

Philosophical Conversations

An Interactive Newsletter

Vol. 8, No. 1

Fall, 2004

Department of Philosophy

Illinois State University

Philosophical Conversations is designed to stimulate thought and discussion, and keep you philosophically active. The format will be the presentation of a brief position paper to which responses are encouraged. In the subsequent issues selected responses may be published in addition to a new position paper. We invite you to respond to this position paper either by contacting the author or the Department. (Address - mail and e-mail, and phone numbers and fax numbers are provided at the end of this issue).

Expunging Evil

Thomas W. Simon*

Let us work with all due speed and dedicate ourselves to rid the world,
for the last time, of that dreaded concept, evil.

Religion and theology seem to have a monopoly on the concept of evil. The concept of evil, typically, comes tightly packaged as a theological problem. The problem of evil finds its classical expression in the *Book of Job*, which poses the question "Why do the righteous suffer?" Through its early history, Hebrew thought increasingly saw the world as a battlefield between good and evil. Satan later came to represent all of the different forces of evil combined.

From time immemorial, philosophers have had something to say about evil. Philosophers dealt with the concept of evil before and after Christians established a monopoly over the subject of evil. The relatively secular ancient Greeks had difficulties similar to those that the Hebrews had in explaining human suffering and misfortunes. However, the Greeks had views of evil that differed significantly from those held by Christians. For the Greek philosopher Plato, evil represented the demiurge's limitations in trying to create the actual from the ideal. Christianity moved the locus of the problem of evil from issues of divine creation (the area where Plato's demiurge operated) to concerns about human sinfulness. Within the dominant version of Christian theology, God could not possibly have any attributes of evil. Evil, for Christians, had an "all too human face." Augustine saw evil as the absence of good that manifested itself as a human and not as a divine limitation.

The concept of evil often enters into discussions of genocide. I propose a drastic solution to projects that rely on the concept of evil. Philosophers should discard the notion of evil since it seldom advances and often hinders an understanding of genocide. Typically, as we have seen, evil comes packaged as a theological problem, so much so that theology and religion seem to have a monopoly on the concept. However, some scholars have launched a campaign to "recover the concept of evil for contemporary thought."¹ I shall treat those contemporary theorists who have focused on the concept of evil as part of an intellectual movement that I shall dub "Reconstructionism."² Yet, Reconstructionists are not the primary targets. The real villain is the commonplace appeal to the idea of evil when discussing genocide.

The so-called "Reconstructionists" who try to offset the religious monopoly of the concept of evil begin their project with Kant, the first philosopher to secularize the concept of evil. Kant saw evil as a human failing, a deviation from the acceptance of universal moral maxims. Evil arose when self-love snatched control over moral sensibilities. The Holocaust, however, radically altered the background conditions that Kant had assumed. Kant's sense of evil as a type of immoral maxim failed to capture the depths of depravity that went under the heading of evil in the twentieth century. "The men of the eighteenth century did not understand that there exists goodness beyond virtue and evil beyond vice."³ Arguably, more than any other twentieth-century philosopher, Hannah Arendt (1906-1975) boldly confronted the daunting task of reconceptualizing Kant's sense of evil to make it applicable to the magnitude of contemporary horrors. At first, she saw evil as a demonic, systematic dehumanization. Perhaps at the urging of her mentor Karl Jaspers, she changed her original demonic definition of evil to a more pedestrian one (the "banality of evil"). Reconstructionists carry on this Kant-to-Arendt lineage.

Ideally, philosophical analysis should clarify the meanings of terms such as *evil* and produce helpful distinctions. Until relatively recently, theorists placed a wide array of harms -- from natural catastrophes (such as the 1775 Lisbon earthquake)⁴ to moral failings -- under the category of *evil*. Instead of one sense of evil to cover all horrors, philosophers then developed a typology of natural and moral evils. Arendt added a further distinction by suggesting that these historical senses of evil differed from an altogether new and modern sense of *radical evil*. For Arendt, 'radical evil' meant the systematic dehumanization of human beings first carried out under the Nazi regime. However, Arendt and the Reconstructionists placed a telling condition on their analyses of evil.

Accordingly, a philosophical analysis of evil should not only produce clear distinctions among types of evil but also it must preserve a strong sense of moral outrage about evil.⁵ Raimond Gaita, in a recent insightful philosophical study of evil, finds that "the moral dimensions are sometimes only adequately represented by a distinctive concept of evil."⁶ This additional moral requirement places the secular theorists in a dilemma: It lands them in the same religious domain that they set out to escape, for moral outrage, historically, finds its expression in religious language. Arendt fell back into this religious domain when she tried to clarify the meaning of 'radical evil.' For Arendt, it implied "something beyond the pale of human sinfulness."⁷ To make sense of radical evil, she found

herself resorting to religious language by comparing it to sin. Secular theorists of evil, in general, have great difficulty in discarding entirely the historically entrenched religious framework that supports the concept of evil.

