a consequence of the existence of the disposition (i.e., simply a reflection of one's *engagement* or willingness to act, or of the "care" involved because of one's commitment to the end), or of the recognition that the interests are common (as suggested by the description in the *Petit Robert*)? Or is it that the existence of the relations with others and of the recognition of these relations is the *basis* for the claim that one ought to act in this way? Or is it that solidarity is, simply, and by definition, a *moral* practice (and, hence, such that, if the aspect of moral obligation is absent, a practice is simply not one of solidarity.) Certainly, it would be odd to think of one being in solidarity and yet not believe that one ought to be in solidarity. So there is some connecion between solidarity and moral obligation and rightness. But this question of "moral foundation" need not be answered quite yet.

Let me make a few comments at this point. First, such an analysis of certain characteristics as intentional or dispositional attributes is nothing new. The decision to participate and engage in practices and the development of such dispositions are matters discussed by Aristotle and Thomas Aquinas, in their respective analyses of the "virtues."

Second, one may ask whether it makes any *practical* difference whether one is "in solidarity" or simply "does good" to others. I cannot go far into this matter here, but I would suggest that there is a difference in approach and attitude in the action, particularly because the latter allows one to see the other as the sole beneficiary of the good that is achieved. Another difference, however, is that *building community* seems to require solidarity, and not just doing good. I leave this matter, however, for further discussion.

Third, what this analysis shows is that, in some respects, some of Rorty's comments on solidarity are instructive. For example, solidarity is engaging in a certain social practice and exhibiting the disposition to continue to engage in such a practice. Now what generates a practice and what develops a disposition is (almost always) not philosophical argument; Rorty's comment about the general inefficacy of argument in leading — educating — a person to solidarity is appropriate. (Still, this does not mean that philosophical argument is irrelevant; it might show, for instance, how solidarity is consistent with other moral dispositions.)

Again, Rorty is right to draw our attention to the fact that solidarity involves "an ability to see" — though one should revise Rorty's analysis to say that this involves not just the ability to recognize the other's pain but, more importantly, to see the other as one with whom one has (or can have) a common interest, to see what this interest is or can be, and to see what the *appropriate* kind of actions would be to promote this interest. And, I would suggest, it also involves seeing that one *ought to do* something about bringing about the realization of this interest.

And again, Rorty is correct in saying that solidarity is not the "resonance" of "some *thing*" in us with the same thing in the other — for we act, not because of this "resonance," but because we *recognize* the other person as another person and because there exists a common interest

between us. As well, Rorty is right in describing solidarity as something "made" — indeed, it usually not only involves doing or acting — i.e., the building and maintenance of relations with others — but, more specifically, the "building" of a virtue or disposition. But I would add that the kind of relations that are established, the interests promoted, and the disposition that is built are not arbitrary or purely contingent, but reflect basic needs and desires of human beings. I am not suggesting that certain relations, interests and dispositions are "necessary." Of course, there is no "logical necessity" that human beings act in a certain way — assuming that such a notion of "logical necessity" can even coherently be applied here — and, hence, it is not logically necessary that solidarity take a particular form or promote certain specific interests. Still, there is the fact that human beings do certain things to live and grow and develop (might this be a causal necessity?) and the fact that they do do certain things is not, I would say, "accidental." And so "solidarity" means acting in a way that is *consistent* with how human beings live, grow, and develop.

In short, then, solidarity involves such elements as the recognition of one another as beings who have common interests and who can engage in common action, (or who engage in some kind of mutual recognition and exhibit an ability to act together for mutually recognized, shared ends), the recognition of the kinds of things involved in achieving such interests, the existence of practices that enable the participants to realize these interests, the decision to engage in a practice and to carry out certain actions that achieve this interest, the actual engaging in this practice and the development of a disposition, or habitus, or virtue — that of being "in solidarity" — and having a sense of *engagement* for the realization of a common interest, a sense of care for the other, and a sense of moral obligation to continue in such activities.

2.2. Maritain's contribution

But what actions should I do, what practices should I engage in, with whom should I engage in them, in order to be "in solidarity" — i.e., to have this disposition or this tendency to act? And is there any reason or explanation for why one should think that one "should be" or "ought to be" in solidarity with others? Or is Rorty right in saying that this is something for which we can give no non-circular, neutral justification?

