Evil, Political Violence, and Forgiveness

Essays in Honor of Claudia Card

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LEXINGTON BOOKS
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ROWMAN & LITTLEFIELD PUBLISHERS, INC.
Lanham • Boulder • New York • Toronto • Plymouth, UK

46. Haybron, "Moral Monsters and Saints," 271.

47. See Laurence Thomas, *Vessels of Evil: American Slavery and the Holocaust* (Philadelphia: Temple University Press, 1993), 25–26.

48. See Cleckley, *The Mask of Sanity* and Lykken, *Antisocial Personalities.*

49. See http://www.medicalnewstoday.com/articles/46444.php, last accessed March 17, 2009.

50. See Hannah Arendt, *Eichmann in Jerusalem*; David H. Jones, *Moral Responsibility in the Holocaust: A Study in the Ethics of* Character (Lanham: Rowman & Littlefield Publishers, 1999), pp. 99–228. See also Daniel Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Vintage Books, 1997).

51. Card, *Atrocity Paradigm*, 21.

52. Card, "Legally Innocent Complicity in Evil."

53. Card, *Atrocity Paradigm*, 20 and Card, "Revisiting the Concept of Evil."

54. Card, *Atrocity Paradigm*, 139–165 and "Revisiting the Concept of Evil."

55. John Rawls, *A Theory of Justice* (Cambridge: The Belknap Press of Harvard University Press, 1971), pp. 19–21, and 48–51.

56. See Card, *Atrocity Paradigm*, 139–165; Todd Calder, review of *The Atrocity Paradigm*, by Claudia Card, *Philosophy in Review* 26:5 (October 2006).

57. Card, *Atrocity Paradigm.*

58. For a seminal expression of this view see Immanuel Kant, *The Metaphysics of Morals*, ed. Mary Gregor (New York: Cambridge University Press, 1998), 6:331–6:377, 104–109.

59. For more about retributive arguments for the death penalty, see Robert M Baird and Stuart E Rosenbaum, ed., *Punishment and the Death Penalty: The Current Debate* (Amherst, NY: Prometheus Books, 1995); Hugo Adam Bedau, ed., *The Death Penalty in America: Current Controversies* (Oxford: Oxford University Press, 1997).

60. See for example, Barry Scheck, Peter Neufeld, and Jim Dwyer, *Actual Innocence: Five Days to Execution and Other Dispatches from the Wrongly Convicted* (New York: New Press, 1993).

61. Scheck et al., *Actual Innocence: Five Days to Execution and Other Dispatches from the Wrongly Convicted.*

62. See, e.g., Alfred W. McCoy, *A Question of Torture: CIA Interrogation, from the Cold War to the War on Terror* (New York: Henry Holt, 2006), 196–203.

63. McCoy, *A Question of Torture.*

64. She writes this in her reply to Gershom Scholem's criticism of Eichmann in Jerusalem. See Henry Allison, "Reflections on the Banality of (Radical) Evil: A Kantian Analysis," in *Rethinking Evil: Contemporary Perspectives*, María Pía Lara, ed. (Berkeley: University of California Press, 2001), 86.

65. I would like to thank Claudia Card for her generosity and guidance during my Postdoctoral Fellowship at the University of Wisconsin, Madison. I have gained immeasurably by reading her unpublished work and through conversations with her during that period and beyond. I would also like to thank Andrea Veltman and Kathryn Norlock for their very helpful comments on earlier drafts of this paper.

Chapter Three

Epistemic Aspects of Evil: The Three Monkeys Meet *The Atrocity Paradigm*

Lynne Tirrell

THE THREE MONKEYS: COGNITIVE FAILURE AS MORAL EXCUSE

The Three Monkeys say, "See no evil, hear no evil, speak no evil."[1] The message that a good life is one that avoids evil sets moral purity as an appealing ideal. Such moral purity paradoxically requires more knowledge than the three monkeys concept allows, for to avoid evil, one must perceive it *as* evil, so one must simultaneously see it as evil and somehow fail to see it at all. To see an action as evil, one must see it as culpably inflicting an intolerable harm on another person. Further, to avoid evil, even once one has seen it, requires tremendous control over oneself and one's circumstances, sometimes more than seems humanly possible. Finally, there is the question whether moral purity of the three monkeys kind is actually morally responsible. Claudia Card's analysis in *The Atrocity Paradigm* underlines a message that echoes throughout her work: seeing evil *as* evil compels us to act against that evil, not to simply shut our eyes to it, but to act against it.[2]

The three monkeys problem, simply put, is this: if the monkeys are surrounded by evil, but shield their eyes, stop their ears, and cover their lips, can they really maintain their innocence? Shielding their eyes and covering their ears generates a certain level of chosen ignorance, through active ignoring. Silence is a metaphor for inaction. Self-conscious active ignorance is denial, not innocence, and often it is a form of complicity. Of course silence born from self-imposed ignorance might foster innocence in others, but this is not moral purity; it is an ignorance born of weakness, not strength. The three monkeys problem illustrates the cognitive failure excuse: *I didn't know, so what could I do?* This is the excuse that the United States disingenuously used to claim moral innocence in ignoring the genocide in Rwanda.[3] It is an

excuse individuals use frequently, sometimes justifiably, but often not. If the cognitive failure excuse is sometimes permissible, we need to set the standard high enough to block active intentional cognitive failure of the three monkeys kind, which seems to amount to complicity through inaction and indirection.

