

This is a slightly cleaned up transcript of Leah Sargeant's interview of O. Carter Snead for Other Feminisms. The full video can be found here (https://youtu.be/3_el5h-loBM) and Other Feminisms can be found here (<https://otherfeminisms.substack.com/>).

Leah Sargeant 0:01

Hello, and welcome to the Worthy Life Project where we interview great contemporary thinkers about what has shaped their choices and their understanding of the world. You can follow along with these conversations on Twitter, YouTube and Substack. And you can always propose questions for us to ask our upcoming guests. I'm your host, Leah Sargeant. And I'm really delighted today to welcome O. Carter Snead, who is a professor of law and the director of the de Nicola Center for Ethics and Culture. Professor Carter Snead is one of the world's leading experts on public bioethics. His research explores issues relating to neuroethics, enhancement, human embryo research, assisted reproduction, abortion, and end of life decision making. He's the author of *What it Means to be Human: The Case for the Body in Public Bioethics*, which I'll say straight up is one of my favorite books I've read this year, and I'd be getting it for a lot more people for Christmas if it weren't a slightly surprising book to unwrap under the tree. Thank you so much for joining us, Professor Snead.

O Carter Snead 0:59

Thanks for having me. It's a real pleasure to be with you.

Leah Sargeant 1:02

In your new book, it's a book about bioethics. But in some ways, it seems a lot like a book for laypeople just about how we relate to our bodies, and how we understand our relationship to our bodies. The beginning of the book talks about the danger of forgetting the body and forgetting our nature as embodied beings. Can you expand a little on what you mean by that?

O Carter Snead 1:21

Yeah, absolutely. You're right. The book is designed and was written with a general audience in mind. And honestly, the arguments of the book, I think, even though they take bioethical examples as the points of departure to explore the thesis are meant to be for anybody who's interested in the question of what it means to be human being and what it means to flourish as a human being. And forgetting the body is a kind of temptation that we have, especially in our modern culture in which we tend to associate ourselves really just with our minds, we associate ourselves with our mind and our will and our desire. And that's who we think the real us is, or the real I am. And, and in the book, I tried to make the case for the proposition that that's actually not a full or accurate or complete, or even a humane account of our individual and shared lives together. We are embodied beings, we're not just bodies, it's that would be the opposite kind of mistake than the mistake of expressive individualism, we are we are sort of the dynamic integrated unity of body and mind and and that has in our bodies, which allow us to experience the world and one another and nature and, and, and we live as bodies and we die as bodies and we get sick as bodies.

Leah Sargeant 2:34

The idea is that being embodied, has certain kinds of inexorable entailments both some of which are challenges other of which are, I think, really gifts and to forget, that we are embodied means that we forget those inexorable aspects of our of our existence, our vulnerability, our mutual dependence, our subjection to natural limits, but also the the kind of the way in which we stand in relation to each other by virtue as embodied beings, because embodied beings need particular kinds of things to flourish, and that obligates us to one another in deep and interesting ways. How do we recollect this to ourselves on a day to day basis, because I think growing up I certainly had a very forgetful of the body attitude. It's something I still try and move past now. Yeah, I think I thought about my body the way lighting design works in theater. If it's working well you don't notice it. You only notice it when it's kind of jarringly out of place when you've sprained an ankle, but most of the rest of the time you were talking about like who is the eye here? I did think of the is the choices I made the feelings I had, and my body was just the mechanism that carried that will around and I only cared about it if it malfunctions. How do we connect to that idea of being embodied?

