

# **Universal Moral Grammar and Universal Human Rights: Some Reflections on Cognitive Science and Enlightenment Rationalism**

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## Abstract:

A striking feature of contemporary human rights scholarship is the extent to which it has turned its back on the idea that universal human rights can be grounded in a theory of human nature. Philosophers, social scientists, and political and legal theorists thus frequently assert that the classical Enlightenment project of supplying a naturalistic foundation for human rights is dead. The main purpose of my lecture is to rebut this pervasive skepticism. Drawing on recent work in the cognitive science of moral judgment, I defend the guiding idea of both Enlightenment Rationalism and the modern human rights movement that human beings are moral creatures, who are endowed with a universal moral faculty or conscience. I thereby offer a new perspective on old and venerable arguments about the naturalistic foundation of human rights. This new perspective begins from the observation that whether human beings possess such a faculty is not primarily a philosophical, political, or theological question, but an empirical question that belongs in principle in the cognitive and brain sciences, broadly construed. The confident assertions of various critics notwithstanding, one cannot therefore simply decide the matter from the armchair. On the contrary, relevant and probative evidence as well as sound scientific argument must be brought to bear. This new paradigm also begins from the premise that two of the most significant intellectual events of the past fifty years are the cognitive revolution in the sciences of mind, brain, and behavior and the human rights revolution in constitutional and international law. The former displaced the narrow forms of positivism and behaviorism that dominated academic philosophy and psychology during the first half of the twentieth century and prevented researchers from formulating coherent theories of the distinct and original powers of the human mind that had formed the basis of much Enlightenment jurisprudence, moral philosophy, and political theory. Motivated by the unspeakable horrors of the Holocaust and other familiar atrocities, the human rights revolution in constitutional and international law, in turn, has dramatically extended the reach and application of basic moral and legal precepts to every corner of the globe. The central aim of the lecture is to bring these two movements into fruitful contact with one another by describing how researchers from a variety of disciplines have begun to converge on a scientific theory of human moral cognition that, at least in its broad contours, bears a striking resemblance to the classical accounts of moral philosophy, natural jurisprudence, and the law of nations that reverberate throughout the ages. These classical accounts typically rest on the claim that an innate moral faculty and with it principles of justice, fairness, empathy, and solidarity are written into the very frame of human nature. They were particularly influential during the Enlightenment, when the modern human rights movement first emerged. As I shall endeavor to explain, it is precisely this set of ideas that cognitive science, liberated from the crippling methodological restrictions of positivism, behaviorism, historicism, and other recent intellectual frameworks, has recently begun to explicate and to a substantial extent verify. This new trend in the science of human nature, I will suggest, has potentially profound implications for the theory and practice of human rights.