

HUMILIATION, RESPECT AND GLOBAL ETHICS

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Just a little over a year ago, the infamous Abu Ghraib photos – which documented US forces using a series of brutal interrogation tactics characterized above all by practices of extreme humiliation in conjunction with physical abuse – caused a firestorm of controversy across the globe. The practices used at Abu Ghraib by US military interrogators – and the ways they profoundly violated a wide range of recognized human rights – are by now well known.¹ Under US command, the prison at Abu Ghraib (formerly one of Hussein's most feared institutions) was transformed into a coalition prison and interrogation facility. As Iraqi insurgency grew stronger, US military intelligence officials began to significantly intensify their interrogation methods. As has now become clear, interrogators not only used violence (practices that were – or verged on – torture). They also (and these practices seem to have made up the bulk of the abuses) routinely employed practices of deliberate humiliation. Prisoners were forced to strip and then stand naked, or march around naked. They were put into sexually humiliating poses and ridiculed in front of fellow prisoners and American guards. They were forced to simulate sex with one another, in front of female American guards, and were then photographed in these contexts. They were hooded, forced to stand for hours without moving, and forced to the ground. They were not only threatened by attack dogs, but also forced to bark like dogs, wear leashes, and grovel.

What is stunning is the degree to which these acts use the force of humiliation – at least as

much as they do fear and pain – to demand respect for and command obedience to the coalition forces and the interrogators. Each of these acts worked very clearly on specific cultural sensitivities: the intense prohibitions against public nudity, public sexuality (especially in the presence of women), and homosexuality; the idea that to be treated like a dog is to make you inhuman; the idea that to be hooded is to be shamed. What is even more astounding is that the US military seemed very aware that these sorts of practices would be particularly humiliating (and shaming) to Muslim prisoners. As Mark Danner has shown, Marine Corps training manuals on Iraq’s customs and history clearly identified that shaming or humiliating a man in public is one of the most damaging things it is possible to do to an Iraqi individual. Moreover, these manuals explicitly noted that each of these techniques – hooding, public nudity, public sexuality – would cause severe humiliation and that these techniques should therefore be avoided under normal circumstances.²

It has also become clear that the senior Bush administration is responsible for creating some of the context that enabled the use of these techniques. President Bush, for example, issued a memo to senior members of his cabinet which, after citing the need for a “new paradigm” and “new thinking in the law of war”, noted that the US would not be bound by the Geneva Conventions in dealing with Taliban and al Qaeda forces.³ The memo did note that the US would seek to treat these prisoners “humanely” since this was consistent with the nation’s values. However, it also noted that it would do this *only* “to the extent appropriate and consistent with military necessity”.⁴ Given that the definition of ‘military necessity’ was to be interpreted in the context of an undefined ‘war’, on an vague ‘terrorist’ enemy, that was to last for an undefined period of time, this seemingly minor exclusion creates a rather extensive category of exceptions.

Following the letter and the spirit of that memo, Bush’s Secretary of Defense, Donald Rumsfeld thus encouraged military intelligence to increase the severity of their interrogation practices when dealing with “high value detainees”.⁵ Moreover, after receiving a general Department

of Justice legal opinion in August 2002 (which explained that interrogation techniques that were “cruel, inhuman and degrading” but which were not so “extreme” so as to result in “significant psychological harm of significant duration e.g. lasting for months and even years” would be legally acceptable) as well as a legal brief from military counsel to the Joint Task Force at Guantanamo Bay (which stated that the more extreme Category III measures proposed were technically legal), Rumsfeld authorized the use of many of the techniques eventually employed in Iraq – including the use of hooding, enforced standing for prolonged periods of time, stripping of inmates and others.⁶ Rumsfeld, for example, reportedly believed strongly that even these practices were far too respectful of detainees. His comment on a memo authorizing the Category II and III measures is revealing: “Why should we limit forced standing to 4 hours? I stand for 8 hours a day”.

The Abu Ghraib incident – and the widespread reaction to it – therefore offers fecund material for a variety of investigations into the nature of global politics and ethics today. What are the lessons and preliminary conclusions we can draw from Abu Ghraib, and the reaction to it, on the ethical dimension? What does it tell us about the ethical sensibilities and mindsets that exist globally, about the impact these sensibilities can have, about whether their effect and depth can be intensified, about what type of ethical arguments we should use to further cultivate and nurture this global ethical intensity, and about how we might employ this global ethical intensity to challenge future violations?

Clearly, it would not be possible to do justice to all of these questions in a single paper. As such, I want to focus on a more narrowly circumscribed set of issues that speak to some of the questions raised above. In particular, in this paper I am interested in investigating the lessons that Abu Ghraib holds for our understanding of the ethical promise – and the potential limitations – of one particularly prominent model of global ethics: a Kantian inspired model of universal respect for human rights. For not only is the Kantian (or neo-Kantian) model highly influential in academic IR

circles as it is often touted as the key lens through which we should evaluate questions of global ethics. It is also an important part of the deep philosophical background of the institutionalized global regime of human rights – a many have argued is more relevant than ever in light of the events of Abu Ghraib. In particular, many believe that a universal model of human rights founded on a Kantian-inspired philosophy of respect for human dignity is the most effective ethical perspective from which to counter the events of Abu Ghraib and for ensuring that they are not repeated.

In its most basic form, then, the question of this essay is the following. Is a Kantian inspired discourse of universal respect the most effective and defensible method of cultivating a global ethical sensibility that would help protect against similar actions of cruelty today? Or is there a danger that a model premised on demanding respect (of human rights/dignity or anything else) might also have a dark side which can create mindsets and practices which encourage states, institutions and groups to ignore the call of human rights? Is there a danger, in other words, that a Kantian inspired model is insufficient on its own both because (a) its deep philosophical structure runs the risk of inspiring cruelty despite itself and (b) its politico-ethical arguments are unable to penetrate the rhetoric of imperial idealism that characterizes the current US administration? For it seems to me that the most important question raised by Abu Ghraib is not simply how to stop a few ‘bad apples’ from abusing their power. Rather it is the broader question of how we should understand the Bush administration’s ethico-political orientation (including towards broad practices of humiliation) and thus what type of arguments and discursive practices of persuasion might offer the best chance of shifting it.

This paper argues that a Kantian inspired discourse of respect is not the most promising avenue of contestation in this situation. I begin by highlighting the relationship between the post-WWII discourse on human rights and Immanuel Kant’s belief that our primary duty is to respect human dignity. I then use an analysis of Kant’s own theory of respect to show that a Kantian

philosophy of respect is actually premised on the existence of a prior moment of humiliation. This analysis, in turn, will be used to suggest a number of preliminary lessons – both about how we should understand the ethico-political sensibility of the Bush administration and about why a neo-Kantian model faces particular challenges in effectively challenging and preventing human rights violations by the US in the post 9/11 world. Finally, I will offer a few thoughts on the type of ethico-political arguments that might have a better chance of challenging the prevalence of tactics of humiliation in contemporary global politics.

Global Ethics as Human Rights

The history of the 20th Century's struggle to define the terms, concepts and appropriate standards of global ethics has been dominated by the idea of human rights. This, of course, is a bald and over-simplified statement that overlooks and under-plays the many alternative ethical discourses and perspectives that have vied – and continue to struggle – to offer contending perspectives. There are significant disagreement and debates about every element of the idea of human rights – their philosophical grounds, their conceptual coherency, their universal applicability, the power relations they embody and reproduce, their relation to communal obligations and state interests to name just a few. Indeed, those who challenge us to look beyond the framework of human rights towards different modes of conceptualizing how we ought to live together globally, remain numerous at the beginning of the 21st Century as well. However, I think it is fair to say if you asked most citizens and even most 'practitioners' of global politics to name what it would mean to act in an ethical way globally, most would make reference to protecting/furthering human rights as a fundamental element. In this sense, the human rights discourse might be seen to be hegemonic in the global context in the same way as rights talk is in North America. It is not impossible to think and speak about ethics or ethical politics outside its parameters (indeed, there are many influential and vocal

challengers). However, the questions, the terms of debate and the issues discussed – in sum, our common sense – are largely framed and characterized by it.