In *The Atrocity Paradigm: A Theory of Evil*, Claudia Card presents a harm-centered theory of evil. This paper explores the cognitive dimensions of Card's account, looking first at the ways in which Card's theory provides an excellent account of atrocities, using the 1994 Rwandan genocide as a test case. Atrocities tend to be marked by their severity and extremity, but Card wants us to learn from the clarity of atrocity about the nature of evil *per se*, including chronic evils like severe enduring oppression. The Rwandan genocide was an acute explosion of ferocious devastation; ongoing sexism and racism also diminish and destroy lives, but differently. Toward the end of the essay we'll come back to this question of the application of the atrocity paradigm to chronic systemic harms like sexism.

The three monkeys problem applied in a variety of ways to the experiences of Rwandans prior to the genocide, and it continues to plague as they cope with the aftermath of those experiences. Some Rwandans might join the genocide survivor in Kibuye who said: "To continue to talk about what happened risks infecting your children, who didn't even see it. It's better that they don't hear that there were others who killed with machetes."[4] On the other hand, many Rwandans think such avoidance is impossible, that children will inevitably hear of it, and so they join Rwandan president Paul Kagame, who emphasizes that ignorance, silence, and complicity intertwine. When asked if the focus on the genocide as the defining event for Rwandan history should diminish, Kagame said:

> It must not diminish. It has to stay. But we have to change the way we look at it. . . . I think there has got to be some serious reflection on the question of being rational. But you can't lose focus on the genocide. It has so many implications. It tells us about the past. It tells us about the present. It tells us about the future. It tells us a lot about our country.[5]

Kagame argues against the three monkeys strategy, on the grounds that rationality requires mindfulness of the past.

Epistemic considerations thoroughly shape Card's harm-centered definition of evil. She defines evil as:

> a harm that is (1) reasonably foreseeable (or appreciable) and (2) culpably inflicted (or tolerated, aggravated, or maintained), and (3) deprives, or seriously risks depriving, others of the basics that are necessary to make a life possible and tolerable or decent (or to make a death decent).[6]

The intolerable harm clause sets the framework for the other clauses, but is not itself sufficient for a harm to be an evil; as Card says, "not all intolerable harms produced by human agency are evils, but only those perpetrated culpably."[7] Culpability and foreseeability go hand in hand, marking this as a definition of *moral* evil. Foreseeability respects the perpetrator's agency, showing that the harm done to the sufferer was brought about intentionally and not accidentally. Assessing the action requires asking whether a reasonable person, before the fact, would have been able to understand the nature, magnitude, and manner of the harm the action would impose on its victim. In the case of atrocity, the answer is usually 'yes', except in special cases.[8] Foreseeability sets a standard that shapes culpability. Here Card draws on Aristotle's view of culpable ignorance, which treats the weak as less blameworthy than the vicious and corrupt, and which takes account of what the agent ought to have known, not just what he or she did in fact know. Culpability based on a normative reasonable person standard puts the first two monkeys in trouble. They want to evade moral responsibility by evading epistemic responsibility, but Card blocks this move. Offering a heuristic test, Card asks whether the agent exercised "reasonable reflection and care" about the nature of the harm, about the proposed experience of the other.[9] The monkeys fail this test.

In applying Card's account of evil to the Rwandan genocide, I will use the testimony of both survivors and perpetrators to support, clarify, and extend Card's view. Such testimony is hard to take, but its use in the spirit of Card's work.[10] Attending to the perceptions of agents who survived or inflicted the genocide respects their agency, and allows us to explore the role of cognition on their behavior. Relying on their testimony, while respecting their agency, also closes the geographical and cultural distance between us. David Newbury points out that:

> to many Westerners Rwanda may seem distant, both geographically and culturally. But when we distance ourselves and attribute the genocide to "evil devils" or "uncivilized primitives" we simply excuse (as well as illustrate) our own ignorance. An alternative approach . . . would be to seek understanding. For although we may never fully explain human history, we can never avoid coming to grips with it, and therefore we need to seek to understand it.[11]

Survivor testimony does not justify treating the perpetrators as if they were overcome with madness, and although some survivors worried about their own sanity in the face of their experiences, I will also assume that in general they remained rational agents. Facing their experience will help us overcome our tendency toward self-protective ignorance. Just as Audre Lorde said that her silence did not protect her, and urged us to see that our silence would not protect us, we must fight the other two monkeys as well, and open our eyes and ears to a wide range of human experiences.[12]

II. CULPABLE INTOLERABLE HARMS: RECOGNITION AND FORESEEABILITY

One friendly amendment I would add to Card's account is the concept of *recognition harm*, which I think is the fundament of evil. A recognition harm is a failure to recognize and treat another human being as a person, stepping beyond the moral pale in the case of genocide, but occurring with more subtlety in everyday life under oppression. This concept is a friendly amendment to Card's view, because she says that evils "manifest a lack of respect for humanity and for basic freedoms,"[13] and elsewhere she emphasizes social death as the heart of genocide.[14] Recognition harms are those harms that call forth the lament "how *could* you?" and to which the answer "I didn't know better" is unthinkable, boomeranging back to showcase the perpetrator's own inhumanity. In some cases recognition harms seem presupposed by the deed, in others they seem constitutive of the deed, and in others they seem to be its consequence. Recognition harms are manifest in behavior, but their inherent nature is cognitive and epistemic.