Philosophers of evil, at a minimum, should distance themselves from religion and especially from Christianity for three important reasons. First, given its primary theological roots, use of the concept of evil lends itself to totalizing and determinative judgments. Condemnation of something as evil precludes making nuanced distinctions about it. Judgments become absolute; condemnation, inescapable. Saint Augustine's (354-386) transformation of the Greco-Roman just war traditions offers an illuminating example of how religion totalizes the secular. According to some commentators, the medieval period marked a critical juncture in the history of rules of war.⁸ Augustine made a crucial break from Cicero's just war doctrine. "Defense and safety" no longer served as the primary justifications for war. A war ordained by God, according to Augustine, was a just one. As Paul Christopher suggests: "Beginning with Augustine, war . . . became more than just a legal remedy for injustice; it became a moral imperative . . ."⁹ After Augustine, the rules of Christian morality began to take precedence over legal rules. Augustine justified war as a way not only to avenge the commission of crimes but also to punish the commission of sins. The concepts of good and evil began to taint and to supplant the concepts of the lawful and the unlawful. As a result, according to one commentator, "[Augustine's] just war was thus total and unlimited in its licit use of violence, for it not only avenged the violation of existing legal rights but also avenged the moral order injured by the sins of the guilty party regardless of injuries done to the just party acting as a defender of that order."¹⁰ In other words, Augustine's religious justification for war seemed to open the door to greater harms and injuries than prior secular justifications. Religious senses of evil, in general, lend themselves to sweeping condemnations. As long as secular attempts to understand evil remain tied to religious ones, secular versions cannot escape the wholesale approach associated with religious concepts and create a more refined sense of evil.

Second, when philosophers use the concept of evil, they often follow unwittingly and unfortunately, a path first carved out by theology. Although the enormity of the Holocaust made a few theologians question God's existence, most of them dealt with Auschwitz within the framework of the age-old problem of evil. Theologians faced the task of reconciling the evil of Auschwitz with divine creation and providence. While theologians could fit Auschwitz into their religious paradigms, philosophers tried to describe and explain it without having the comfort of a traditional framework that theologians had. Philosophers did not have a powerful secular vocabulary to describe and analyze Auschwitz. Concepts such as "vice," "wickedness," and "cruelty" seemed wholly inadequate. The concept of evil gave philosophers a way to deal with Auschwitz, for the term *evil* seemed to capture the extreme moral outrage needed to describe Auschwitz.

Most importantly, the application of the concept of evil seemed to make the incomprehensible comprehensible. To admit that evil in the form of the Holocaust is incomprehensible is, as Kenneth Seeskin conjectures, to deny that we have a general theory to answer to the most important questions: "How could people with outward signs of rationality drive the trains or drop the crystals into the gas chambers? How could millions of other people look on as they did?"¹¹ In essence, the concept of evil allows us to make the categorical judgment that the Nazis world is "a universe without redeeming value."¹² So, we have come full circle, back to a label that seemingly captures our utmost moral indignation.

Calling Auschwitz incomprehensible trades on an ambiguity. Auschwitz and other incidences of grave injustices are not incomprehensible if we mean that they defy any rational explanation. Certainly, Auschwitz calls for a continuing investigation into the causes and conditions that led to it, and that task falls easily within the gambit of reason. If by 'incomprehensible' we mean that Auschwitz defies justification, then that shows the power of ethical reasoning, not its limitations. No plausible ethical system could justify Ted Bundy killing scores of women. So, in that sense his actions remain in a certain sense incomprehensible. Yet, we have no trouble trying to comprehend Bundy's deeds in the sense of trying to understand their etiology.

Further, finding a grave injustice incomprehensible potentially undercuts investigations into its causes. Although they both use the concept of evil, philosophers and theologians approach the issue differently. While the recognition of the horror as an evil signals the start of the analytic process for theologians, it marks, in a sense, the end of it for philosophers. The acceptance of the label of "evil" for Auschwitz established an end-point for philosophers. This ready incorporation of the concept of evil into philosophy stops conceptual analysis and stifles political action at just the places where they should begin.¹³ Category words such as 'evil' often substitute for analysis by fostering the pretense that to label a phenomenon is to explain it.

