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JUSTICE AND IMPERSONALITY : SIMONE WEIL ON RIGHTS AND OBLIGATIONS

Steven BURNS

RÉSUMÉ : Simone Weil explore le concept de justice en prenant pour point de départ le cri de la victime innocente. Elle prend soin de distinguer cette capacité de reconnaître l'injustice, qui est partagée par tous les êtres humains et est la base de l'égalité, de cet autre cri : « Pourquoi quelqu'un d'autre a-t-il plus que moi ? » Ce dernier énoncé appartient, selon elle, à un niveau inférieur du discours où l'on trouve les rapports marchands, les enjeux « personnels » et surtout les droits. L'auteur distingue ici cette conception de la justice de celle de John Rawls, et examine l'idée selon laquelle les « droits » sont relatifs et subordonnés à « l'obligation ».

SUMMARY : Simone Weil explores the concept of justice by making the innocent cry of the victim her starting point. She is careful to distinguish this capacity to recognize injustice, which is shared by all humans and is the basis of our equality, from the cry : "Why has somebody else got more than I have ?" The latter, she maintains, belongs to a lower realm of discourse where we find commercial bargaining, concern for matters of personality, and most importantly the concept of rights. The author contrasts her concept of justice with that of John Rawls, while examining her argument that "right" is a relative concept and subordinate to "obligation".

It is fifty years since the death of Simone Weil. This is an anniversary that deserves to be celebrated. She is one of the rare people of real genius in the first half of our century. A recently-published book by Peter Winch sets a new standard in the appreciation of her thought.¹ He sets out the philosophical arguments which underpin the religious and political thought for which she is best known. In this essay I try to continue his work by exploring the most striking, foundational aspect of her theory of justice, her concept of the impersonal.

Simone Weil (1909-1943) was born in Paris, and was a fellow student with Jean-Paul Sartre and Simone de Beauvoir. Their philosophy professor, Alain, described

1. Peter WINCH, *Simone Weil : "The Just Balance"* (Cambridge : Cambridge University Press, 1989).

Weil as “far superior to the rest of her generation”.² For some time she was a teacher of philosophy, then in order to understand industrial working conditions she worked for a year on the Renault automobile assembly-line.³ Albert Camus was responsible for having several of her essays published. She fled the Nazi occupation of France, but died in England in 1943, aged 34.

Weil was an exceptional personality, what one might call an intellectual saint. On one hand she writes with authority about ancient Pythagorean metaphysics and contemporary Marxist political theory, about the history of mathematics and physics (including relativity and quantum theory), and about political legitimacy in mediaeval France. On the other hand her self-sacrifices, and her witness to a love which transcends human rationality, express a profound religious understanding.⁴ She has been called a saint by George Grant, who wrote passionately in her defense not long before he died. By “saint”, he tells us, he means one of those “rare people who give themselves away.”⁵

This very brief biography is sufficient to sketch a paradox, the paradox of a thinker whose personality was extraordinary, but who claimed that impersonality is the essence of justice. This claim is paradoxical in another way, for we ordinarily dread whatever is impersonal, and we think of justice in terms of personal rights and freedoms. Nonetheless, Weil insists that justice demands the *impersonal*. Granted, it is not new to say that justice must be blind, or that its principles are to be chosen from behind a “veil of ignorance”, or that it must be dispensed fairly and equally, “without regard to persons”. The claim is made new, however, by the very force of Weil’s personality, and by her conceptions of rights, affliction and impersonality. I shall discuss her thought under these four headings.

I. PERSONALITY

The text on which I shall focus is a remarkable essay written in the last year of her life, translated as “Human Personality”.⁶ In it she discusses justice, rights, and “affliction”. Her central thrust, however, is against what she calls personality. Our

2. Quoted by Richard Rees, in his introduction to Simone WEIL, *Selected Essays 1934-43* (London: Oxford University Press, 1962), p. 2.

3. This period of her life, and its relation to her political thought, is analysed in the early chapters of *A Truer Liberty: Simone Weil and Marxism*, by Lawrence BLUM and Victor SEIDLER (London: Routledge, 1989).

4. It is often impossible to separate Weil’s religious work from her other writings, but see especially *Gravity and Grace*, tr. E. CRAUFURD (London: Routledge, 1952), and some of the essays in *On Science, Necessity and the Love of God*, tr. and ed. by Richard REES (London: Oxford University Press, 1968). Cf. my discussion of the latter in “Virtue and Necessity”, *Laval Théologique et Philosophique*, 32 (1976), p. 261-275.