My concern with epistemic aspects of Card's account might seem misplaced, because she says, "it is the *harm*, rather than the culpable wrongdoing that distinguishes evils from other wrongs."[15] Still, the harm must be seeable, imaginable, and comprehensible. Keep in mind that *seeable* does not mean *seen*, so someone who covers their eyes to avoid seeing what is seeable has not evaded Card's criterion. Evil, understood as "foreseeable intolerable harms produced by culpable wrongdoing," involves an interplay of moral and epistemic dimensions. The effect of the perpetrator's actions on the life of the other must be foreseeable, by any reasonable person, in order for the action to count as evil. This sets an epistemic standard, well met by most in the Rwandan genocide. Such dramatic harms were foreseeable, intolerable, and many if not most participants *wanted* to inflict these intolerable harms on the Tutsis. Total destruction of the group, as efficiently as possible, was the goal.[16] Complete disregard for the dignity and humanity of the victim is seen in the common practice of inflicting blows that were fatal but not immediately so. In the name of efficiency, killers would leave the victims to die a slow, painful, and inevitable death instead of finishing them on the spot. This mercilessness shows no recognition of the victim's humanity. To see the victim as a person would be to see such harm as intolerable, and thus would prohibit both the mortal wounds and the abandonment.

On Card's view, an evil perpetrator fails to appreciate the basic right of each person to a tolerable life, including death with dignity. A tolerable life is "at least minimally worth living for its own sake and from the standpoint of the being whose life it is, not just as a means to the ends of others."[17] This draws on Kantian principles; a tolerable life allows one to maintain one's personhood. Persons are beings worthy of basic respect, whose life activities (projects) involve domains, which are and ought to be protected from interference. Borrowing from Shafer's & Frye's analysis of rape, we can see that a tolerable life leaves one's legitimate domain intact and at one's own disposal.[18] To accomplish evil, perpetrators often cultivate the cognitive failure of not seeing a person as a being to whom a tolerable life is owed; they do this through propaganda and willfully ignoring evidence right before their eyes. Willful ignorance, of the three monkeys kind, has no effect on foreseeability, only on what is actually foreseen, and Card is right to eliminate it as a moral excuse. Such willful ignorance is a moral failure, one that sets the stage for inflicting basic harms.[19]

Card defines basic harms as deprivations that "would render anyone's life, or a significant portion of it, intolerable";[20] at their worst, they are such as to destroy a human being's prospect of living life *as a person*. We can distinguish abstractly between what is tolerable and what is tolerated, reminding ourselves of Mill's distinction between what is desired and what is desirable. As Card points out, paradoxically, people tolerate the intolerable every day. So there must be some kind of implicit normative baseline at work here. The baseline can be seen with a look at a few basic harms Card specifies: constant pain, loss of a sustaining environment,[21] severe and prolonged immobility, severe and prolonged isolation, and "the deprivation of the bases for self-respect and human dignity (including death with dignity)."[22] The baseline, on Card's view delimited by basic harms, sets the minimal domain that marks personhood.

The Rwandan genocide illustrates each of these basic harms. Consider isolation. Berthe Mwanankabandi, a survivor, observes that "the genocide drives toward isolation those it did not drive toward death."[23] Many survivors talk about a sense of deep and abiding isolation, isolation not just from non-survivors, but a true sense of being alone with oneself. Innocent Rwililiza says that "We survivors have become more foreign, this in our own land we never left, than all the foreigners and expatriates who look on us with worried eyes."[24] Genocide differs from mass murder, which could be random, because it attacks a person as a member of a group that has been designated for destruction. The idea of the action is part of the action, and lingers in its moral residue for years to come. Christine Nyransabmana, who was a child in the fifth grade in 1994, the daughter of a Tutsi father and a Hutu mother, says, "genocide surpasses war, because the intention endures forever, even if it is not crowned with success."[25]

The fact that one can "read" culpability off of basic harms, because it is so obvious that *anyone* ought to know better, shows something about what basic harms have in common, what makes them basic. This underlying feature is recognition harm, failure to recognize a person as a person, which is an epistemic harm presupposed by and sometimes constitutive of the kinds

of intolerable harms that constitute evil. Not all recognition harms are evil, but all evils involve recognition harms. When the bureaucrat on the telephone acts like a machine and treats you like one, it is not clear that this is evil, but it is a recognition harm. When a Hutu brutally hacks a Tutsi, leaving her to die for three days in the mud, that is an evil that stems from failure to respect and recognize her humanity.[26]

In addition to the *type* of deprivation evil imposes, Card urges us to consider its magnitude, manner, reversibility or irreversibility, and compensability. Material losses can be compensated, but the genocidal aspects of the losses suffered by the Tutsi have reshaped the living of their lives, under the shadow of the lingering intent of the génocidaires to wipe out all Tutsi. Most survivors report a fundamental loss of faith in people, an inability to find joy in living, trouble thinking about both the past and the future, and find themselves stuck in an almost timeless present, rendered timeless by their own enduring fears. Jeanette Aiyinkamiye, who was eleven years old while hiding in the marshes in the summer of 1994, says, "In truth, I do not feel comfortable with life. I cannot think beyond the present."[27] Jean-Baptiste Munyakore was a schoolteacher in his fifties when the genocide broke out. He says "I lead a life of no interest to me anymore. At night, I go through a life all too peopled with the many dead of my family, who as killed folk talk amongst themselves, and who ignore me and do not even look at me anymore. During the day, the pain of solitude is of another kind."[28] Some survivors report a sense of fragmentation: there is the self before, the self during, the self now, and a loss of sense of what a future self might become.[29] The magnitude of the harm inflicted in such an atrocity is extreme, the manner is heinous, and most of the damage is irreversible and impossible to compensate. Farms and property can be restored, but not lost family, lost friends, and too often, not lost faith. For those who are personally touched, the lessons of genocidal evil cannot be unlearned, only managed.