Philosophers could choose to break free completely from the theological stranglehold. A rejection of the old, theologically laden vocabulary opens a door for creating a new way of talking about global horrors. Yet, this would be a Pyrrhic victory since it would be tantamount to accepting the cosmic and totalizing dimensions of the concept of evil without using the word 'evil' itself. The philosophical analysis would be a theological one in philosophical clothing. Arendt tried to blaze a middle path between relying on the old religious language and creating a new one. She refused either to accept the traditional way of talking or to create neologisms. Instead, she encouraged new ways of thinking about evil by associating it with contorted versions of ordinary words like 'banality.'¹⁴ Arendt's work stirred a great deal of controversy. However, these debates focused more on her use of the word 'banality' and less on her analysis of the evil. Despite Arendt's inventiveness, the concept of evil serves the same function in her analysis as it does in other theological and philosophical ones. The concept of evil, under the guise of making the incomprehensible comprehensible, stops the analysis at just the point where it should begin. By itself, this refurbished concept of evil still leaves us with important unanswered questions about the nature of the horror and its relationship to other horrors, the nature and responsibility of the perpetrator, and the designation of the victims.

Overall, theological and philosophical theories of evil represent noble efforts to make the incomprehensible comprehensible, to tame a beast -- a creature so horrific that its existence challenges the bounds of human understanding. Theology has approached this challenge burdened by a sanitized, divine conception of the good that makes worldly occurrences of the bad inherently problematic. Philosophers who attempt to secularize the concept of evil follow the trail blazed by theologians, but they repeatedly hit roadblocks when they try to deviate from the theological roadways and try to build their own paths. These difficulties highlight the need for a new paradigm to grapple with the problem of how to deal with Auschwitzes, past and future.

A third reason that philosophers should avoid using the religious idea of evil is so that they can escape the tangles of theological conundrums and formulate new goals. The religious paradigm contextualizes evil in the form of a puzzle embedded, quite naturally, in religion. Within Christian doctrine, evil presents a phenomenon that needs to be explained away. How can a world created by a benevolent God contain so much evil? The philosophical Reconstructionists also think of evil in the context of a puzzle. How can some humans be so deplorably cruel to other humans?¹⁵ Reconstructionists set out to establish a (non religious) moral and political philosophical foundation for judging evil acts and evildoers. Reconstructionists extrapolate from individual psychology to social psychology and from individual ethics to political philosophy. Only after Reconstructionists have delved into social psychology and political philosophy do they entertain any legal questions. Maria Pia Lara expresses the task, order, and hope of this project: "If we can construct moral and political concepts that best comprehend the meaning of evil deeds, and the agency and responsibility of cruelty, then legal institutions must proceed to translate these meanings into the realm of positive law..."¹⁶

Often philosophers uncritically accept a conceptual hierarchy within their discipline. In value theory, political philosophers build on a prior foundation of ethics. Only after these philosophers have laid a foundation of moral theory and then constructed a first floor of political philosophy do they issue permits to build a second floor of legal

philosophy. I want to use a somewhat reversed “natural” disciplinary order of importance by placing legal philosophy at the center of a philosophical approach to the study of genocide and other injustices.

If a critical component of any approach to evil is to establish grounds for judging evil acts and evildoers, then legal philosophy should play the central role in the analysis. A much more nuanced analysis should result when we situate the problem within the context of legal institutions. Legal codification has produced refined distinctions, such as that between genocide and crimes against humanity. In effect, a different puzzle requires a different paradigm than the ones provided by theologians and Reconstructionists. If the challenge is not to explain evil theologically or philosophically but to ascribe legal responsibility, then we need an entirely different paradigm. To position themselves to make contributions to international justice and global ethics, philosophers not only should distance themselves from religious senses of evil but also they should abandon the idea of evil entirely and focus on injustices.

¹ Maria Pia Lara, “Introduction,” *Rethinking Evil*, Maria Pia Lara, ed. (Berkeley: University of California Press, 2001), p. 1.

² A few of the more recent works that focus on the concept of evil are the following: Ronald D. Milo, *Immorality* (Princeton, NJ: Princeton University Press, 1984); Paul Woodruff and Harry A. Wilmer, eds., *Facing Evil: Light at the Core of Darkness* (LaSalle, IL: Open Court, 1988); Nel Noddings, *Women and Evil* (Berkeley, CA: University of California Press, 1989); John Kekes, *Facing Evil* (Princeton, NJ: Princeton University Press, 1990); Mary Midgley, *Wickedness: A Philosophical Essay* (London, New York: Routledge, 1992); Jonathan Glover, *Humanity: A History of the Twentieth Century* (New Haven, CT: Yale University Press, 2000); Maria Pia Lara, ed., *Rethinking Evil: Contemporary Perspectives* (Berkeley, CA: University of California Press, 2001); Amelie Rorty, ed., *The Many Faces of Evil: Historical Perspectives* (New York: Routledge, 2001); Claudia Card, *The Atrocity Paradigm: A Theory of Evil* (New York: Oxford University Press, 2002); Susan Nieman, *Evil in Modern Thought: An Alternative History of Philosophy* (Princeton, NJ: Princeton University Press, 2002).