5. George GRANT, “In Defence of Simone Weil”, *Idler*, 15 (1988), p. 36-40.

6. Simone WEIL, “Human Personality”, *Selected Essays*, p. 9-34. The essay was published posthumously, first with the title “La personnalité humaine, le juste et l’injuste”, and later as “La personne et le sacré”. From here on, when I quote from this paper I shall simply put a page number in parentheses in the text. This essay has also been anthologized elsewhere, e.g., in *The Simone Weil Reader*, ed. George A. PANICHAS (New York: David McKay Company, 1977), p. 313-339, and in *Simone Weil: An Anthology*, ed. Siân MILES (New York: Wiedenfeld and Nicholson, 1986), p. 49-78.

personality consists in those characteristics and talents by which we distinguish ourselves from others: our wit, charm, reliability, churlishness, dexterity. Although we may consider such characteristics essential to what or who we are, Weil's claim is that they are distractions from our real essence. Often when we try to accomplish something we endeavour to leave the stamp of our personality on the work. Often when we protest against injustice it is our own share of something which we are jealously fighting for. When we use it in these everyday ways, this notion of "person" is important to us. Nonetheless, it is not capable of explaining what it is that is sacred about us. It cannot explain, "what it is, exactly, that prevents me from putting that man's eyes out if no one tries to stop me and it takes my fancy" (p. 10). It cannot explain why each person should be treated justly.

Weil gives an analogy, using beauty and truth to illustrate the difference between the personal and the impersonal:

When science, art, literature, and philosophy are simply the manifestation of personality they are on a level where glorious and dazzling achievements are possible, which can make a man's name live for thousands of years. But above this level, far above, separated by an abyss, is the level where the highest things are achieved. These things are essentially anonymous (p. 13).

Weil cites as examples of these highest achievements Gregorian chant, Romanesque architecture, the *Iliad*, the invention of geometry; she also gives names: Aeschylus, Sophocles, the Shakespeare of *King Lear*, the Racine of *Phèdre*. The distinction between personal and impersonal is also found in ordinary human beings. All of us have a capacity for the impersonal; in some people it stands ahead of the personal, and they then express the sort of anonymity which Weil associates with greatness. She speaks of their having genius. People with only small talents, even "idiots", may have genius. Weil defines "genius" as the love of truth, accompanied by humility. "What is needed is to cherish the growth of genius, with a warm and tender respect, and not, as the men of 1789 proposed, to encourage the flowering of talents" (p. 25).

More must be said on the subject of talents and the "men of 1789", but I shall conclude this introductory section with an example of how the impersonal can take precedence over the personal even in very ordinary life. It is a children's example: "If a child is doing a sum and does it wrong, the mistake bears the stamp of his personality. If he does the sum exactly right, his personality does not enter into it at all" (p. 14).

We might object to this, that if the child gets the sum right it is because the cleverness or the diligence of the child entered into it, just as his hastiness might have entered into the mistake. I think of this as the "fond parent" objection, for it places too much emphasis on the child's skill. In Weil's eyes, the real accomplishment of the child is a negative one; he has lost sight of his own ability and of the challenges and rewards of arithmetic, and has concentrated his attention purely on the numbers. If the sum is correctly done, then the sum itself is the reason for this. If a mistake is made, then the explanation must come from elsewhere, and the child's being distracted becomes the reason for the error. When concern with the personal enters, partiality

also enters. This continues to be true even when our concern is with something as universal as personal rights.

II. PERSONAL RIGHTS

When Weil speaks of “the men of 1789” she refers to the spirit of the French (and American) Revolution, and especially to the Declarations of Human Rights associated with those revolutions. Her discussion of this is part of a discussion of justice, and this is the key passage:

At the bottom of the heart of every human being, from earliest infancy until the tomb, there is something that goes on indomitably expecting, in the teeth of all experience of crimes committed, suffered, and witnessed, that good and not evil will be done to him. It is this above all that is sacred in every human being [...] This profound and childlike and unchanging expectation of good in the heart is not what is involved when we agitate for our rights. The motive which prompts a little boy to watch jealously to see if his brother has a slightly larger piece of cake arises from a much more superficial level of the soul. The word justice means two very different things according to whether it refers to the one or the other level. It is only the former one that matters (p. 10).