Card is sensitive to the power of evil to extend beyond the immediate action into ongoing relationship to one's own life; she says that "loss of the opportunity to live out a meaningful life can be a major harm."[30] Of course it is notoriously difficult to give a positive account of what a meaningful life is, but in real life cases we can see when meaning has been lost. Angelique Mukamanzi, a Tutsi teenager at the time of the genocide, dreamed of "a beautiful career;" she says: "I studied diligently . . . I was very well regarded by the boys, life seemed good."[31] Angelique continues,

> Before the war, I had decided to turn away from village life, as I cherished studying so much. If the genocide had not overwhelmed us, perhaps I would have passed the national exam, I would have clinched my diploma in law, and I would be dressed in lawyer's robes in a private practice in Kigali. But today I am twenty-five years old. *All I can see are obstacles to my life, marshes around my memories, and a hoe holding out its handle to me.* I do not know which way my head should turn to find a husband anymore . . . I have forgotten the fantasy of love.[32]

Her lament is not simply that she has traded law books for a hoe, or that she is alone without a life partner, but that she has lost hope for a future that is more than survival. The point is not that a farmer's life has less meaning than a lawyer's life, but rather that the meaning of Angelique's life before the genocide was self-improvement as settled by her own values, and that prospect and its process are lost to her now. Angelique's lost prospects and Card's view of intolerability illustrate Beauvoir's claim, in the midst of her analysis of oppression, that "Life is occupied in both perpetuating itself and in surpassing itself; if all it does is maintain itself, then living is only not dying, and human existence is indistinguishable from an absurd vegetation."[33] The immediate harms of the genocide were heinous, but the lingering harms breed isolation and despair.

III. PERPETRATORS: INTENT, PROXIMITY, AND CULPABILITY

Card's analysis is sensitive to complex social evils, which she addresses primarily as institutional evils, acknowledging that because "people who participate in an institution do not all have the same knowledge or ability to foresee or confront the same options, some participants may be evil and others not."[34] There were at least three levels of involvement amongst perpetrators of the genocide: planners, willing participants who understood the nature of the harms they inflicted, and minimalists—the reluctant who tried to do as little as possible, for whom their own survival was an issue. Clearly those who wielded machetes knew that they were killing their neighbors, even if they did not plan the genocide and took no leadership roles. Their testimony shows that they knew that the goal was the complete eradication of the Tutsis, and that they thought they would succeed. They almost did. If indeed they decided that Tutsi are less than human, but that should increase, not decrease, their moral culpability.

Levels of knowledge of the nature and extent of the harm inflicted matter to our assessments of moral culpability. Most planners probably count as diabolical, according to Card's definition, because of their foreknowledge and their intent, but also importantly because of what they did to the choices of others. Card says that diabolical evil

> consists in placing others under the extreme stress, even severe duress, of having to choose between grave risks of horrible physical suffering or death (not

necessarily their own) and equally grave risks of moral compromise, the loss of moral integrity, even moral death.[35]

Hutu planners put Hutu minimalists into a gray zone; their plan was totalizing, creating a situation in which everyone had to be involved, actively or in a support role, or die. For those who understood and wanted to reject the big picture, the decision to compromise and participate, was to risk what Card calls "moral death." This creation of morally untenable positions is part of the evil for which the planners are responsible.

Failure to engage in reasonable reflection is culpable, but someone intent on harm or its outcomes usually will resist such reflection, for it requires an exercise of the moral imagination, to see the action through the experience of the other, the victim. This exercise of the moral imagination may be one reason Card centers her account on the experience of the victim or survivor.[36] The cognitive distortions that permit and encourage genocidal harms are not accidental; they are intentional on the part of planners, and in many cases require from others complicity born of self-interest. The three monkeys apply here. The result of such complicity can be a kind of widespread mystification, and mystification undermines moral rectitude.

Those responsible for the broadcasts inciting genocide clearly had foreknowledge of the damage they were doing, but the average unemployed Hutu youth was undereducated and manipulated. Further, the culture of obedience is strong in Rwanda. Speaking about the early anti-Tutsi broadcasts of RTLM, Monique Mujawamariya, says, "I had a lot of worries after listening to the programs because in Rwandan culture, words kill more quickly, and more efficiently, than weapons. Our people are not very well educated, so I was afraid how this propaganda would affect them."[37] Mujawamariya does not seek to excuse them, but points out the power of mystification when background ignorance leaves people with few defenses.[38] Propaganda offers tools to become the first two monkeys, refusing to see evil as evil, refusing to see persons as persons, and these two cognitive failures facilitate participation in evil practices. Whatever one's education level, skeptical questions remain about whether one sees persons *as* persons, whether one has drawn the moral map rightly, whether one's actions are causing irrevocable recognition harms. Even amongst the well educated, mystification and group-think can promote complicity in evil. Card suggests most people make these same sort of failures about animal rights and animal welfare. We must not see the example of the atrocity of the Rwandan genocide as so extreme as to fail to apply to our own daily lives. The challenges for moral epistemology apply much more broadly and begin with designations of difference, which leads us to the third monkey: *speak no evil.*

Using difference to rationalize harm is common in racial, ethnic, and sexist propaganda and in wartime propaganda.[39] Adalbert Munzigura, the head of a death squad, explains how increasingly derogatory terms for the Tutsi shaped perceived permissibility for the slaughter:

> When we spotted a small group of runaways trying to escape by creeping through the mud, we called them *snakes*. Before the killings we usually called them *cockroaches*. But during, it was more suitable to call them *snakes*, because of their attitude, or *zeros*, or *dogs*, because in our country we don't like dogs, in any case, they were less-than-nothings.
>
> For some of us, those taunts were just minor diversions. The important thing was not to let them get away. For others, the insults were invigorating, made the job easier. The perpetrators felt more comfortable insulting and hitting crawlers in rags rather than properly upright people. Because they seemed less like us in that position.[40]

To see the Tutsi as fundamentally persons would make the daily work of hunting them impossible, would take away the prospect of stealing their property, and establishing a new social order without their competition. The killers report bracketing these practical reflections through their immersion in this falsified worldview in which Tutsi were snakes and "crawlers in rags."