If human rights discourse is a broadly hegemonic (though not uncontested) common sense that gives us a framework for conceptualizing the broad way we should ask and answer questions about ethical rights and obligations, it is accompanied – and its content is concretized – by a series of corollary concepts and commitments. One of the most important of these is the commitment that an ethics based in human rights is defined by the imperative to respect fundamental human dignity. The preamble to the founding charter of the United Nations, for example, explicitly affirms not only a “faith in fundamental human rights” but also in the “dignity and worth of the human person”.⁷ The necessity of respecting and recognizing human dignity is at the core of the UN’s declaration of Human Rights, which begins with the axiomatic claim (without any potentially diluting ‘we hold these truths to be self-evident’) that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” and commits members states to work towards “universal respect for and observance of human rights and fundamental freedoms.”⁸ Indeed, many of the most influential international ethical norms are prohibitions against violating and disrespecting this fundamental human dignity. Article 3 of the Geneva Convention on the Treatment of Prisoners of War declares not only that acts of violence, torture and cruelty are prohibited in times of peace, war and occupation – but also that any acts which constitute “outrages to personal dignity, in particular, humiliating and degrading treatment” are expressly prohibited.⁹

But what does it mean to respect? How do we define what is ‘humiliating and degrading treatment’? And what are the philosophical foundations that help justify the definition we give each of these? Obviously, there are many different ethical perspectives one can use to answer these questions – even if the language and tones of the institutional statements resonate with Kantian and

de-ontological tones. However, it is certainly fair to say that many thinkers who seek to ground a universal model of human rights recur to, or build on, fundamentally Kantian bases to answer the question of what is respect, human dignity, and humiliation. I want to critically interrogate whether this is a wise thing to do. And I want to do this by engaging with the internal logic of Kant's own system - not by critiquing it for being too idealistic, or too ethnocentric, nor even for failing to be sufficiently consistent (although all of these are valid critiques as well). For I believe that engaging internally with Kant's own sense of respect, humiliation and dignity not only allows us to identify some of the potential limitations of the Kantian approach – but also learn some important lessons about the origin and nature of contemporary tactics of global humiliation and how we might be able to contest them.

Kant, Respect and Humiliation¹⁰

How do we justify the basic idea that the basic human dignity of all individuals, no matter what they have done, should be respected? What grounds the premise, one that underpins the Geneva Convention, for example, that all humans, even those who fight against our community, try to kill us and might well try to do it again were they free, should be accorded fundamental respect and never be humiliated? Why should we be bound to respect the basic human rights even when ignoring them might well prove more beneficial for some notion of the 'greater good'?

Kant's philosophy is frequently mobilized to help answer these questions for at least two main reasons. The first is that most interpreters believe that Kant's moral philosophy strives for, and achieves, absolute unconditionality in the moral realm. Kant's model, in stark contrast to realist, utilitarian, communitarian and other types of ethical reasoning, offers the possibility of grounding absolute, categorical and unconditional moral laws.

There are many other ethical models, however, that also offer the possibility of grounding

absolute moral laws (for example, theistic models of morality). However, Kant's model is usually seen as offering one other advantage that is absolutely central – especially in a global context of theistic pluralism. That advantage is the idea that Kant grounds his moral absolutism not on contestable and unknowable transcendent/metaphysical grounds (around which there is no consensus) but rather on what Kant claims to be the fundamental characteristic of every individual regardless of their religious, political, or cultural context: the infinite value of the autonomy of subjectivity.

In many ways, these two reasons are at the core of why Kant's philosophy is generally understood to be the prototypical – indeed archetypical – modern moral and ethical thought. For it seeks to establish an absolute moral system that deduces and respects the core fundamentals of human dignity exclusively through an analysis of that element of subjectivity we all share – fundamental autonomy. The prominent historian of philosophy J.B. Schneewind speaks for many interpreters of Kant when he suggests that “the idea that we are rational beings who spontaneously impose lawfulness on the world in which we live and thereby create its basic order is, of course, central to the whole of Kant's philosophy.”¹¹ It is particularly crucial to his moral philosophy. “At the center of Kant's ethical theory” Schneewind suggests, “is the claim that normal adults are capable of being self-governing in moral matters. In Kant's terminology, we are ‘autonomous’.”¹²

Why does our ‘autonomous’ nature lead to the conclusion that there must be some basic level of human dignity that all of us are bound to respect in others? Some scholars, and probably most citizens living in liberal democratic political cultures, would probably offer something like a basic social contract state of nature narrative – suggesting that since we are ontologically free individuals, we must have some basic, inalienable rights we would never relinquish. Given that the idea of fundamental individual autonomy fits well with the truths that many of us take as self-evident in late-modernity, we usually don't push farther and ask whether this is the view that animates Kant's

valuation of individual autonomy – and thus human dignity – as fundamentally and categorically due respect.

We can clearly hear echoes of this logic in certain moments of Kant's work. It is not, however, the fundamental ground for his defense of his moral system which identifies and defends the need to respect fundamental human dignity. For in Kant's universe, autonomy (and its inestimable value) is not defined in a Hobbesian or Lockean liberal way – in which freedom defined much more closely as the ability to follow whatever desire you might have at that moment. Rather, what makes us autonomous – and what justifies the fundamental respect that we are due – is much more the fact that we are, as Schneewind states above, 'capable of being self-governing in moral matters'. We are due respect, in Kant's world, not because we simply exist as free beings – but because (in his view) every rational human has the moral law embedded within her.

This latter interpretation – autonomy as the capacity for autonomous moral self-governance – that is born out by an attentive reading of some of the key passages where Kant discusses the relationship between autonomy, his analysis of autonomy, and practical reason.¹³ It is true that Kant often links the 'moral law' and 'freedom' (or autonomy) and famously claims that "freedom and unconditional practical law reciprocally imply each other."¹⁴ However, is it also true that Kant's philosophy asserts that it is the prior and self-evident value of autonomy which justifies the moral law (one that insists on universal respect)? I believe no. In Kant's logic, it is in fact our recognition of the moral law that underpins our conceptualization of autonomy. For after suggesting that freedom and practical law imply one another, Kant immediately follows that statement with a question as to whether the cognition of practical reason starts "from freedom or from the practical law?"¹⁵ On this, Kant is explicit. It "cannot start from freedom, for we can neither be immediately conscious of this, since the first concept of it is negative, nor can we conclude it from experience...It is therefore the *moral law*, of which we become immediately conscious (as soon as we draw up

maxims of the will for ourselves) that *first* offers itself to us and, in as much as reason presents it as a determining ground not to be outweighed by any sensible conditions and indeed quite independent of them, leads directly to the concept of freedom.”¹⁶ Kant, in fact, states that we would never have even been able to conceptualize our freedom without our prior recognition of the moral law. “One would never have ventured to introduce freedom into science had not the moral law, and with it practical reason, come in and forced this concept upon us.”¹⁷

For Kant, then, the idea that each individual has infinite value, is thus due unconditional respect, and must thus always be treated as an end not a means, does not derive primarily from the fact that we are all existentially or ontologically free, but rather from the fact (in Kant’s eyes) that we all embody (and recognize) the universal moral law within us. This moral law does not, as in transcendent philosophy, have an external source (God). Rather, it has a transcendental source within the subject. In Kant’s universe, however, the internal source of the moral does nothing to reduce its authority and absolute nature.

In the context of this paper, it is important to appreciate the nuanced difference between a social contract mode of justifying inalienable rights through (what is basically) ontological atomism and the Kantian model of justifying universal respect based on an inherent recognition of the moral law for two reasons. First, it is important because Kant’s model of respect is what we might call conditionally unconditional. According to Kant, we are worthy of respect because we embody the moral law. We cannot be made means and must instead be treated as ends precisely because we are embodiments of the moral law. Equally importantly, however, beings that are not rational insofar as they do not have the moral law within them (such as animals) are worthy of consideration, but are not due respect. Unconditional respect is therefore only the prerogative of those beings that embody and recognize the moral law. Kant, of course, tends to suggest that all humans – even the most hardened of criminals – recognize the moral law even if they don’t obey it. In this sense, his model

does ground unconditional respect within human society. However, the Kantian logic runs a number of risks nonetheless – including opening the door to a much less unconditional model of respect were it ever to be shown that certain individuals or groups do not recognize his version of the moral law. I will return to the ways in which this conditional unconditionality may be important and highly problematic in our contemporary context.