Consider first the claim that we expect good and not evil. Is this not contradicted by the facts? Do we not learn, for example, that the daily newspaper will always have reports of the victims of crimes and injustices? Do we not come to expect some good and some evil of the world? It does not seem to me that Weil is denying in any way that we should learn from our “experience of crimes committed”, and so on. We are not *surprised* when life from time to time brings us evils and injustices. Even if we have learned to expect some evil, and not to be surprised by it, we are nonetheless saddened by it. This sadness is the sign that we continue, despite what we have learned from experience, to look for good and not evil.

Nonetheless, it might be replied, this sadness is a mistake. The universe is neither good nor evil, and in its unfolding it is utterly indifferent to what humans think of as good and evil. So if we await good, and are disappointed by evil, these are unfortunate emotions on our part and we should strive to quell them. This is a more sophisticated objection; it depends on a view of the nature of the universe, on a metaphysics reminiscent of Spinoza's. There are, though, at last two answers to the objection. The shorter reply is that it seems to require of us a life of total acceptance of the way the universe unfolds, and a life accordingly which tries to get along without joy, as well as without disappointment. This does not seem to me a life fit for humans, or one fit to serve as an ideal life for humans. Perhaps, however, a longer answer is required. Perhaps, like Spinoza, the objector has in mind a distinction between those false emotions which we should strive to do without, and a set of true ones which we should cultivate. Weil, too, makes a distinction between superficial joys and sorrows, and the profound expectation of good in the heart; it is only the latter which really matters. I think that the objection to her claim will lose weight as Weil's account of this distinction becomes clearer. The deeper level of emotion will be discussed later. First, let us consider the superficial level.

What is it that Weil finds objectionable about agitating for our rights? First, it depends on an inadequate notion of “person”, incapable of explaining what it is that is sacred about each human being. Second, the concept of rights is alien to both the ancient Greeks and the Christians. She asks us to imagine St. Francis of Assisi talking about animal rights. Clearly we cannot, without heavily misrepresenting what he is remembered for. Third, she thinks that “rights” is at best a middle-level word. “To put into the mouth of the afflicted words from the vocabulary of middle values, such as democracy, rights, personality, is to offer them something which can bring them no good and will inevitably do them much harm” (p. 23). It is to this third point that she returns at the end of the essay, adding that “words of the middle region [...] are valid in their own region, which is that of ordinary institutions. But for the sustaining inspiration of which all institutions are, as it were, the projection, a different language is needed” (p. 33). When the word “justice”, for instance, is used in its *impersonal* sense, it is one of the words which can offer that sustaining inspiration. In its lower sense, as a word for property rights, for individual rights (and even for group rights), it names something which must be firmly kept in its place or it will cause trouble. The source of the trouble can be seen in Weil’s fourth point:

The notion of rights is linked with the notion of sharing out, of exchange, of measured quantity. It has a commercial flavour, essentially evocative of legal claims and arguments. Rights are always asserted in a tone of contention; and when this tone is adopted, it must rely upon force in the background, or else it will be laughed at (p. 18).

Taking as an example a young girl being forced into prostitution, Weil claims that if she speaks of her rights the word will sound ludicrously inadequate. Weil objects both to the impurity of the word (it is as though the devil were bargaining for a poor wretch’s soul, and we were quibbling about the price), and to the impracticality of it. Even from the point of view of personal advantage the appeal to rights in such a case is liable to worsen your situation by inflaming the contentiousness of your oppressor. Of “justice” in its nobler meaning, however, she has at least faint hopes of practicality. “If you say to someone who has ears to hear: ‘What you are doing to me is not just’, you may touch and awaken at its source the spirit of attention and love” (p. 21).

It is not an easy matter to place Weil in relation to contemporary theories of justice. Even her radical opposition to individual rights theories is not always clearly explained in the literature. In Lloyd Reinhardt’s essay on the needs of the soul, for instance, we read: “In the thought of Simone Weil, the idea of the needs of the soul plays the same role that human right plays for other approaches to political and social life.”⁷ I do not mean to dismiss Reinhardt’s positive contribution; on the contrary, his notion of ‘the perverse’ which helps him to analyze corrupt versions of the good without apparent dependence on theological concepts is refreshingly constructive. However, it is only in some very abstract sense that we can take his remark, “the same role that human right plays [...]”, to be plausible. On any careful examination they have different places in very different political theories. As illustration, consider

7. Lloyd REINHARDT, “Les besoins de l’âme”, in *Simone Weil, philosophe, historienne et mystique*, ed. Gilbert Kahn (Paris: Aubier Montaigne, 1978) p. 207-226. The quotation, in my translation, is from p. 214.

just this partial list of what Weil considers *needs* of the soul: order and liberty, obedience as well as responsibility, equality and hierarchy, honour and punishment, freedom of opinion, security and risk, private property and collective property, truth.