Proximity has epistemic consequences. The violent, up-close process of killing in Rwanda had a complex cognitive impact on both killers and survivors; all mention the horror of death by machete. One expert on the psychology of killing says, "As the range between perpetrator and victim decreases, however, killing becomes increasingly difficult—becoming most difficult in edged-weapons and hand-to-hand combat range."[41] Élie Mizinge, in prison for his part in the Nyamata killings, agrees, saying "killing with a gun is game compared to the machete, it's not so close up."[42] Proximity undermines mystification, making it harder to inflict basic harms. Recognition of shared humanity imposes normative demands that preclude such harms. Why, then, should the killers use weapons that are both physically and psychologically such hard work? Practical reasons include that machetes are cheap and easy to distribute, the killing force was young and strong, and as Élie Mizinge explains "The Rwandan is accustomed to the machete from childhood. Grab a machete—that is what we do every morning. We cut sorghum, we prune banana trees, we hack out vines, we kill chickens . . . Whatever the job, the same gesture comes naturally to our hands."[43]

Proximate and brutal killings have a different kind of epistemic power; a Tutsi survivor explains his view that "they cut and mutilated Tutsis to take from them all that was human and thus kill them more easily."[44] The proximity and brutality of the process, which would seem to impose recognition, in fact, paradoxically, reinforced failed recognition.[45] Failing to see Tutsis as human

enabled the killers to kill more efficiently, enabling them to think of hunting Tutsi in the marshes as "a grubby job," and more challenging and more profitable than farming.[46] Léopord Twagirayezu, a cell leader in the genocide, thinks back to the first killings and says "at the time of those murders I didn't even notice the tiny thing that would change me into a killer."[47] The killers tend to deny being haunted by the visions of what they have done, but evidence indicates that later they were effected more than they admit.[48]

Returning to Card's test question for culpability, "reasonable reflection and care" about the nature of the harm from the perspective of the other, it is obvious that the Rwandan killers actively resisted looking at their actions from a Tutsi point of view. Ignace Rukiramakumu says: "At first we were too fired up to think. Later on we were too used to it. In our condition, it meant nothing to us to think we were cutting our neighbors down to the last one. It became a goes-without-saying."[49] With startling honesty, another killer analyzes his experience of the power of seeing himself, both literally and metaphorically, in the eyes of his victim. Pancrace Hakizamungili says,

> Still, I do remember the first person who looked at me at the moment of the deadly blow. Now that was something. The eyes of someone you kill are immortal, if they face you at the fatal instant. They have a terrible black color. They shake you more than the streams of blood and the death rattles, even in a great turmoil of dying. The eyes of the killed, for the killer, are his calamity if he looks into them. They are the blame of the person he kills.[50]

This did not stop Pancrace from killing, but it did teach him not to look his victims in the eye. Proximity can be an antidote to mystification, but brutality sets the price of that lesson too high. Failure to recognize the other as a person facilitates evil, and perhaps Pancrace shows us that evil further facilitates failure to recognize the other as a person. Pancrace exemplifies the first monkey, See-no-evil, *in extremis*. His self-protective cognitive failures cannot mitigate his moral responsibility; he knew what he was doing, and then chose not to think about it.

We have a tendency, from the distances of time and place, to see the Rwandan genocide in absolutist terms. The horror of the victims demands it. It is impossible to hear their stories without engaging the moral imagination, and the weight of such engagement is overwhelming. Even perpetrators know that what they did defies the powers of imagination; scale matters.[51] Survivor testimony reveals that the killings were very personal, made intimate by proximity of perpetrators to their victims combined with the fact that usually they knew each other. Further, the ways in which the killings were conducted—the brutality, proximity, and systematicity of them, their inescapability, the slowness of the deaths—all this makes us want to further distance

ourselves by finding some kind of underlying fault in the perpetrators, who must either be mad or moral monsters. If we can see them this way, we convince ourselves that we need not fear such events at home, and we avoid the question "what would you do?" We can join the three monkeys. Lack of education and economic despair of young Rwandans certainly contributed to their acceptance of Hutu extremist propaganda, but this cannot be the whole story, because even educated and employed Hutus took part. Card's theory reinforces Arendt's view that evil is banal, that it is embedded in everyday practices and that it is too often carried out by people who just see what they are doing as 'doing their jobs.' Even the Hutu killers looked at what they were doing as a job, a very profitable job in fact.

IV. MYSTIFICATION AND SYSTEMIC EVIL

Thinking about the banality of evil, one tends to think of situations in which participants in an evil system make it operate by making the trains run on time, by making sure machetes are distributed, by doing other things which in a different context would not be evil at all. Face-to-face heinous murders and mutilations do not fit Arendt's concept. Bear in mind that some evils are acute, others are chronic. In Rwanda, a society imploded upon itself, leaving over 800,000 Tutsis and moderate Hutus brutally murdered, mostly by machete blows, mostly by people they knew. In Rwanda today, tens of thousands of women are living with AIDS and raising children born of rape, and an estimated 1 million children are orphaned or otherwise at risk. Rwanda's social infrastructure was destroyed, setting the stage for further evils.