The fact that it is our recognition of the moral law that ultimately grounds the Kantian argument for unconditional respect for human dignity is also important for a second reason. For Kant believes that the process by which respect for the moral law – and thus for one another – is created is a very particular one. Respect, Kant says, is a very peculiar thing. Respect, he says, is a ‘special moral feeling’ that motivates us to act morally. It is not easy to act morally, according to Kant. We are awash with sensible desires. Given our fallen nature, we often give into our sensible inclinations, make these desires the basis of our willkur, and thus act immorally since this inhibits the moral law from being the single determinant of our will. Becoming moral, in Kant’s eyes, is a perpetual struggle. If we are not actively improving our virtue and becoming more moral, we are necessarily falling backwards towards immorality.

So – if sensible desires are not only plentiful but also natural and inextricable – how do we become moral? How do we learn how to respect the moral law – and in doing so how to respect our fellow moral beings? Kant’s answer, astoundingly, turns on humiliation. In the middle of Kant’s *Critique of Practical Reason* – in a chapter almost exclusively devoted to exploring how the moral law helps inspire moral obedience through the special moral feeling of respect – Kant claims that humiliation is a key element of the moralizing process. According to Kant,

The moral law unavoidably humiliates every human being when he compares with it the sensible propensity of his nature. If something represented *as a determining ground of our will* humiliates us in our self-consciousness, it awakens *respect* for itself insofar as it

is positive and a determining ground.¹⁸

The courage to use our own moral reason, it turns out, means at least partially the willingness – and capacity – to be humiliated by a suprasensible moral law we can practically recognize, but cannot theoretically know. On Kant's telling, it is, in fact, only the experience of *humiliation* that can awaken the crucial moral feeling of respect and dignity. Kantian autonomy thus fundamentally relies on a philosophical *conception* of humiliation to defend its theoretical cogency.

The role of humiliation highlighted in the above quote is no mere slip of the Kantian pen, either. For even though I can only touch the surface of the role of humiliation in Kant's philosophy here, it becomes clear that humiliation is a central part of the Kantian theory and practice of morality.¹⁹ Take, for example, Kant's most extended and detailed consideration of moral motivation in the second *Critique*: the chapter entitled "On the Incentives of Pure Practical Reason" in the *Critique of Practical Reason*. In this chapter, Kant does not begin his description of the 'special' moral feeling by discussing it as a positive respect for the law. Rather, according to Kant, the pull of sensible inclinations is so powerful that moral motivation cannot begin with an affirmative power inspiring obedience. "The effect of the moral law as incentive is only negative".²⁰ A negative feeling that is, in fact, akin to the feeling of *pain*. As Kant states, "we can see a priori that the moral law, as the determining ground of the will, must by thwarting all our inclinations produce a feeling that can be called pain."²¹ But if this sense of pain is the resulting feeling of the moral incentive disallowing the will to choose sensible inclinations, it is still unclear *how* the moral incentive motivates the will to be moral (and thus feel the pain of sensible renunciation). In fact, if this moral overcoming creates a feeling of pain, it seems that it would be even harder to motivate the moral will. For now it not only has to control sensible inclinations, but also overcome the pain it feels as a result of limiting those inclinations.

Kant's response is brilliant. For on his telling, the experience of humiliation *creates*,

explains, and *justifies* this moral pain. Our propensity to allow sensible inclinations to determine the willkur is, Kant claims, self-conceit based on self-love. “This propensity to make oneself as having subjective determining grounds of choice into the objective determining ground of the will in general can be called *self-love*; and if self-love makes itself lawgiving and the unconditional practical principle, it can be called self-conceit.”²² And what is the appropriate treatment for a diagnosis of unjustified ‘self-conceit’? The humiliation of that conceit. Thus Kant claims that “the moral law strikes down self-conceit” by “humiliating” our pretensions to sensible self-determination.²³ And how are these pretensions humiliated? By being exposed to the purity of the moral law (its moral universality and necessity) in comparison with our merely sensible existence. For as Kant argues that “what in our own judgment infringes upon our self-conceit humiliates.”²⁴ And this experience of humiliation, “in opposition to its subjective antagonist, namely the inclinations in us, weakens self-conceit”.²⁵ The first moment of moral motivation, then, is the act of the moral law humiliating the willkur in the attempt to bring low its conception of self-worth and encourage it to obey the cause of that humiliation - the moral law. If, as Kant argues, our natural state is often one of immorality via self-conceit (e.g. we privilege our sensible nature over the moral law when creating the maxim of our will), then humiliation should not only be expected – we should accept it as justified.

Kant, however, also suggests that we should view it as justified for a second, more important reason. We should embrace the experience of humiliation because from it flows the affirmative, special moral feeling, of Respect. Respect, according to Kant, is the secondary positive moral feeling which grows out of humiliation. “Inasmuch as it [the moral law] even *strikes down* self conceit, that is, humiliates it, it [the moral law] is an object of the greatest *respect* and so to the ground of a positive feeling that is not of empirical origin.”²⁶ Thus, “in relation to its positive ground, the law, it [humiliation] is at the same time called respect for the law...Because of this feeling can now also be called a feeling of respect for the moral law, while on both grounds together

it can be called a *moral feeling*.”²⁷ Kantian Respect is thus not merely a positive appreciation or regard for something or someone. It is a feeling of obligation motivated and underpinned by the threat of pain and humiliation. Kant, in fact, describes it as something wrest from us by a victorious conqueror. “Respect” Kant comments, “is a *tribute* that we cannot refuse to pay to [moral] merit, whether we want to or not.”²⁸ The crucial moral feeling of Kantian morality, then, is not merely *respect*. It is really a double moral feeling of *humiliation by/respect for* the moral law. And it is *this* double nexus – perhaps better preserved in the commanding overtones of the original German term “*Achtung*” – that orients Kant’s description of moral motivation.

On this view, Kant’s thinking shares some rather surprising similarities with a philosophy that is generally viewed as its antithesis: Nietzsche’s critical genealogies. By linking humiliation and respect so tightly, for example, Kant seems to acknowledge the charge that so many neo-Kantians despise in the *Genealogy of Morals*: the idea that even the noblest moral systems seek to cultivate an obedient moral disposition by burning the dictates of the law onto the subject through humiliation, shame and pain. In the *Genealogy*, Nietzsche speculates that the human being is not by nature an animal prone to remembering (nor, in the terms of this book, recognition). Every attempt to create a moral system, Nietzsche thinks, therefore requires the cultivation of the capacity for moral memory and responsibility so that moral motivation and recognition is possible. According to Nietzsche, however, the cultivation of this memory is very difficult. On his view, in fact, the oldest and most enduring clause of moral *mneomotechnics* is the realization that “if something is to stay in the memory it must be burned in: only that which never ceases to *hurt* stays in the memory”.²⁹

It is also interesting to note that Kant, like Nietzsche, seems to believe that the willkur (almost naturally) rebels against this humiliation. We hate the experience of humiliation so much, Kant thinks, that we are willing to avoid recognition of the imperative image of morality altogether and instead mis-interpret it, as did Hume, as the pursuit of self interest simply to avoid feeling its

humiliating wrath. Once again building on the metaphor of authoritative rule, Kant suggests that “Even the moral law itself in its *solemn majesty* is exposed to this striving to resist respect for it. Can it be thought that any other cause can be assigned for our being so ready to demean it to our familiar inclination, or that there is any other cause of our taking such trouble to make it out to be the popular precept of our own advantage well understood, than that we want to be free from the intimidating respect that shows us our own unworthiness with such severity.”³⁰ Our continuous rebellion against the solemn majesty of the moral law never, however, encourages Kant to question the use of humiliation and the appropriateness of Kant’s moral anthropology nor wonder whether there might exist different and more affirmative modes of inspiring and cultivating an ethico-political sensibility.