We can illustrate her difference from current philosophical writing on justice in another way. The notion of rights, she has suggested, has a commercial flavour; it is reminiscent of boys squabbling over pieces of cake. Now even in the monumental work of John Rawls,⁸ where various obligations and duties, and an over-riding principle of fairness, come before any of the particular rights of individuals, it is still disturbingly true that tiny calculations about the size of the cake must be of central importance. Take a simplified example of a community in which each person receives, say, \$10 000 as equal share of the goods produced. What is called *weak* Pareto preference should lead us to prefer the same community reorganized in such a way that only one person need work harder in order that, say, \$1 000 000 more goods be produced, and the entire one million extra go to the one person. The other people, still having the same work and the same income, would have nothing to complain of, and the community would be better off.

It is far from clear that this society is really better off. The new inequality may be a profound disadvantage. Rawls does, in fact, see the arrangement as unsatisfactory, but primarily for the reason that the least advantaged individuals (in this case all but one of the population) would have no self-interested motive for preferring this situation over the original, equal, one. So he defends *strong* Pareto preference: that we should prefer an increase in inequality only if *everyone* were made better off by it. This certainly represents concern for the persons who are least advantaged, but both its motives and its effects show it to be about what we have called the 'lower' sense of justice. The strong requirement can be satisfied by a minimal change to our example. For instance, if there were 100 people in the community, we could in the new circumstances add one dollar to each of the lower incomes by subtracting \$99 from the higher one. Now instead of 99 persons with \$10 000 and one with \$1 010 000, we have 99 with \$10 001 and one with \$1 009 901. Although each person, including the most disadvantaged, has a motive now for preferring the new arrangement, it *barely* differs from the earlier case, and the community still must suffer enormous inequality for almost negligible gain. True, Rawls has ruled out envy in his stipulations, but even so, surely these calculations belong to what Weil calls "the superficial level of the soul".⁹

Rawls asks us to think of justice as a set of principles which would be chosen by a representative 'everyman' standing behind a "veil of ignorance" — choosing, that is, on behalf of every rational and self-interested person (but 'ignorant' of his or her own special advantages or disadvantages). As one commentator puts it:

8. John RAWLS, *A Theory of Justice* (Oxford: Clarendon Press, 1972).

9. Robert Paul WOLFF gives support to my claim in *Understanding Rawls* (Princeton: Princeton University Press, 1977). Discussing Rawls' manoeuvre at this point, Wolff claims that "this change had the incidental effect of mooting the choice between weak and strong Pareto preference" (p. 41).

For Rawls, justice is a negotiated settlement between two or more independently defined sets of interests, in terms commending themselves to a common ground of rationality and prudence ; for Weil, it is something more radical. I simply do not have in reality independently definable interests of this kind ; if I think I do, I have wholly misconceived the essential character of virtue in human interaction, and perhaps misunderstood the nature of understanding itself. Justice is what occurs when a situation arises in which unqualified mutual attention is exchanged between persons ; no-one's will is overridden because all understand that the perspective expressed in individual (self-interested) will as such is illusory. The only true 'interest' I can have [...] is discoverable through attention to the reality of others, to the perspective on the world which they in their distance from me possess. It is not a matter of negotiating terms, but of a universal relinquishing of that idea of rights upon which the practice of negotiation rests.¹⁰

It is not an easy matter, either, to place Weil on our usual political spectrum. Her opposition to 18th century liberal ideals even extends to multi-party politics, and her thought is in many ways deeply conservative, even corporatist. On the other hand, she attempted to fight with the Republicans in the Spanish Civil War, and she unyieldingly likened France's having colonies (Algeria, Viet Nam, e.g.) to being "an owner of human flesh and blood."¹¹ She says this in one of her last works, *The Need for Roots* (proposals for the reconstruction of France after the war). In the opening pages of this book, we find the real foundation of her reluctance to treat rights as supremely important :