It is here that the work of Jacques Maritain may be helpful. It is no exaggeration to say that, for most people, the work of Maritain has become part of the history of philosophy rather than a standard text in philosophical reflection. Yet in many ways the problems that we face were well known to him. Although most of his political writings date from the mid 1930s to the mid 1950s, he was well aware of the tensions and problems involved in living in a pluralist world. He was importantly influential in the drafting of the United Nations Declaration of Human Rights in 1948 — a document that continues to have a central place in discussions of economic and social

justice and political freedom. And many of the rights and freedoms that he called for are ideals that many still wish to realize today.

Bluntly put, Maritain would say that I should respect human rights and that I should actively engage in work that will promote respect of these rights. In acting in a way that shows respect for, and promotes, human rights, I promote the material, intellectual, social and spiritual well-being of both myself and others. And when one engages in such activity with others, those involved develop in themselves a corresponding virtue or disposition — a disposition that, I expect, Maritain might have been willing to describe as that of "being in solidarity." Maritain's work also provides us with an argument as to why we should be "in solidarity," though he is quite willing to admit that arguments do not generally make people moral, and that other forms of "knowing" or of "education" are required to promote solidarity. And, further, Maritain would claim to be able to show us that the differences between people are trivial — i.e., show us that many of the natural differences among persons are morally irrelevant and that by recognizing this, we are not merely adopting an agreeable liberal view, but a view that is *true*.

In the first place, what exactly is it concretely to engage in the practice of solidarity? Maritain would suggest, I believe, that it is the mutual recognition of, and the united action towards the respect of, human rights — rights that concern all human beings. It is, I think, instructive to recall that the rights that Maritain defends in his writings are not just the formal rights of freedom of conscience, speech, association and private ownership of property, but such rights as rights to liberty and personal integrity, rights to participate actively in political life, to establish a constitution and decide the form of government, to association and, particularly, to form or join political parties or movements, to the guarantee of an independent judiciary, and to equal access to public employment and open access to the professions. But they would also include rights to choose one's work freely, to associate in professional associations or unions, to a just salary, to participate in the ownership and management of cooperative enterprises, to social assistance (e.g., unemployment insurance, sick benefits and social security) [9] and, even, to proper food, clothing and shelter. [10] Indeed, Maritain's account allows for a wide range of human rights and freedoms that are of equal moral weight and that, once we are aware of them and once we have the material means to realize them, he would argue, cannot morally be ignored. [11] And he would say that we should engage in such a practice of working for the recognition and respect of these rights, not just because we have an interest in these rights, but because we have an interest in that which respect for these rights will lead to — i.e., the physical, intellectual, moral and spiritual development of persons.

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[9] See Jacques Maritain, *The Rights of Man and Natural Law*, Trans. Doris C. Anson, New York: Scribner's, 1943, pp. 60-61.

[10] Jacques Maritain, *La loi naturelle ou loi non-écrite,* ed. Georges Brazzola, Fribourg, Suisse: Editions universitaires, 1986, pp. 190-191.

[11] Of course, one can, in an extended sense, speak of being in solidarity with others in the pursuit of evil interests, but that element has been excluded earlier in this discussion.

Now to engage in activity that leads to a recognition and respect of these rights is not just to get them for others, for if such rights do not exist as "human rights," then one does not have them oneself *as rights* either. They would be, at best, permissions or customs that give us certain benefits or allow us to act in certain ways but (Maritain would say) would lack the moral force of rights, e.g., if they are threatened. The acquisition of these rights *as rights* is, then, a matter of common interest. Nor is it likely that such rights can ever be achieved or realized in a substantive way without common action. Thus, in acting with others who struggle for these rights, we exhibit our solidarity with one another.

Incidentally, we share virtually none of these interests with animals — in fact, it would seem that the only "interest" we might have in common with them is the "interest" not to experience pain or sufferring. But it is doubtful that this could ever be a *shared* interest, i.e., it is far from obvious that both we and animals would recognize this interest as common. This is not to say that we have no duties or responsibilities to animals, but it does suggest that we cannot be in solidarity with them.

Admittedly, by themselves, these rights give us only guidelines on *how* to act and, for Maritain, solidarity cannot come to exist just on the basis of deciding to act in a certain way. The decision to engage in the defence of human rights is necessary, but obviously not sufficient for the existence of solidarity. Moreover, the active pursuit of the recognition and respect of human rights is again, necessary, but not sufficient for solidarity. Maritain distinguishes a person who may do good things from a good person, and would distinguish between a person who acts in a way that is supportive of others and a person who is *solidaire* — i.e., actually "in solidarity." As I have suggested above, even though it is important what people do, "goodness" or "being in solidarity" are not attributes that we apply to someone based just on an observation at some isolated point in time or during some abstract "time-slice." To have solidarity or to be in solidarity, we must intend to act in a certain way, with others, for this end, and we must act in this way over time. It is for this reason that one can presumably count on someone with whom one is "in solidarity."