Abu Ghraib and the Limitations of neo-Kantian Respect

What are we to take from this reading of Kant? What does Kant’s model of respect/humiliation potentially suggest about some of the contemporary dangers we face in our contemporary era and about the promise and limitations of a Kantian model to challenge these dangers? I believe that there are 3 preliminary lessons that might be worth considering.

Bush’s Radically Conditional Model of Respect

First, returning to a point highlighted earlier in our discussion of Kant, let’s critically reflect on what it means that Kant was able to formulate a model of respect characterized by what we might call conditionally unconditional respect (based on our recognition of the moral law). What Kant appreciates is that the question of respect is not uncomplicated. At a philosophical level, every philosophy of respect must address serious and difficult questions about who deserves respect, to what degree, in which circumstances. And, as I mentioned earlier, although Kant himself usually

portrayed his model of respect as unconditionally unconditional (since he usually assumed that all rational human beings recognized the moral law even if they didn't always obey it), the logic of the Kantian model does open the door for a radical conditional version of unconditional respect (if, for example, it was shown that there were subjects who did not recognize the moral law). If even Kant's moral system – one that is not only incredibly systematic but also whose key aim was to ensure absolute unconditionality – opens the door to conditionality, it is clear that it might be possible for different moral perspectives to convincingly create a relatively coherent model of conditionally unconditional respect that might be able to combined strong, self-righteous statements about the depth of its respect while nonetheless restricting that deep respect to a circumscribed group of individuals that pass the bar of conditionality.

My worry is that we might have found ourselves in precisely this situation with the Bush administration. For it seems that the Bush administration is characterized by a philosophy of respect that has hyper-intensified the radical conditionality that is logically possible even within a Kantian system. How does the Bush vision do this? Here there is another fascinating parallel with Kant. I believe that the Bush vision radicalizes the conditionality of the Kantian model by actualizing Kant's own theoretical loophole: recognition of the moral law. In Bush's world, you are either with him or against him. You are either part of the flock or not. It should thus be no surprise that one of the most noteworthy elements of Bush's post 9/11 foreign policy – his explicit and frequent use of 'evil' as a category of analysis. For while the trope of 'evil' obviously has a variety of rhetorical uses, it plays a key role in unequivocally demarcating a line of radical conditionality. Subjects who are evil, are, by definition, those who do not recognize the moral law. Moreover, naming them as evil marks them not simply as temporarily fallen, misguided or lost souls – but as incorrigible and beyond redemption. Though Bush himself might be born again, his administration's use of 'evil' does not tend to allow for that possibility in relation to the 'evil-doers' his administration has identified. In

Bush country, you either recognize the moral law, and thus are due unconditional respect, or you don't (but might in the future), and are thus due something less than unconditional respect, or you are evil (and thus will never recognize the moral law), and thus are due no respect.

It is easy to dismiss Bush's moral claims as empty rhetoric and political opportunism that has no real impact on his global policy. But I'm not entirely convinced that this moral vision is simply window dressing. Where his father was well schooled in the arts of political Machiavellianism and calculated trade-offs, George Jr. has proved himself to be very different. I'm not claiming, of course, that this Bush administration is influenced by Kantian theory (though I am saying that understanding the parallels between the two is useful). Nor am I saying that the moral component of Bush's vision is the only component influencing his administration's policies (obviously there is a complex mix). What I am saying, however, is that I believe Bush when he says things like the following: "some worry that it is somehow undiplomatic or impolite to speak the language of right and wrong. I disagree. Different circumstances require different methods, but not different moralities".³¹

If it is true that there are important parallels between the Kantian model and Bush's imperialist idealism, that there is also a key difference in that Bush actualizes and radicalizes the conditionality that is a potential even in Kant's model, and that this moral model does exert some influence on Bush's global policy, it suggests several things. First, it suggests that understanding Bush's moral vision might be crucial for making sense of the apparently hypocritical and contradictory statements and actions of the Bush administration. Rather than dismissing them simply as shameless Machiavellianism or naïve ignorance, we might understand them as partially resulting from a deeply problematic – but nonetheless deeply held – moral vision that in itself, is highly contradictory. Second, it suggests that challenging this moral vision and set of policies simply by repeating the Kantian mantra 'more respect, more respect' is unlikely to have any impact challenging their moral perspective. For from the perspective of Bush's imperialist idealism, it might well be the

case that they think their policies have shown more than enough respect already. Given what the senior administration was willing to put on paper in regard to this, we can only imagine what they think about whether they have been overly generous with their respect for subjects who do not recognize the moral law. If my analysis is right, then, challenging these policies requires us to identify different ethical and philosophical arguments and tools of persuasion that would not simply rely on the concept of ‘respect’ but would use other methods to try to pry open and challenge the radically conditionality of the Bush administration’s model of respect. And it remains important to engage on these philosophical levels – even if the chances for impacting the Bush moral vision is slim. For if we don’t creatively engage – if we simply rely on the politics of publicity and shaming to push for broader ‘respect’ but don’t convince the administration their radically conditional vision is problematic, the administration will never change their underlying policies, but will simply move to outflank their critics with the rhetoric of respect (as they have done with their thematic highlighting of the values of human rights and freedom over the last several years).

Dynamics of Respect/Humiliation in Contemporary Global Politics

The second lesson from our reading of Kant on respect/humiliation might be to highlight the way that a heightened concern with respect can be closely tied to a heightened sensitivity to perceived humiliations – and in turn a willingness to counter-humiliate. For I suspect that these dynamics of respect/humiliation, in conjunction with the Bush’s imperial idealist moral vision, have been significant influences on the Bush administration’s reaction to 9/11. To be humiliated, technically, is to have your own sense of self-respect and self-worth lowered. It is the awful feeling that we experience when our pretensions to a certain status or claim have been stripped away and revealed as false in a public way. Humiliation, then, is essentially tied to self-respect and the respect of others. If, therefore, we highlight and raise the significance of issues of respect, concerns about

humiliation similarly increase in importance and significance. One only has to think about the politics of status, respect and masculinity in many team sports - in which the aggressive question “you dissin me?” now stands in for the throwing down of the gauntlet – to understand the way that an increased attention to issues of respect can easily lead to a hyper-sensitivity to perceived slights and attempted humiliation – and an aggressive politics of counter-humiliation in return.

Might understanding this link between respect and humiliation help us understand the Bush administration’s reaction to 9/11 – and thus the events of Abu Ghraib? Exploring this possibility requires a much larger effort – one that examines multiple dimensions of US foreign policy decision making.³² Yet it might be worthwhile to briefly consider some of the possibilities here. Consider, for example, how Bush’s public persona might be understood to highlight the significance of respect and thus heighten his sensitivity to perceived humiliations. First, consider first the fact that Bush occupies the Office of the President. What comes with this office? What are some of the types of characteristics that a President must exhibit to retain ‘his’ self-respect and the respect of the nation? While there may be wide variety on many elements of different presidents’ self-respect (Kennedy’s bases were certainly very different than Reagan’s), one element that is common to virtually all occupants of the office is the appearance of strength, resoluteness, determination, invulnerability and power – in sum, masculinity. In fact, in *The Wimp Factor: Gender Gaps, Holy Wars, and the Politics of Anxious Masculinity*, John Ducat convincingly shows not only that the bases of much masculine self-respect is based on a deep phobia of the feminine – but more specifically that modern presidential politics have become fundamentally premised on the ability of office holders to prove that they are not wimps, wussies, mama’s boys or sissies.³³

If the public standards that define recent presidential politics push its office holder to view the bases of self and public respect as heavily influenced by traditional standards of masculinity, this is doubly true of George W. Bush for a number of reasons. First, if Ducat’s reading is correct, the

defeat of Bush Sr. by Clinton explicitly taught Bush Jr. the cost of being publicly perceived as a ‘wimp’. It can plausibly be assumed that Bush Jr., then, would have a heightened sensitivity to the possibility of being publicly disrespected or of having his masculine determination, resoluteness and strength questioned and humiliated in any way. Secondly, we might also say that Bush’s electoral persona and character (which was key to both his presidential victories) was fundamentally premised on the idea that Bush was a particularly down home, good old boy. In contrast to his patrician father who was once mercilessly ridiculed for asking for a ‘splash’ of coffee, many people said they would vote for Bush Jr. because he was the kind of guy who you could down a cup o’ joe with and talk about the sports section. Heck, this was a guy who once helped run the Texas Rangers and apparently wants to become the commissioner of Major League Baseball when he finishes up the Presidency.

