

# RELIGION & PHILOSOPHY

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## *THE VEHEMENT PASSIONS.*

By Philip Fisher. Princeton Univ. Press.  
268 pp. \$26.95

With this persuasive and elegant essay on the paradigmatic human passions of fear, anger, grief, and wonder, Harvard University English professor Fisher joins a growing group of scholars bent on emotional rehabilitation: restoring to respectability the emotions so distrusted by Enlightenment rationalism and the forms of Stoicism that predate it. The oft-satirized affectless thinker, the dedicated scientific acolyte who is successful only because dead from the neck down, is being debunked. Emotion, the new thinking says, is itself a form of knowledge.

Fisher goes further than simply defending wonder as the impetus for systematic philosophical and scientific investigation. He wants to claim that more debilitating and unpleasant states, such as anger and mourning, are also forms of knowledge. “Each of the strong emotions or passions defines for us an intelligible world,” he writes, “and does so by means of horizon lines that we can come to know only in experiences that begin with impassioned or vehement states within ourselves.”

Unlike philosophers Ronald de Sousa and Martha Nussbaum, who are also keen to “cognitivize” emotion, Fisher wisely stops short of draining the feeling from feeling. This may have something to do with his background in English rather than philosophy. His book, though considerably less rigorous and exhaustive (or exhausting) than Nussbaum’s *Upheavals of Thought* (2001), is richer in insight and more human. It’s also—this is a hard judgment to defend but apposite—delightful. Fisher ingeniously mixes discussion of Achilles, Oedipus, Othello, Lear, and Ahab with careful critical assessments of Kantian ethics, rational choice theory, and the philosophical underpinnings of the legal system.

While the discussion ranges widely, Fisher’s particular concerns are those experiences we call “vehement”—when we are carried “out of our minds” or, more precisely, out of the worlds our rational minds most-

ly require us to inhabit. As Fisher persuasively shows, we cannot know the limits of mind and world until we butt up against them in passionate, unwilling conflict. Vehement passion is always rooted in affronts to the will, deep challenges to the integrity of the self. Aristotle, Baruch Spinoza, and David Hume are his main guides in this subtle phenomenology of contingency, revealing themselves not only as great systematic philosophers but as thinkers sensitive enough to see that my anger and grief tell me who counts and who doesn’t, that my body (with its quakings and blushings and hot flashes) is inseparable from my soul, and that there are “paths of passion” (as when grief gives way to anger and then to shame or bitterness).

The essential problem of all philosophy, Fisher concludes, is that *my* world—where I am afraid or enraged or resentful, and where I am always alone—is not, and cannot be, *the* world of the modern universalist imagination. Our patterns of thought, especially over the past three or four centuries, have attempted to play down this inconvenient reality, but in vain. Indeed, we could take his insight a step further. The questions of philosophy—the questions of existence—are all, ultimately, insoluble puzzles in epistemology. What do I know about my place in the world? How do I make sense of what I am feeling? How can I know what *you* are feeling? Maybe you love me, maybe you don’t. Can I ever know for sure? Thus does vehement passion take root.

—MARK KINGWELL

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## *DRAWING THE LINE: Science and the Case for Animal Rights.*

By Steven M. Wise. Perseus. 322 pp. \$26

“Legal rights” for chimps, elephants, dolphins, and other animals sounds very new and radical until you stop to consider that there is only one legal right that any animal could possibly exercise: the right to be free from human cruelty or other mistreatment. Whether we call it a “right” or something else

matters little, least of all to the animals.

You have to keep this in mind while reading *Drawing the Line*, for, like other advocates of the cause, Wise has a way of making his case seem more alarming than necessary. His argument amounts to this: Our understanding of animals, and especially advanced mammals, has increased substantially. Their intelligence and emotional sensitivity, though not rivaling our own, are real and morally consequential. Precisely because we alone are rational and moral creatures, we have a duty to acknowledge these facts about animals' natures and capacities and to revise our legal boundaries accordingly.

An attorney in the field, Wise aims for a "realizable minimum" of legal rights for various species, including chimpanzees, gorillas, orangutans, and other primates whose mental awareness is proved by, among other evidence, their ability to learn rudimentary sign language. Behavioral scientists try to dismiss this communication as mechanistic imitation, but actually seeing it, as I have, leaves little doubt of conscious and deliberate expression.

In similar research, dolphins correctly press levers marked "yes" and "no" in response to such questions as whether a ball is in their tank, and they show a grasp of "over," "under," "through," and other concepts. The famed Alex, an African gray parrot, can correctly identify objects, shapes, colors, and quantities up to six, and can make simple requests such as "go see tree." Elephants, observed both in captivity and in the wild, prove themselves resourceful problem solvers, justify their reputation for long-term memory, and display many well-documented signs of emotion (as in the case

of calves convulsing in nightmares after seeing their mothers slain).

Each of these species has what Wise calls "practical autonomy"—conscious desires and an ability to pursue those desires—which, he argues, entitles them to "dignity rights" and "legal personhood." The latter concept will jar many readers, but what would legal personhood for, say, elephants amount to? Specific and well-enforced protections from the people who harm them—those engaged in the exotic wildlife trade, for example, or the vicious people who to this day still hunt elephants for trophies.

The strength of Wise's case is that, unlike the dreary utilitarian theories that have given animal rights a bad name, it rests on a belief that individual creatures have intrinsic rather than instrumental moral value, and thereby places animal welfare squarely within the Western legal tradition. Indeed, he might have argued that even as we dispute the finer questions about animal rights, the law has already conceded a crucial point through the many statutes that make it a crime, in most states a felony, to abuse certain animals regardless of whether they belong to the offender—a recognition of moral status and a *de facto* legal right trumping the claims of property.

Critics of animal rights often fail to supply a useful moral alternative that would restrain human cruelty and instill respect for our fellow creatures. To their credit, rights advocates at least confront abhorrent practices and demand hard standards in the care of animals, as Wise has done here with the skill and seriousness the subject deserves.

—MATTHEW SCULLY

## HISTORY

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**JESSE JAMES:**  
*Last Rebel of the Civil War.*

By T. J. Stiles. Knopf. 512 pp. \$27.50

One hundred and twenty years after "that dirty little coward" Robert Ford shot Jesse James in the back of the head while the latter stood on a chair to dust a picture in his Missouri home, scholars continue to debate the outlaw's importance in American social history.

Now, in a deeply researched work that may become the authoritative biography, independent historian and frequent *Smithsonian* contributor Stiles calls James (1847–82) a "forerunner of the modern terrorist."

The assertion strikes a sour note in an otherwise well-written and well-reasoned work, the first significant examination of the outlaw's life since William A. Settle's *Jesse James Was*