How are people to be led to act in this way and develop such a disposition? Maritain would no doubt concur with Rorty that sentimental education would be quite appropriate — but he would understand sentimental education in a different way, and he would not say that it is the sole way of leading one to develop such a disposition. Still, Maritain would argue that there are some principles that we can "see" as true without having to be led to them through argument, and he would say that the object of sentimental education is to get us to "see" or be aware of the other, our shared interests, and how we should regard one another.

Specifically, Maritain would say that, by drawing our attention (not merely cognitively, but empathetically) to features of the other, we come to see things about the other. Yet this is not merely affective; through such a procedure one might reply that "I never thought of her as needing the things I need" or "I never thought of my actions (or inaction) as harming her" —

something that reflects not only a cognitive, but a moral *insight*. Thus, by means of an appeal to the sentiments, we acquire knowledge that is not only involved in, but even forms the basis for, the development of the disposition. And because such "insights" are "truths" and not just "opinions," Maritain would argue that the means by which one leads another to the recognition of this is education — and not brainwashing or persuasion. Thus, it is not enough just for one's sentiments to change to have solidarity; it must be that what we are called to do is appropriate to human development and well-being — and this is where, pace Rorty, philosophy comes in, for philosophy says that knowing what is appropriate to the well-being of human beings is not just a matter of feeling.

As an aside here, I would argue, contra Rorty, that sentimental education is frequently not just a way of overcoming indifference or hatred on our part, or regarding the other as "them" and not "us," but an antidote for a previous "desensitization" to the other. The story of Franz Stegel, one of the commandants of the concentration camp at Treblinka, or our own observation of the situation in Bosnia, reveals that one's blindness to the needs of the other was not something that was a starting point, but was the product of a period of a deliberate strategy and a period of overt propaganda.

2.3. "Foundations" for solidarity

But is there any "objective" reason why one *should* be in solidarity with others in the realization of human rights? Is there any reason why one should engage in such activity or why one should develop such a disposition? Could there be, for example, a moral obligation to be "in solidarity" that is "external" to what solidarity is? Rorty's response was that there was not — or that the notion of "moral obligation" is better understood as "the feeling that acting in a certain way is just the sort of thing that someone who thought of herself as a liberal would feel" — but this is not Maritain's view.

Three preliminary points might be made here. First, this demand for "foundations" is a question that would have struck an "ancient" as somewhat odd. Aristotle, for example, was not concerned with proving that one should be morally virtuous, but with showing how one could lead a morally virtuous life. Still, this does not mean that no reason can be given for acting in this way, and what the nature of this reason is does not have to be, as Rorty himself notes, one which would convince an egoist or a psychopath. Second, it does not follow from the claim that "no neutral justification" can be given for being in solidarity that (as Rorty suggests) no general justification can be given. A Marxist would have, I would suggest, just as much reason to defend solidarity as a Christian would — and would probably have many of the same reasons — and we might even speak of solidarity between both; a justification of solidarity does not have to be "neutral."

Third, as noted above, if called on for a justification of the moral obligation to be "in solidarity" from "outside" the practice, Maritain would have no doubt drawn on an argument from natural law or, what is the same thing for him, from "human nature." But this is not the only defense of an obligation to be in solidarity that we can derive from his writings; there is also a "historical" defense. It is this that I propose to provide as Maritain's "reason" why one should be "in solidarity."