A man, considered in isolation, only has duties, amongst which are certain duties towards himself. Others, seen from his point of view, only have rights. He, in his turn, has rights when seen from the point of view of others who recognize that they have obligations towards him. A man who was alone in the universe would not have any rights, but he would have obligations.¹²

This argument does sustain the conclusion that the notion of rights is relative, and subordinate to the notion of obligation. That a person left alone in the universe should have rights *is* absurd. If such a person should bemoan his or her fate, we could only construe this as a claim to have rights if there were a Maker with obligations towards its creature ; but Weil is giving a political, not a theological, argument. Moreover, her argument undermines the priority of the first-person claim to rights. Rights exist first of all from the third-person perspective ; to have a right is for another person to have an obligation toward you. In the theoretical situation of a person alone in the universe there is no Other, so there are no rights. On the other hand, this person would have duties : to try to maintain health, and not to waste her abilities, for example. Thus, an asymmetry is established between rights and duties, and a right only becomes real if an obligation exists for others.

10. Rowan WILLIAMS, "Critical Notice : *Simone Weil*, by Peter Winch", *Philosophical Investigations* 14 (1991), p. 156.

11. Simone WEIL, *The Need for Roots*, tr. A.F. Wills (London : Routledge, 1952), p. 161.

12. *Ibid.*, p. 3.

III. AFFLICTION

What is the basis of our sense of justice and injustice, the source of the impersonal? The usual account in terms of personal rights has been shown to be both derivative and inadequate. What takes its place? Weil is brilliantly unsettling when she sets at the centre of her account *the cry*: the innocent cry of protest. "Every time that there arises from the depths of a human heart the childish cry which Christ himself could not restrain, 'Why am I being hurt?', then there is certainly injustice" (p. 11).¹³ Someone may cry out as the result of misunderstanding, but then the injustice lies in the inadequacy of the explanation. Blows which provoke the cry may be inflicted for many motives, even for pleasure or out of complacency. The cry itself may be inarticulate, or the victim battered into a state of dumb lamentation mistaken for silence. Nonetheless, Weil insists, we must not imagine that a person can lose the ability to feel injustice. Even the psychopath, oblivious to his injustices to others, is quick to notice when evil is done to him.¹⁴ This ability to be truly hurt exists in each human being, and is with us from "earliest infancy until the tomb".

We have already discussed the objection that the cry might not, in fact, be central to everyone's deepest being. We must also consider the objection that the cry does not deserve such importance because so many people cry out too often. Weil replies by admitting that there are many cries of merely personal protest; and it is true that these are not nearly as important. But how, then, are we to distinguish the cry of personal protest from the truly impersonal cry of affliction?

The other cry, which we hear so often: 'Why has somebody else got more than I have?', refers to rights. We must learn to distinguish between the two cries and to do all that is possible, as gently as possible, to hush the second one, with the help of a code of justice, regular tribunals, and the police. Minds capable of solving problems of this kind can be formed in a law school.

But the cry 'Why am I being hurt?' raises quite different problems, for which the spirit of truth, justice and love is indispensable (p. 30).

Weil offers two aids to overcoming these problems and focusing on the impersonal cry. The first aid is silence; to attend to the cry one must exercise self-denial and concentration. "To listen to someone is to put oneself in his place while he is speaking. To put oneself in the place of someone whose soul is corroded by affliction [...] is to annihilate oneself" (p. 28). This is the same sort of silence and self-denial which is required for attention to the truth. The proper name for this intense and pure attention, Weil adds, is love. The second aid is purity of expression. This derives from the power of the few crucial words which do not stand for conceptions, and which stand higher than the middle-region words like "person" and "right". We have mentioned three such words so far: "truth", "justice" and "love". "Good" is another.

13. The cry of the victim of injustice is also made central in Judith SHKLAR's new account: *The Faces of Injustice* (New Haven: Yale University Press, 1990).

14. Another version of Weil's claim of universality is found at the end of "Human Personality", on p. 30-31: "The part of the soul which cries 'Why am I being hurt?' is on the deepest level and even in the most corrupt of men it remains from earliest infancy perfectly intact and totally innocent."

The test for suitable words is easily recognized and applied [...] The only words suitable for [the afflicted] are those which express nothing but good, in its pure state. It is easy to discriminate. Words which can be associated with something signifying an evil are alien to pure good [...] To possess a right implies the possibility of making good or bad use of it; therefore rights are alien to good. On the other hand, it is always and everywhere good to fulfil an obligation [...] (p. 24).