³ Hannah Arendt, *Eichmann in Jerusalem* (New York: Viking Press, 1964).

⁴ The Lisbon earthquake of 1 November 1775 killed about 15,000 people. As the center of the Inquisition, the event stirred considerable controversy among Catholics, Protestants, and philosophers (including Voltaire, Rousseau, and Kant). “It was the last time that the ways of God to man were the subject of general public debate and discussed by the finest minds of the day” (Judith Shklar, *The Faces of Injustice* [New Haven: Yale University Press, 1990], p. 51.).

⁵ Raimond Gaita finds that “the moral dimensions are sometimes only adequately represented by a distinctive concept of evil.” Raimond Gaita, *A Common Humanity* (New York: Routledge, 1998), p.52.

⁶ Raimond Gaita, *A Common Humanity* (New York: Routledge, 1998), p. 52.

⁷ Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1951), p. 459.

⁸ In this section, I shall largely follow the analysis given by Christopher in *The Ethics of War and Peace*. Third Edition (Englewood Cliffs, NJ: Prentice Hall, 2004).

⁹ Christopher, *The Ethics of War and Peace*, p. 38.

¹⁰ Frederick Russell, *The Just War in the Middle Ages* (London: Cambridge University Press, 1975), p. 19, as quoted in Christopher, *The Ethics of War and Peace*, p. 38.

¹¹ Kenneth Seeskin, “Coming to Terms with a Failure: A Philosophical Dilemma,” *Writing and the Holocaust*, Berel Lang, ed. (New York: Holmes & Meier, 1988), p. 117.

¹² Seeskin, “Coming to Terms with a Failure,” *Writing and the Holocaust*, p. 118.

¹³ See Inga Clendinnen, *Reading the Holocaust* (Melbourne: Text Publishing, 1998).

¹⁴ See Maria Pia Lara, “Introduction,” *Rethinking Evil*, pp. 10-12.

¹⁵ “The challenge is to create a meaningful concept of evil that allows us to comprehend why we are capable of exercising cruelty upon our fellow human beings.” Maria Pia Lara, “Introduction,” *Rethinking Evil*, p. 2.

¹⁶ Maria Pia Lara, “Introduction,” *Rethinking Evil*, p. 14.

***Thomas W. Simon** regularly teaches philosophy at Illinois State University (ISU), where he also chaired the department. He was the ISU College of Arts and Sciences Scholar of the Year 2002. In 2002-2003, he held the Distinguished Chair of Interdisciplinary Studies at the University of Northern Colorado. He holds a doctorate from Washington University and a law degree from the University of Illinois. He received awards for teaching excellence at the University of Illinois and the University of Florida. He directed educational programs in Florida’s correctional facilities. He helped to establish a new university, Miyazaki International College in Japan. During the summers, he has taught at the University of Pristina Law Faculty in Kosovo and at the Vassar College Institute for the Gifted. His most recent fellowship awards include: Fulbright Lecturer at the University of Ljubljana Law Faculty in Slovenia; Liberal Arts Fellow at Harvard Law School; and National Endowment for the Humanities Summer Fellowships. His publications include *Democracy and Social Injustice* (1995); *Law & Philosophy* (2000); *Justice and Genocide* (2005) and over forty articles. His research focuses on global injustices and on minority issues. He founded and edited *Injustice Studies*, an electronic journal. He regularly consults for the United Nations (Working Group on Minorities) and the American Bar Association (Central/Eastern European Law Initiative). He served on a drafting committee for Albania’s new constitution. As a practicing attorney, he has represented a Diaspora Rwandan group and served as a Court Appointed Special Advocate for child abuse cases.

Addresses

Thomas Simon
Department of Philosophy
Campus Box 4540
Illinois State University
Normal, IL 61790-4540
Office Phone: (309) 438-2868
E-mail: twsimon@ilstu.edu
Fax: (309) 438-8028

Department
Department of Philosophy
Campus Box 4540
Illinois State University
Normal, IL 61790-4540
Phone: (309) 438-7665
E-mail: Philosophy@ilstu.edu
Fax: (309) 438-8028