Maritain argues that when human rights came into existence, they were not "deduced" from human nature or natural law, but were the product of an "awareness of an inclination" in human beings. There was, indeed, a "sudden awareness" of such rights in the 18th century in Western and Central Europe. [12] And, while Maritain does not say so explicitly, when these rights "sprang into existence," they did so as a part of practices — activities of political, religious and occupational association, political and religious expression and the pursuit of goods of property or conscience. The articulation of these rights reflected how people *were engaged* in actions with others, reflected certain common interests and conceptions of the human person. Though the recognition of these rights was historical — and, in this sense alone, contingent — though the practices that people engaged in varied, though these rights may have been expressed or understood in slightly different ways, and though the articulation of these rights evolved, they were not arbitrary, since they arose out of concrete circumstances and reflected features of persons and human dignity which are not incidental (e.g., those connected with basic needs), and were seen as a means by which these needs and the respect for persons as persons could be realizable by those persons themselves. And I would say that the awareness of these rights was concomitant with our awareness of them as prescriptive, and our awareness that one ought to work with others towards their recognition. There was, however, no question of being engaged in these practices and *then* wondering whether one ought to be engaged in them. And thus we may see that "human rights [themselves] are a social practice that aims to realize a particular vision of human dignity and potential by institutionalizing these basic rights." [13] So, historically, there is no need for a separate justification of human rights. When they came into existence, they were seen as prescriptive. This does not mean that a discourse of human rights or solidarity is by definition intrinsically prescriptive, but that our awareness of solidarity is concomitant with our awareness that we have to respond morally. (Thus, it is not obvious that the burden of proof is on the defender of such rights.)

Still, to say that to "see" how calls for solidarity arose shows us also that we *must be* in solidarity, does not mean that this obligation cannot be explained. The rights that we have that constitute much of the positive content of solidarity are the coherent outcome of facts of human

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12 Jacques Maritain, *La loi naturelle, op.cit.,* p. 189.

13 Jack Donnelly, *Universal Human Rights in Theory and Practice*, Ithaca: Cornell University Press, 1989, p. 18, cited in David Duquette, "Philosophy, Anthropology and Universal Human Rights," in *The Social Power of Ideas*, ed. Creighton Peden and Yeager Hudson, Lewiston: Mellen Press, 1995, pp. 139- 153, on p. 148.

life and the practices they engage in. They may not be "logically necessary," but many are causally necessary, and while some may be more fundamental (in a logical sense) than others, and while some may come to exist only at a certain point of historical development (because of the development of moral consciousness) or material well-being, it does not follow that some are superior to others. There can be, then, a justification of human rights and of solidarity in terms of the (historically influenced) characteristics of human beings. Moreover, to ignore the call to be in solidarity and to ignore the demand to work for the realization of human rights is to refuse to recognize these interests and rights are also needs and that they are the needs of beings that have dignity. And this, I would suggest, is to ignore facts about the world that are intimately connected with values that are implicit in social structures and institutions.

This is not to say that these rights are "deduced" from human nature — for these rights may grow and develop and one's obligation to realize them depends on a variety of contingent factors (about the recognition of the other and about the material means at our disposal) — but they are clearly related to our understanding of what it is to be a human person. Thus, even though the moral requirement of solidarity, and the mechanisms by which it may be achieved, have only come into being at a particular historical epoch, this obligation is not arbitrary.

And so, if we are willing to accept Maritain's account of human rights as a concrete manifestation of the object of — or the interests aimed at in — solidarity, and if this "historical" version of a defense of his views is plausible, then I think that we can say that we can give a reason to be "in solidarity" — even if this reason is not necessary to move many to act "in solidarity."

3. Conclusion

In this paper, I have wanted to clarify the concept of solidarity. First, I gave a general outline of the sorts of characteristics solidarity has, according to general usage, and then I attempted to show how it is different from a number of concepts with which it might be associated. Next, I noted what has been said to be a radical critique of such an understanding of solidarity — that of Richard Rorty — and I explained how Rorty's critique is either misdirected or breaks down.

In the second part of this paper I argued that it is important to see solidarity as a practice and as an intentional attitude or disposition to act. This acknowledges that the postmodern critique of solidarity and human rights — and of moral philosophy in general — has helped to correct something in modern philosophy, particularly concerning our attitudes towards the material relevance of the sentiments and their place in the discussion of moral terms and in moral education. In seeing solidarity as a practice and "being in solidarity" as a disposition, we are able to distinguish moments of acting to help others and isolated gestures of doing good from

exhibiting a “way of being” that is habitual, constant, shows a concern for others, and a sense of engagement, and is even morally obligatory.

The value of Maritain to this project of defining solidarity is that he gives us a concrete account of what solidarity amounts to, he tells us what it involves, he associates it with something that is interpersonal, he identifies it with something more than a feeling — but, rather, a disposition of a person — and he provides the basis for an explanation how it is obligatory — so that others can be called on to be *solidaire*. In respecting rights in the way that Maritain describes, we show solidarity and we are *solidaire* — in solidarity — with others.