To compare an acute brutal situation like this to the chronic sexism endemic to American society seems unseemly, exaggerated, perhaps even opportunistic. Nevertheless, such a comparison need not arrogate the suffering of Rwandans to our own, and need not claim parity. Card warns us that trying to rank evils engenders disrespect, especially from the victim's perspective: "For the individual, intolerable is intolerable."[52] Keeping in mind that chronic evils do deep and widespread damage, Card holds that the core elements of the atrocity paradigm should apply to systematic enduring oppression. Focusing on the harm done, Card explains that

> The atrocity theory of evil lends support to the kinds of feminism and other social justice or liberation movements that target severe oppression. Severe oppression is a paradigm evil . . . The oppressed—a people, a group, individuals—survive—but with severely diminished potentialities. As Frye notes, they are caught between opposing social forces in such a way that they are in the wrong, and they lose, no matter what they do.[53]

Later, Card invokes the core concepts of her theory more explicitly:

> To find misogynist environments evil, on the atrocity paradigm, is to find that they are also the product of culpable wrongdoing and that the hindrance they pose to female health and development deprives females of what is basic to a tolerable existence.[54]

This requires looking at women's lives to see whether we are consistently and predictably subject to basic harms. Empirical research shows that we are. The culpable wrongdoing criterion asks: should those who participate in the system know better? There is no single answer for all participants, because, like the genocide case, some have the power to make the harms unforeseeable to others. This is the power of mystification.

Remember that in addition to the *type* of deprivation evil imposes, Card urges us to consider its magnitude, manner, reversibility or irreversibility, and compensability. This is where sexism seems unlike genocide—it seems the manner and magnitude are different, that the harms of sexism might be reversed and compensated. This is both plausible and suspect, for the following reasons. First, we must not underestimate the magnitude of the harms against women. Amnesty International reports, for example, that in the United States, a woman is raped every 6 minutes, a woman is battered every 15 seconds; in China each year, more than 15,000 women are sold into sexual slavery; in India, approximately 7,000 women a year are killed by their families in dowry disputes. The World Health Organization reports that, annually, about 5,000 women are murdered by family members in the name of honor.[55] In terms of manner, under patriarchy, most harms to women are diffused and mystified; the terrorism that Card so eloquently teaches us to see *as terrorism* is a case in point.[56] Tutsis did not have to be taught to see their assaults as assaults, because the mystification of their society was less complete. That women still need to be taught that sexual harassment is a basic harm, that incest is not a personal failure, that rape is a macroscopic problem, not an individual lapse in self-protection, that we need to learn these things is evidence of the thoroughgoing hegemony of a patriarchal world view in which women's status as a person has not yet fully caught hold, even amongst women. Finally, the diffuseness of these harms also holds out the possibility of reversibility and compensability. Some of the harms against women can be reversed, not in the sense of undone, but in the sense of *overcome*. Such overcoming would only be a reversal if it brings strengthened resolution, both epistemic (as in a clearer picture) and moral (being resolved to move forward in one's life). Some of our experiences under patriarchy do lead to greater epistemic and moral resolution, which is why Gloria Steinem could say (years ago) that women get more radical with age.[57] Patriarchal mystification tends to be most successful on younger women.

I want to end with a little puzzle. Card's analysis of atrocity as a paradigm for understanding evil is excellent, as I hope I have shown by applying Card's theory to the Rwandan genocide. When applied to a systemic evil like sexism, particularly if it is well-ordered sexism, then we have trouble with the foreseeability and intolerability conditions because of the power of mystification. If mystification *really* convinces most people that men and women have distinct natures, that dominance is inherent to men's natures and submission is natural to women, that certain kinds of treatment follow from those natures, and so on, then how is it foreseeable that women subordinating their needs to men's leads to intolerable lives, intolerable and yet tolerated. This leaves us with three logical options: (1) limit the application, (2) change the conditions, or (3) change the analysis of the widespread enduring systemic evil. I think Card has given us good reason to take the third option. The change indicated by attention to *The Atrocity Paradigm* would be to include actions that tamper with foreseeability as part of the evil that widespread enduring oppression causes. This would emphasize gray zones, and cast the strongest aspersions on those who establish and enforce those zones, while responding to those within them with a measure of compassion.

Sexism is institutional and chronic; its mystification compromises not just what is foreseen but foreseeablity for many of those whose actions maintain the system. The more widespread and enduring the evil is, the harder it will be to see it *as* evil, because the harms will have become construed as natures via a self-perpetuating social construction process. Mystification hides both the costs of compliance and benefits of deviance, and it co-opts the oppressed into maintaining the system. Card is keenly sensitive to this issue, and develops it in detail in her discussion of gray zones. She says,

> Perhaps the greatest danger threatening victims of oppression is that of becoming evil themselves. Knowingly to enlist others in their own severe oppression or murder and in the betrayal, oppression, or murder of those they love is as diabolical an evil as I can imagine.[58]