Bush Jr.’s down home, masculine guy persona has been firmly embedded in his public presidential persona as well. Think about the metaphors he used early and often in the war on terror. Here too, Bush Jr. played the Marlboro man. The US wasn’t going to ‘surgically remove targets’ with ‘precision guided payloads’. No – in Afghanistan the language of the clinical language of first Gulf war was replaced with John Wayne tropes. We’re going to get em dead or alive. We’re gonna smoke em out from their caves. They ain’t gonna mess with Texas no more. It is not surprising that this down home, common sense, of the people persona led easily into the language of good and evil, black and white. Real men don’t worry about the analytic details, they decide with their gut. They don’t worry about rules, they get stuff done. They don’t take guff, and they don’t make nice.

My suggestion is not that Bush Jr. is a cowboy and who shoots and judges from the hip – and this brashness has been translated into foreign policy. Nor is my claim that Bush Jr. is an idiot who doesn’t know the difference between a spaghetti western and the complicated and opaque world of global politics. Rather, my suggestion is simply that in both the office he held and the public persona

he employed, Bush's self-respect – and the respect of the common sense standards of public judgment – were fundamentally based on deep expectations about resoluteness, determination, strength in the face of adversity, and an absolute unwillingness to turn the other cheek. In such a position, it would be hard not to be obsessed with questions of proper respect, credibility and the threat of humiliation.

Given this context, how could Bush not perceive 9/11 as a profound humiliation? The attacks directly challenged the idea of the American President as a hyper-masculine commander in Chief to the world – able to stand up with strength, determination, invulnerability and power without fear of reprisal or personal vulnerability. The fact that both symbols of American power – the trade centers of New York and the political and military power of the Pentagon in Washington – were successfully attacked, fundamentally called into question American power and in particular, the invulnerability of the highest office of American political power. While the attacks might have been a humiliation for almost any leader who had been President at the moment of the attacks, it would have been particularly difficult not to interpret and experience the attacks as particularly humiliating given Bush's specific public persona. For if Bush's persona was one of determination, common sense and clear resolute strength, the attacks seemed to challenge and humiliate all of these. First, it implicitly challenged the Republican faith that if you are tough enough, no one will dare mess with you. 9/11 either proved this faith to be radically naïve (humiliating in itself for the 'tough love' approach to defense) or, even worse, threatened to suggest that Bush and the Republicans, despite their efforts, hadn't been 'man enough' to deter and scare off any wrong-doers.

Is it so hard to believe that dynamics of respect/humiliation fundamentally influenced some of his policy-making – encouraging him to counter-humiliate those who he thought were responsible? Is it so hard to believe that Bush's radically conditional, and extremely black and white, moral framework of respect would have further intensified his confidence in splitting the

world into subjects who recognize the moral law (and thus should be respected) and those who do not recognize the moral law (and thus deserve to be humiliated into respect)? And might this tendency have found expression on multiple levels since the events of 9/11?

On the strategic dimension, understanding the desire to re-humiliate might help us understand why the US immediately targeted Iraq – even though it was relatively clear Hussein was not linked to 9/11. On one level, the invasion of Iraq might have been linked to questions of humiliations in several concrete ways. The fact that the Bush was apparently adamant, well before 9/11, that his administration would confront Iraq if a possibility emerged is probably not entirely unconnected to the fact that Hussein was one of the few leaders who had thumbed his nose (and in many ways humiliated) the US and Bush's father – especially in the middle east. Moreover, even if it wasn't a conscious goal for the Bush administration, the fact that Iraq offered a convenient 'stand-in' where the performance of counter-humiliation could publicly work to re-affirm the bases of Bush's (and America's) own self-respect, was also probably not unimportant. However, we might see the desire to re-humiliate on a deeper level as well. For it is quite plausible to say that the Bush administration could have developed a deeply Orientalized logic of humiliation: 'Arabs'/'Islam' attacked the US – showing an utter lack of respect. Therefore, they must be counter-humiliated into showing respect. And at a strategic level, what could be more humiliating to Islam than occupying a key region in the Middle East? Was the Bush administration's logic of pre-emptive war and pro-active, tough-love democracy modeling an attempt to put into practice the oldest lesson of moral *mneomotechnics*: that even at a strategic global level, "only that which never ceases to *hurt* stays in the memory"?³⁴ I suspect it was. Moreover, I suspect that, like Kant, they absolutely refuse to reconsider whether the strategy of trying to wrest respect like a tribute from a humiliated Middle East and even in face of the reams of contrary evidence, continue to believe that respect requires humiliation. Given this larger context (in addition to the specific directives and culture shift Bush and Rumsfeld were driving in the

US military and intelligence organizations), I suspect that it is thus hardly coincidence that at the tactical level, certain soldiers occupying Iraq intuitively and viscerally shared this macro desire to counter-humiliate and found outlets for this desire in a myriad of actions, most spectacularly in Abu Ghraib.

In sum, then, our reading of Kant might suggest not only that demanding ‘more respect’ is likely to be unable to adequately penetrate and challenge the Bush administrations’ willingness to authorize and enable cruel actions of humiliation – for they are only too concerned with issues of respect as it is.

Challenging the Tactics of Humiliation

Kant’s philosophy has obviously played a critical role inspiring some of the most important ideas and institutions which protect human rights today. Moreover, it seems fairly clear that Kant would be horrified by the events of Abu Ghraib. Despite this, however, in light of the close relationship between respect and humiliation – and the degree to which Kant authorizes humiliation to cultivate respect – it is far from clear that a Kantian model of respect is the ideal method to highlight and challenge practices of humiliation. In particular, it now seems that Kant’s philosophy would have a difficult time formulating an unambiguous argument against the use of tactics of humiliation.

Kant actually wrote very little about which types of specific actions are, and are not, allowed in war. His clearest statements on questions of *jus in bello* are found in the “Doctrine of Right” in the *Metaphysics of the Morals*.³⁵ There Kant says that there are no limits to the *degree* and *quantity* of force states can use when engaged in war. States are, however, limited in the *type* of actions they can take.³⁶ At a general level, Kant says that “a state against which war is being waged is permitted to use any means of defense except those that would make its subjects unfit to be citizens”.³⁷ Kant

then lists some examples of things that are disallowed (using assassins, using its subjects as spies, lying) and then argues that these practices are disallowed because such underhanded means would “destroy the trust requisite to establishing a lasting peace in the future”.³⁸ What is notable is that in the world of international politics, Kant’s relevant test of correct behavior is not the categorical imperative. Rather, it is a test of ethical politics: don’t do anything that would destroy the possibility of reconstructing the conditions of future peace or citizenship.

But what, exactly, are these conditions? Theorists who seek to reconstruct a contemporary Kantian perspective often assume that a fundamental respect for individuals is the basis of citizenship and morality – and thus derive international laws protecting ‘human rights’ from Kant’s argument.³⁹ But what happens to this argument once we understand the primordial role of humiliation in the formation of respect? For if we must be humiliated before we respect the moral law – then isn’t the experience of humiliation a fundamental pre-condition of citizenship, morality and peace? Mightn’t the strategic employment of humiliation on a variety of dimensions thus be a legitimate mode of political cultivation?