A political state in which the impersonal thus discovered and nourished was highly valued would have a public education system capable of providing means of expression to that point in the heart which cries out against evil, and would have institutions which tend to put power into the hands of those able and anxious to hear the cry. It would also seek freedom of expression for the parts of the soul which really deserve it. This is not to be confused, she warns, with freedom of propaganda for partisan organizations, whether this be in a totalitarian system or in a multi-party system.

IV. IMPERSONALITY

When someone argues as Weil has done in favour of *impersonality*, we have natural fears. One such fear is that what we shall reap is the sort of impartiality which academics have been known to twist into "objectivity". Impartiality, the discounting of biases and personal advantage, is a virtue in our search for justice or for truth. Sometimes the cruelty of an experiment is overlooked because the results are useful or interesting. Sometimes the suffering of people is ignored because the job of the researcher is not to help, but to describe objectively what actually happens. This sort of academic detachment has its basis in a supposed distinction between facts and values. According to this distinction, what is true is expressed in statements of fact; value judgements are merely expressions of personal opinion. So the "objective" academic, on this view, will seek the most detached view possible, and will avoid getting his factual concerns contaminated with rights or wrongs, with hurts or needs.¹⁵

Weil thinks that this fact/value distinction is a philosophical mistake, and of course she does not advocate this kind of objectivity. In Section I, above, I discussed her account of the anonymity of the greatest human discoveries and creations; clearly she meant by anonymity something quite different from the detachment which I have described as objectivity. She gives a useful warning when she writes of a philosophy popular at the time which put the individual person, and not impersonality, at the centre of its theory: "The philosophy of personalism originated and developed [...] among writers for whom it is part of their profession to have or hope to acquire a name and a reputation" (p. 7). A good deal of what passes for objectivity, she warns, is a disguised self-interest; either the trouble of helping to relieve suffering is being evaded, or a career is being too assiduously cultivated. These warnings help us to see that Weil's impersonality has exactly the opposite contents. She will not lead us towards this false objectivity.

15. Several varieties of academic objectivity (good and bad) are sketched with wonderful sharpness in Robertson DAVIES' satirical novel of university life, *The Rebel Angels* (London: Allen Lane, 1982).

Another natural fear is that we, or some other individual, will be simply overlooked in the abstract, “universal” viewpoint which seems to be implied. On the contrary, Weil argues that the principle of equality can only be founded on the inalienable innocence which we have discussed. In a remarkable document entitled, “Draft of a Declaration of Human Obligations”, she says :

It is impossible to feel equal respect for things that are in fact unequal unless the respect is given to something that is identical in all of them. Men are unequal in all their relations with the things of this world, without exception [...] All human beings are absolutely identical in so far as they can be thought of as consisting of a centre, which is an unquenchable desire for good, surrounded by an accretion of psychical and bodily matter.¹⁶

We frequently try to invent abstract grounds for treating people with equal respect (e.g., we are all citizens of this Dominion). Without the prior conviction that equal respect is a good thing, however, there is little reason to trust such grounds. Weil tries to show us that this prior conviction is justified, and to show us that the real source of the conviction, and the real basis for equal respect, is the impersonal in each of us.

I have explained Weil’s criticism of our emphasis on the personality and on personal rights, and I have presented her positive account of the impersonal : the longing for good, the cry of affliction, and the possibility of attention. The individuals whom we cherish are not lost in Weil’s impersonality. The impersonal is the sacred in us ; it is what makes us capable of love, so that the impersonal and the most intensely personal can sometimes reinforce one another. This conception of impersonality is a central part of the legacy of Simone Weil.¹⁷

16. Simone WEIL, “Draft of a Declaration of Human Obligations”, *Selected Essays 1934-43*, p. 219-27, p. 220. This is Weil’s counter-proposal to the charters of *rights* with which Canadians are increasingly familiar because of our continuing exercises in constitution writing. Weil’s document contains a statement of our obligations, as well as a list of criteria for a just community.

17. I have been helped by some unpublished translations prepared by my father, the late Ralph L. Burns. I am grateful to Richard Beis and Victor Seidler, and to others who have discussed earlier versions of this paper which were delivered at McGill University, Sir Wilfred Grenfell College and Princeton Theological Seminary. I would also like to acknowledge the hospitality of the Department of Philosophy and the McPherson Library of the University of Victoria during 1992-1993.