To avoid cooptation, one needs to fight mystification. What does it take to see sexism as sexism, to see evil as evil? Card says: "Avoiding or ceasing such complicity can require more alertness, habits of reflection, loss of innocence, sensitivity to risks—not to mention moral imagination, creativity, and courage—than most young people have."[59] Feminist consciousness, Sandy Bartky says, involves "resistance, wariness, and suspicion,"[60] because "the very meaning of what the feminist apprehends is illuminated by the light of what ought to be."[61] Feminist vision is both normative and ontological, involves seeing oneself as victim because one sees oneself beyond victimization, sees oneself *as* a person in a way that others too often do

not. Card's emphasis on harms to victims, resistance to evil, and avoiding complicity are shaped by the depth of her feminist ethics. I want to emphasize the challenge of what Card has laid out here for avoiding complicity in gray zones: this beautifully spare list—"alertness, habits of reflection, loss of innocence, and sensitivity to risks"—actually encompasses tremendously painful work that brings with it insights that are both damaging and liberating, causing a person to change utterly in the face of an awakened dual vision of the world as it is and as it should be. This challenge is both epistemic and moral. It is exemplified in the dual apprehension of women as damaged under patriarchy while simultaneously creatively imagining healthy women's lives, an apprehension that feminists have been developing for the last 40 years, at least. Card's work on feminist ethics, brought to culmination in *The Atrocity Paradigm*, demands that we not flinch from hard truths, but also demands that we do the work to see what *is* in light of what *ought to be*. Claudia Card teaches us that we must continue to name the evils that we see and resist the forces of mystification, continuing the important feminist work of fostering alertness, habits of reflection, moral imagination, creativity, and courage in ourselves and in others.[62]

NOTES

1. The three monkeys are a Japanese cultural symbol, dating back at least to the Muromchi period (1333–1568), but possibly imported to Japan from China in the 8th century. The monkeys are a visual pun, a play on the original Japanese words 'mizaru, kikazaru, iwazaru' which mean "Don't hear, don't see, don't speak." The monkeys are thought to symbolize a religious principle: whoever does not hear, see, or speak evil, shall be spared all evil. Of course the people of Rwanda who ignored the warning signs of growing ethnic division would argue that no one there was spared the evils that ensued.

2. Claudia Card, *The Atrocity Paradigm: A Theory of Evil* (New York: Oxford University Press, 2002).

3. Lynne Tirrell, "Promises, Apology and the Politics of Reconciliation," presented to Pathways to Reconciliation and Global Human Rights, Sarajevo, 2005, sponsored by the United Nations Development Program in BiH, and The Globalism Institute of RMIT University, AUS. Sarajevo, Bosnia Herzegovina, August 16-20, 2005.

4. Timothy Longman and Théonèste Rutagengwa, "Memory, Identity, and Community in Rwanda," *My Neighbor, My Enemy*, eds. Eric Stover and Harvey M. Weinstein (Cambridge: Cambridge University Press, 2004), 162–182, esp. 174–175.

5. Philip Gourevitch and Paul Kagame, "After Genocide" (interview), *Transition* 72 (1996): 162–194, esp. 194.

6. Card, *Atrocity Paradigm*, 16.

7. Card, *Atrocity Paradigm*, 55.

8. Such special cases would involve grave cognitive limitations. Still, it is hard to imagine that someone could know enough to participate without having the cognitive skill to see the harm.

9. Card, *Atrocity Paradigm*, 56.

10. See, for example, *The Atrocity Paradigm*, 227: "I prefer to respect the perceptions of agents who have actually confronted gray areas." We tend to treat the Rwanda genocide as not-gray, because the killings were so personal and so heinous, neighbor against neighbor, and because the line of demarcation between victim and perpetrator seems so clear. That is not really the point here; what matters is that survivor testimony should guide us. Of course one must keep a keen eye for distortions of memory, as these survivors themselves often warn. See also Claudia Card, "Genocide and Social Death," *Hypatia* 18:1 (2003): 63–79.

11. David Newbury, "Understanding Genocide," *African Studies Review* 41:1 (April 1998): 73–97, esp. 97.

12. Audre Lorde, *Sister/Outsider* (Trumansberg: Crossing Press, 1984), 41.

13. Card, *Atrocity Paradigm*, 48.

14. Card, "Genocide and Social Death."

15. Card, *Atrocity Paradigm*, 102, emphasis added.

16. The Rwandan genocide is a special case in that Hutu and Tutsi were not clearly different cultural or ethnic groups; this contrived history was manipulated by Belgian constructions imposed in the 1930s and carried forward in policies and by identity cards issued in 1931 which were in continued use until 2003.

17. Card, *Atrocity Paradigm*, 16.

18. Carolyn Shafer and Marilyn Frye, "Rape and Respect," *Feminism and Philosophy*, eds. Mary Vetterling-Braggin, Jane English, and Frederick Elliston (Lanham: Rowman & Littlefield, 1977).

19. When such an error is not willful, but when one has become the victim of such propaganda, if the mystification process is nearly totalizing, then the question of cognitive culpability is more complex. As *ability* to see the truth diminishes, so does culpability.

20. Card, *Atrocity Paradigm*, 63.

21. On fleeing into the marshes, because the interahamwe had taken over the hills, Claudine Kayitesi says "We knew about the marshes by reputation. We had never gone there before because of the mosquitoes, snakes and the mistrust they cast as far as the eye can see. That day, without slowing our pace a single step, we belly-flopped into the mud" (Hatzfeld, *Into the Quick of Life*, 142). Their fear of the marshes was reasonable, not least because of the malaria-carrying mosquitoes.

22. The genocide's pace led to widespread *indecent deaths*, marked not only by the processes of killing, but also by leaving corpses unburied, or stuffed in latrines or ditches, or thrown into the river. (Gourevitch and Kagame, "After Genocide.")