There is thus a critical risk embedded in Kant’s philosophy. The danger is not merely the oft-recited but highly unconvincing realist rejoinder that Kantian ethics is too idealistic to be effective. The more worrying danger is rather that the logic of the Kantian Imperative cannot easily rule out the strategic and tactical use of humiliation in a variety of contexts. Consider the question of whether it was legitimate to intervene in Iraq. As we have seen, Kant’s project might come down on either side of this question for a variety of reasons. But we now have a more problematic possibility as well: the possibility that Kant’s project could justify intervention based on the logic of humiliation. Could we not formulate a Kantian Imperative inspired justification of the decision to go to war on the basis of the need to *humiliate*? Mightn’t the logic of the Kantian Imperative allow one to argue that Iraq (as a nation-person) and the Middle East (as a region-person), had demonstrated insufficient respect for

the international moral law – and the moral law of the United States.⁴⁰ If the inter-state community should ideally be like a community of moral peoples (as Kant states), wouldn't a pre-requisite of this be to ensure to ensure that every state was humiliated by a moral law?⁴¹ Although this is a particularly aggressive way of stating it, that claim is not all that far from the way that the Bush administration speaks about needing to proactively and preemptively spreading 'respect for democracy'.

It is similarly uncertain as to whether the Kant's project is able to sufficiently and unambiguously critique the tactics of humiliation used at Abu Ghraib. Consider Kant's writing on the just rules of war. He explicitly states, for example, that it is permissible "to extract supplies and contributions from a defeated enemy" even though one shouldn't plunder the people needlessly.⁴² But extracting intelligence contributions was exactly what the Military Intelligence unit in charge of interrogation was doing at Abu Ghraib. And their tactics were part of an explicit strategy designed to employ humiliation to create obedience, respect and cooperation from the humiliatee – a logic that does betray certain parallels to the description of the cultivation of Kantian respect/humiliation. It is thus not at all obvious that the logic of Kant's philosophy must necessarily and unambiguously argue against the employment of these tactics of humiliation.

Teasing out contemporary policy-oriented implications from Kant's admittedly thin writings on war is, of course, an act of interpretation. Thus, it is not surprising, in itself, that Kant's philosophy can give rise to two very different policy positions. Interpretations can always stretch, twist and mutilate the texts they claim to interpret. The problem is therefore not that Kant's texts – like all texts – are subject to interpretation and are thus always subject to the 'use and abuse' of philosophy by politics. Rather, the problem is that Kant's texts make it particularly easy to justify concrete tactics and strategies of humiliation – precisely because Kant's philosophy forwards a logic which justifies and cultivates humiliation. It is thus the Kantian affinity for humiliation – and not the

interpretive nature of Kantian philosophy - which explains why I worry that it is insufficient to many contemporary policy discussions.

An Ethics to Counter the Imperial Idealism of Abu Ghraib?

So – where does this leave us? First, let me say where I should not lead us. It should not lead us to argue that we should throw out and disavow a discourse of respect for human rights nor even necessarily to discard the role that Kantianism can play in cultivating an affirmative global ethico-political sensibility. For many neo-Kantians, such as Habermas, have been among the most vocal and influential public intellectuals to speak out against a variety of problematic elements of contemporary US global policy. Moreover, it is clear that the global community is better off with a discourse of human rights in place than without.

Thus I have undertaken this investigation into the limitations of a Kantian inspired model less out of a desire to say what we shouldn't do and more with an eye to determining what else we need to do. One of the tentative conclusions of this paper is clearly that a Kantian model of universal respect is insufficient for challenging the imperialist idealism of the contemporary Bush administration. The challenge of confronting and resisting the excesses of an imperial idealist administration is certainly not unique to world politics – as the many books seeking to understand the proper parallels between this regime and prior empires have highlighted. However, we can at least say that the challenge of confronting imperial idealism is a slightly different challenge than the one that has been more familiar over the last 50 years of the study of IR: that of challenging ruthlessly realist foreign policy agendas to be more cognizant of ethical questions. In this 'back to the future' type context, then, the Kantian call may well be a valuable ally in fostering a global ethico-political sensibility. However, it is not sufficient on its own – for it cannot effectively challenge some of the most problematic elements of the post 9/11 US imperial idealism.

Secondly, this leaves us with the challenge of developing – and popularizing – a politico-ethical mode of diagnosis and contestation that is better suited to the nuanced task of highlighting and challenging the potent mix of imperialism and idealism, of moralism and immorality, that characterizes the Bush administration’s vision today. This is obviously a much larger and longer term goal and it is unclear (to me at least) what exactly this would look like. One area I believe we need to work on, however, is to create a wide coalition of diverse ethico-political perspectives which articulate and make obvious the radical conditionality of the Bush model of respect – and then challenge it in a variety of ways. Here, one can imagine numerous ethical resources we could bring to bear. We might identify apparent contradictions in the Bush administration’s comments about its moral vision. We might argue that assuming a single model of morality is difficult to justify in a pluralistic society – especially one as diverse as the global community. Faith based ethicists might help challenge Bush’s narrow rendition of the ‘moral law’. Moreover, they might challenge the very idea of conditionality by arguing, citing theistic sources, that all subjects are worthy of unconditional respect. I am not optimistic that engaging on this level will find much success in the near term, however. Many people have tried – and have had little influence. Moreover, given the political climate in the US (where these arguments would have to be made), it is very hard to challenge the black and whiteness of Bush’s vision. For one of the results of the last 20 years of the culture wars in the US is that the right wing has successfully framed the issue of morality in such a way as to ensure that any perspective which seems to question any element of moral absolutism is immediately categorized and dismissed as relativist (and thus unworthy of attention or support)

If prevalent models of universal respect are unlikely to dent the Bush administration’s moral armor, however, and if we are unlikely to be able to dismantle or effectively challenge the coherency of the imperial idealist vision at the macro level in the near and medium term, I do believe we might be able to challenge and work to prevent the most obvious practices of global humiliation by

forwarding a set of short term, tactical, means-ends arguments. My hope is this: if we are unlikely to convince the Bush administration that humiliation is wrong in itself, we might at least be able to convince them that it is imprudent to employ tactics of humiliation because it is too costly and counter-productive. We might not be able to convince the Bush administration that unconditional respect is morally necessary – but we might be able to convince it that the effects of US tactics of humiliation are too costly to allow them to be used.

One debate we might therefore want to animate is one that explicitly seeks to evaluate the effects and consequences of tactics of humiliation. Should we assume that humiliation is a sort of ‘tough love’ cowboy justice that is likely to deter terrorism and mould more obedient and orderly subjects? These are, of course, difficult questions to answer. The consequences of humiliation vary by context. However, there are several reasons why we should be very skeptical of the idea that the means of humiliation actually function to establish the desired end: orderly subjects who can co-exist with the rest of their domestic or international society.

First, we might want to ask what we know about the theoretical effects and consequences of tactics of humiliation. At minimum, we know that the effects of humiliation can range widely and are quite unpredictable. Sometimes a feeling of humiliation can discipline the individual into obeying the humiliating authority. Since humiliation (by its very definition) calls into question some of the most prized self-perceptions and feelings of self-respect and dignity, however, it can also inspire a reaction against the agent that is perceived to be trying to humiliate the individual or group. This can be particularly true in cases in which the humiliation meted out is directed against masculine pretensions to power and ‘respect’. It should thus not be surprising that humiliation can also inspire a variety of negative and unpredictable reactions. One might, for example, attempt to overthrow the agent of humiliation in an effort to disprove the legitimacy of the attempted humiliation and thus overturn the lowering of one’s own dignity in the eyes of oneself and others (if

someone questions your pretensions to manliness, you challenge them to a fight and re-assert your claim to masculinity by proving that you are stronger, tougher, more masculine). Or you might overtly rebel and challenge the standards that underpin the assumed humiliation (someone questions your pretensions to manliness and in response you laugh at their assumed standard and tell them that while they are free to cultivate themselves as a ridiculous Neanderthal macho cartoon-figure, you reject that standard and feel no humiliation that you don't live up to it). Or you might do nothing overt – but instead develop and nurture a deep simmering resentment that lurks just beneath the surface and that might explode against the agent of humiliation (or someone else) at some point in the future (someone questions your pretensions to masculinity and in response you determine that you hate that person or group and over the years you cultivate yourself and your strengths in such a way as to undermine them – or someone who is linked to, or reminds you of, them years down the road). The fact that all of these reactions are possible effects suggests that it is a rather unpredictable and high risk strategy of discipline.

Secondly, we might highlight some relevant empirical evidence that exists. Several recent studies of the tough-love, humiliation based strategies employed by the self-proclaimed 'Toughest Sheriff in America' suggest that tactics of humiliation are far from an effective deterrent.⁴³ Sheriff Arpaio's uses a variety of tactics of humiliation in his prison (from forcing male prisoners to wear pink underwear to forcing inmates to act as grave-diggers) would seem to offer fertile ground for proving the common sense idea that tougher justice, more humiliation, and less compassion should be effective in deterring criminals. Certainly these are the claims that Arpaio makes. The statistics do not support him, however. Rather than outpacing the falling regional and national crime rates, the crime rates in Arpaio's home state of arizona fell less. Although violent crime rates in the Western US fell by 3 percent in 1997 and murders fell by 11 percent, Phoenix, Arizona violent crime rates dropped by only 1%.⁴⁴ Crime rates are influenced by many variables, however, so it might not be

fair to assume that Arpaio's tactics alone could lower the crime rate or the number of incarcerated criminals. At the very least, however, if the tactics of humiliation work, they should ensure that the inmates who were subject to them would return to jail less frequently. At the very least, the recidivism rate should fall. Sheriff Arpaio was so confident of this, in fact, that he commissioned several professors from Arizona State University to study the recidivism rate of the Maricopa County jail system before and after Arpaio's policies. Unfortunately for Arpaio, Dr. Hepburn and Dr. Griffin's study showed that there was no measurable effect on inmate recidivism. Instead, they "concluded that the additional hardships don't really register any additional deterrent effect".⁴⁵

Political philosophy can help us make sense of these counter-intuitive results. For if we think about how humiliation tries to discipline subjects, it begins to look like a very shaky approach. Imagine the best case scenario – that the tactics of humiliation successfully reduce a subject to obedience. It is difficult to imagine a situation in which it does so without simultaneously creating intense resentment which either bubbles up later or is projected against something else. Nietzsche is the philosopher who has analyzed the logic of resentment (and its particular sub-category of *ressentiment*) the most thoroughly and radically the in the *Genealogy of Morals*. But Spinoza's – or even Kant's - philosophical analysis of subjectivity could suggest the same thing. If we agree that the subject is characterized by a drive for sovereignty, by a *conatus*, or even by a need for self-respect and autonomy, it is not surprising that an experience of humiliation should lead to a strong reaction against the perceived humiliator.

Studies done by clinical psychologists suggest that Nietzsche's insights about the boomerang effect of humiliation are well founded. Jane Price Tangney, for example, argues that using humiliation is a very problematic mode of discipline. "Shameful humiliation" she suggests, "is typically accompanied by a sense of worthlessness and powerlessness. It steers people toward denial, anger and blaming others".⁴⁶ She thus argues that humiliation is a highly ineffective mode

of punishment.

It is interesting that groups who employ humiliation not only seek to exploit the disciplinary power of humiliation – but also count on this boomerang effect of resentment and anger. In the aftermath of the recent Iraq war, for example, the US military believed that it had to resort to unorthodox psychological strategies to flush out and identify the remaining Saddam fedayeen that continued to attack the American forces. One of the US strategies was to plaster ‘humiliating’ posters of Saddam which depicted his head on a variety of Hollywood bodies (Elvis, Zsa Zsa Gabor, etc). The humiliating message is clear: if the official, pre-war statues of Hussein built him into a secular, anti-American god, these posters situate him in crudest forms of the Western culture he claimed to revile – and once again prove that his pretensions to power and influence are a façade.

What is fascinating about this strategy is that the US army knew that these posters would not humiliate everyone into obedience. In fact, they counted on the fact that this humiliation would fail to discipline everyone and would instead create resentment in Saddam sympathizers. As one military officer commented, the aim of the posters was to “taunt Hussein loyalists into showing their colours” thus ensuring that “the bad guys will be upset, which will just make it easier for us to know who they are”.⁴⁷ They will feel humiliated but not cowed. Instead, their anger and resentment will ensure they act out against the posters, thus allowing the US military to identify and capture them.

We can think of numerous other practical examples that demonstrate the counter-productive boomerang dynamics of humiliation: the re-emergence of white supremacists in the ex-East Germany in the early 1990’s as that population perceived itself to be humiliated by their lower status; the Montreal massacre in Canada by a sociopath who imagined himself humiliated by women’s equality. Or the role that perceptions of national humiliation played in the rise of Nazism in Germany between the two world wars. France may have won the war – and the Alsace – but it certainly didn’t win the peace that followed. It would of course be too simplistic to say that the rise

of Nazism was due only to a sense of national humiliation. But it would also be difficult to argue that the Nazis would have risen to prominence if a widespread resentment against Germany's perceived humiliation didn't exist.

If humiliation is counter-productive even when it appears to have been successful in disciplining subjects – it is also intensely counter-productive when it isn't successful in disciplining. For an unsuccessful attempt to humiliate not only often breeds resentment against the perceived humiliator. It also frequently creates vicious spirals between the parties where the humiliatee perceives their identity and interests as ever more intensely opposed to the humiliator. Here we only need think of the fundamentalist fervor that is fanned by the perceived humiliation of Islam by the US in the Middle East to appreciate the devastating political consequences these tactics can create.

In sum, humiliation almost never inspires an affirmative ethical, moral or civic disposition. It really only teaches its subjects to obey power. The humiliatee follows the law *only* as long as s/he experiences a fear of humiliation. The moment that fear disappears, so does the incentive to obey. This means that tactics of humiliation are not only cruel and unusual punishment. They are also a profoundly fragile mode of motivation which has the reliability of an unpredictable boomerang. For all of these reasons – its unproven efficacy, the resentment and violence it can inspire, its moral fragility, and the overt power relations of domination that underpin it – it is difficult to believe that tactics of humiliation are an ideal mode of ethical or political engagement.

This, I believe, is a fairly damning portrait – even to those who take seriously the 'tough love'/'ends justify the means' logic or a imperialistic/idealistic perspective which has as its goal spreading an American model of democracy to protect US interests. For it suggests that humiliation is far too unpredictable a tool to be able to use control effectively. And it suggests that the situation in Iraq – democracy or not – and the larger world, is likely to become a lot less stable, a lot less open, and a lot less hospitable to the US' interests. In the short term and the long term perspective, it is

therefore impossible even to strategically rationalize the conscious use of tactics and strategies of humiliation. I would hope that this would give the Bush administration serious pause. But since the Bush Administration has proved itself to be immune to even the most strategic and realist means-ends calculations against the war in Iraq and the expansiveness of the global war on terror, it is not at all clear that even this type of ethical discourse has the possibility of getting through to it. At a minimum, however, it does highlight the costs of these tactics and strategies. It thus holds the possibility of influencing others policy makers to counter-balance the imperial idealist blinkers of the Bush administration or at least of highlighting and framing the issues in such a way that the next administration will not pursue a similar vision.

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Endnotes

¹ The description that follows is taken from a variety of fully vetted and fact-checked investigative journalist accounts. The most important accounts include Seymour Hersh's series of pieces in the *New Yorker*: "Torture at Abu Ghraib" May 10, 2004; "Chain of Command" May 17, 2004; "The Grey Zone" May 24, 2004; Mark Danner's two articles in the *New York Review of Books*, "Torture and Truth" June 10, 2004 and "The Logic of Torture" June 24, 2004; the *Report of the International Committee of the Red Cross on the Treatment By the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq During Arrest, Internment and Interrogation*, February 2004; US Major-General Taguba's *Article 15-6 Investigation of the 800th Military Police Brigade* report, February 2003.