23. Jean Hatzfeld, *Into the Quick of Life: The Rwandan Genocide: The Survivors Speak*, translated by Gerry Feehily (London: Serpent's Tail, 2005), 136.

24. Hatzfeld, *Into the Quick of Life*, 83.

25. Hatzfeld, *Into the Quick of Life*, 105.

26. Hatzfeld, *Into the Quick of Life*, 13–18.

27. Hatzfeld, *Into the Quick of Life*, 16.

28. Hatzfeld, *Into the Quick of Life*, 50. See also Jeanette Ayinkamiye's remarks: "Now we scratch the earth on our plot. We prepare food, laughing when we can, to bring the children closer to cheerfulness. But we no longer celebrate birthdays, because this pains us too much and it costs too much money. We never row, not even once by chance, because we cannot find a how or a why" (Hatzfeld, *Into the Quick of Life*, 14).

29. Hatzfeld, *Into the Quick of Life*, 83.

30. Card, *Atrocity Paradigm*, 63.

31. Hatzfeld, *Into the Quick of Life*, 54.

32. Hatzfeld, *Into the Quick of Life*, 58–59, emphasis added. Life expectancy in Rwanda for women in 2005 is 39.7 years. See: Global Virtual University, http://globalis.gvu.unu.edu/indicator_detail.cfm?IndicatorID=117&Country=RW, last accessed March 8, 2009.

33. Simone de Beauvoir, *Ethics of Ambiguity* (New York: Citadel Press, 1948), 82–83.

34. Card, *Atrocity Paradigm*, 21.

35. Card, *Atrocity Paradigm*, 212.

36. See Card, *Atrocity Paradigm*, 34 ff, for a discussion of moral imagination and developing perspectives.

37. Dina Temple-Raston, *Justice on the Grass: Three Rwandan Journalists, Their Trial for War Crimes, and a Nation's Quest for Redemption* (New York: The Free Press, 2005), 162.

38. Longman and Rutagengwa report that "While the current regime sees ideology as a key factor that inspired popular participation in the genocide, the people we interviewed saw the genocide as an affair more of the elite, with people participating primarily out of fear and ignorance" ("Memory, Identity, and Community in Rwanda," 169).

39. Modern patriarchal propaganda about women also promotes differences that rationalize disparate treatment—if men are from Mars and women are from Venus, then mutual understanding becomes elusive. As a parallel to the institutions of sexism, there are two striking similarities between the Rwandan genocidal murders and the treatment of women under patriarchy. One is the use of propaganda to facilitate disparate treatment, and the second is the proximity between assailant and victim. Rape is a close-up crime; so is murder by machete.

40. Jean Hatzfeld, *Machete Season: The Killers in Rwanda Speak*, translated by Linda Coverdale (New York: Farrar, Straus & Giroux, 2005), 132, emphasis added.

41. Lt. Col. Dave Grossman in his *On Killing: The Psychological Cost of Learning to Kill in War and Society* (Boston: Back Bay Books, 1995), as quoted in James Waller, *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing* (New York: Oxford University Press, 2002), 236.

42. Hatzfeld, *Machete Season*, 24.

43. Hatzfeld, *Machete Season*, 37.

44. Hatzfeld, *Into the Quick of Life*, 81.

45. The process is dehumanization: Susan Sontag writes that war is wrong because, "as Simone Weil affirms in her sublime essay on war, 'The Iliad, or the Poem of Force,' *violence turns anybody subjected to it into a thing*." Susan Sontag, *Regarding the Pain of Others* (New York: Picador, 2004), 12, emphasis added.

46. Hatzfeld, *Machete Season*, 65.

47. Hatzfeld, *Machete Season*, 27.

48. E.g. Hatzfeld, *Machete Season*, 148–164.

49. Hatzfeld, *Machete Season*, 47.

50. Hatzfeld, *Machete Season*, 21–22.

51. Hatzfeld, *Machete Season*, 193.

52. Card, *Atrocity Paradigm*, 15.

53. Card, *Atrocity Paradigm*, 99.

54. Card, *Atrocity Paradigm*, 219.

55. http://www.amnestyusa.org/violence-against-women/stop-violence-against-women-svaw/page.do?id=1108417

http://www.who.int/mediacentre/factsheets/fs239/en/, last accessed March 19, 2009. Catharine MacKinnon's book *Are Women Human?* makes the case that damage to women's bodies and lives shows evidence of a war on women (Cambridge: Harvard University Press, 2007).

56. Claudia Card, *The Unnatural Lottery: Character and Moral Luck* (Philadelphia: Temple University Press, 1996), Chapter 5.

57. Gloria Steinem, "Why Young Women Are More Conservative," *Outrageous Acts and Everyday Rebellions* (New York: Henry Holt, 1995), 229–237.

58. Card, *Atrocity Paradigm*, 217.

59. Card, *Atrocity Paradigm*, 217.

60. Sandra L. Bartky, "Toward a Phenomenology of Feminist Consciousness," Chapter 1 of *Femininity and Domination* (New York: Routledge, 1991), 21.

61. Bartky, "Toward a Phenomenology of Feminist Consciousness," 14.

62. This paper was presented April 15, 2006, at Cardfest, a Conference in Honor of Claudia Card, at the University of Wisconsin, Madison, and May 2006 at The Workshop on Gender and Philosophy (WOGAP), at MIT. I am grateful to participants of these events as well as Bob Shope, Rick Lippke, Robert Gakwaya, Romain Rurangirwa, Kate Norlock, and Andrea Veltman for their insightful comments on earlier drafts of this paper.