² Mark Danner, "The Logic of Torture", *New York Review of Books*, June 24, 2004

³ The quotes are taken from Bush's White House Memorandum, Feb 7, 2002, "Humane Treatment of al Qaeda and Taliban Detainees".

⁴ The quotes are taken from Bush's White House Memorandum, Feb 7, 2002, "Humane Treatment of al Qaeda and Taliban Detainees".

⁵ On Rumsfeld's aggressive attempt to transform the culture of the Pentagon and military intelligence, see Seymour Hersh, "Chain of Command", *New Yorker*, May 17, 2004.

⁶ US Department of Justice, Office of the Assistant Attorney General, "Memorandum for Alberto R. Gonzales, Counsel to the President", August 1, 2002; Dianne Beaver, Staff Judge Advocate, Joint Task Force 170, "Legal Brief on Proposed Counter-Resistance Strategies", October 11, 2002.

⁷ Founding Charter, United Nations, 1945; Preamble.

⁸ Universal Declaration of Human Rights, Preamble.

⁹ Third Geneva Convention and Rights of Prisoners of War, Article 3.

¹⁰ This section draws on themes and arguments that I pursue in much more detail in elsewhere. For a more detailed exploration and defense of my claims, see chapters 1-4 of Paul Saurette, *The Kantian Imperative: Humiliation, Common Sense, Politics*, (Toronto: University of Toronto Press, 2005).

11. Schneewind, *The Invention of Autonomy*, p. 484. As J.B. Schneewind recognizes, Kant's understanding of "morality and ourselves as moral agents" was "widely discussed during his own lifetime, and there has been an almost continuous stream of explanation and criticism of it ever since. Its importance has not diminished with time." See J.B. Schneewind, "Autonomy, obligation and virtue: An overview of Kant's moral philosophy" in *The Cambridge Companion to Kant*, (Cambridge: CUP, 1992), p. 309. Some of the most well known contemporary interpretations are, for example, Lewis White Beck, *Commentary on Kant's Critique of Practical Reason*, (Chicago: UCP, 1960) esp. Chapter 11; Mary Gregor, *Laws of Freedom*, (New York: Basil Blackwell, 1963), Henry Allison, *Kant's Theory of Freedom* (Cambridge: CUP, 1990) and "Morality and Freedom: Kant's Reciprocity Thesis" in *Immanuel Kant: Critical Assessments*, ed. Ruth Chadwick; Christine Korsgaard "Morality as Freedom" *Kant's Practical Philosophy Reconsidered*, ed. Yovel, (Dordrecht: Kluwer Academic Publishing, 1989); Onora S. O'Neill ("Agency and Anthropology in Kant's *Groundwork*", in *Kant's Practical Philosophy Reconsidered*, *op cit.*; J.B. Schneewind, *The Invention of Autonomy*, (Cambridge: CUP, 1998) and "Autonomy, obligation and virtue: An overview of Kant's moral philosophy" in *The Cambridge Companion to Kant*, ed. Paul Guyer, (Cambridge: CUP, 1992). It is important to note that a number of non/anti-Kantians also understand Kant in this way. See, for example, Bernard Williams, *Ethics and the Limits of Philosophy*, (Cambridge: Harvard UP, 1985), chapter 4 and Michael Sandel, "Introduction" and "Response", *Liberalism and the Limits of Justice*, 2nd Edition, (Cambridge: CUP, 1999),

12. Schneewind, "Autonomy, obligation, virtue", p. 309.

¹³ A more in depth rendition of this argument can be found in chapter 2 of *The Kantian Imperative*.

14. Kant, AK V, p.29; *CPrR*, p. 26-7.

15. Kant, AK V, p.29; *CPrR*, p. 27.

16. Kant, AK V, p.29-30; *CPrR*, p. 27.

17. Kant, AK V, p.30; *CPrR*, p. 27.

¹⁸ Kant, AK V, p. 74. *Critique of Practical Reason*, ed. Mary Gregor, (Cambridge: CUP, 1997), p. 64. Further references will be to '*CPrR*'.

¹⁹ Again, I explore the full breadth of the importance of humiliation in Kant's work in chapters 3 and 4 of *The Kantian Imperative: Humiliation, Common Sense, Politics*.

20. Kant, AK V, p. 72. *CPrR*, p. 63.

21. Kant, *CPrR*, AK V, p. 73. p. 63.

22. Kant, AK V, p. 74. *CPrR*, p. 64. Kant's description of acting on sensible inclinations as morally inappropriate 'self-conceit' is possible, of course, only by assuming a prior (and theoretically contestable) hierarchical definition of the intelligible world over the sensible world.

23. Kant, AK V, p. 73. *CPrR*, p. 63.

24. Kant, AK V, p. 74. *CPrR*, p.64.

25. Kant, AK V, p. 74. *CPrR*, 63.

26. Kant, AK V, p. 73. *CPrR*, p. 63.

27. Kant, AK V, p. 75. *CPrR*, p. 65.

28. Kant, AK V, p. 77. *CPrR*, p. 66.

29. Nietzsche, *Genealogy of Morals*, trans. Walter Kaufman, (New York: Vintage Books, 1989), Essay II, Section 3.

30. Kant, AK V, p. 77. *CPrR*, p. 66-7.

³¹ George W. Bush in a speech in West Point, New York, June 1, 2002, quoted in the White House statement on the new national security doctrine, *The National Security Strategy of the United States of America*, September 2002, p. 3.

³² I explore the elements of humiliation in much more detail in a working paper titled "You Dissin Me? The Global Politics of Humiliation", presented at ISA 2005, Honolulu.

³³ John Ducat, *The Wimp Factor*, (Boston, Beacon Press, 2004).

34. Nietzsche, *Genealogy of Morals*, trans. Walter Kaufman, (New York: Vintage Books, 1989), Essay II, Section 3.

³⁵ Kant, AK VI, *The Metaphysic of Morals*, ed. Mary Gregor, (Cambridge, CUP, 1996). Further references to this text will refer to it as *MoM*. Kant's discussion of just war issues takes place in Part II, Chapter II of the Doctrine of Right, sections 54-60.

³⁶ Kant, AK VI, p. 347; *MoM*, p. 117.

³⁷ Kant, AK VI, p. 347; *MoM*, p. 117.

³⁸ Kant, AK VI, p. 347; *MoM*, p. 117.

³⁹ Brian Orend's *War and International Justice* is one example of this basic approach.

⁴⁰ Robert Fisk, for example, thinks that this strategy of humiliation is key to the US plan. See, for example, his article "Iraq through the American Looking Glass", *The Independent*, 26 December, 2003.

⁴¹ This is, in fact, essentially Robert Kagan's argument (though he doesn't use these words) when he says that the US has solved Europe's 'Kantian' paradox because the US might (and, I would argue, willingness to humiliate other countries) serves as the (moral) law that creates mutual respect. See Robert Kagan, "Power and Weakness", *Policy Review*, v. 113,

June/July 2003.

⁴² Kant, AK VI, p. 347; *MoM*, p. 117.

⁴³ I discuss Sheriff Arpaio's model of punishment in more detail in the Introduction to *The Kantian Imperative: Humiliation, Common Sense, Politics*.

⁴⁴ Tony Ortega, "Billion Dollar Bad Guys", Phoenix New Times, Sept 24, 1998. Available online at <http://www.phoenixnewtimes.com/issues/1998-09-24/feature.html>; accessed Oct 2, 2003.

⁴⁵ Quoted in Tony Ortega, "Billion Dollar Bad Guys", Phoenix New Times, Sept 24, 1998. Available online at <http://www.phoenixnewtimes.com/issues/1998-09-24/feature.html>; accessed Oct 2, 2003.

⁴⁶ Jane Price Tangney, interview with a Virginia non-profit: Opportunities, Alternatives and Resources of Fairfax Country. Available online at <http://www.oarfairfax.org/News.htm>, accessed March 13, 2003. See also Jane Price Tangney, *Shame and Guilt*, (New York: Guilford Press, 2002).

⁴⁷ Luke Baker, "US hopes to flush out Baathists with Satire", *Globe and Mail*, Monday, August 18, 2003, p. A18.