O Carter Snead 3:52

I think it requires cultivating our moral imagination, I think it requires us to remember certain things about our about the arc of our lives, it's easy to kind of have the the sort of make the error of, of presentism or recentism, or whatever the error is called, where it basically your your field of reference is so truncated to the now that you can't really get a full picture of reality. And if you think about the arc of our lives, we begin our lives completely dependent upon other people. We don't remember being babies we can see pictures and kind of reconstruct our memory, but you come into the world profoundly dependent upon others. And it's because you are as an embodied being that you need certain things, you need warmth, and you need nutrition and you need care but also as dynamic, integrated unity of mind body you need to develop virtues and habits, but again, that's another kind of dependence that we have on other people. So it's remembering our moments of dependence remembering those times in which even something silly like you know you're in a bad mood because you haven't had you know enough to eat in a particular day or you've or you haven't had enough sleep or your or you know, you drink a cup of coffee, and all

All of a sudden you feel a sense of well-being these are all and if you don't disentangle that, from your own consciousness, we're profoundly, as I say, integrated our bodies and our minds and our experience is shaped by both. And so but if you remember our past, and you kind of intuit our future about our future dependence, that again, comes with being embodied creatures in time that are that are fragile and needy, and corruptible and subject to aging and disease and injuries. And, and that's, that's part of what it means to be human being. And so I think, again, reflecting on reflecting on our own experience, remembering our past, thinking about our future, and also seeing and others, those others who are profoundly dependent, maybe even disabled adults, you think about people who are not cognitively capable of constructing the sort of inner life that we have that we associate with ourselves. But I think that we would agree that these are also human beings, they're also persons who have claims on us. And what does it mean that we

live in a, in a moral community and the human family is composed of people whose commerce is sometimes just the passive acceptance of unconditional love and care, because their minds, probably because a defective body are not capable of doing the things that we value and associate with ourselves when we're thinking too narrowly.

Leah Sargeant 6:26

That seems like a profoundly countercultural message, because, you know, you're naming these categories of people, but I'm hearing our categories of people who are often hidden from public life, you know, the elderly are often warehoused in nursing homes, very young children are often hidden; parents are discouraged from bringing them into public spaces, because they're disruptive because they don't have that degree of self control. They just express their dependence at a very high decibel level, regardless of what's going on around them. And disabled adults to an extent we see that parents' first instinct when the child has a natural curiosity about someone who's different from them is to say, "Don't stare," as though it's embarrassing to be seen as disabled. Politeness involves looking away. So I can see how an individual could try and start making an effort to not look away to see more clearly these kinds of dependence. But how do we overcome this learned reaction? That dependence is to a certain extent disgusting?

O Carter Snead 7:26

It's deeply ingrained, especially among the high achieving people at your institution, where what's valorized is excellence and accomplishment and achievement and competition. And, of course, I'm not suggesting those are bad things. But that's not the I mean, unless we want to take a very dark view of the world and our relationship to one another as a general matter. I think that we need to realize that that's one small part of, of the way that gifts are distributed in the human population. And, you know, one of the things that I talked about in the book, one of the important virtues, for, for embodied beings to flourish is the is the virtue of gratitude. Right. It's part of the virtues of what McIntyre calls the virtues of acknowledged dependence, the virtues of uncalculated giving and graceful receiving, and once you realize that you In fact, did not create yourself, right? And I mean, no one I mean, you read Milton, you read, you read the the speech of Lucifer, the fallen angels and say, we don't we don't remember being created, we don't have any recollection of this, we don't regard ourselves as creatures. And because we don't regard us that we were self created, we're self the garden. And we can forget that I mean, when we're super accomplished, and we're really smart or athletic or talented, or you know, you're bestriding the world, with your, with your performance in different ways, you can really, really be lowered into the illusion that you did this, that you created yourself, but all it takes is some, some brief reflection, some honest reflection about how you got to where you are, and none of us would be here right now, if it weren't, at the very first moment of our lives, someone else decided to make us to make our good, their good without any hope of getting anything in return. And it's going to be that way again, you know, that's, that's, that's the arc of human life. The question is, how do you teach these virtues? How do you do this, and I think you just have to cultivate you know, relationships with people in a way you have to cultivate the organs of civil society in a way that make it impossible for people to indulge the fiction that they create that they're self created, sources of original meaning. That they that they are not connected to others

in deep and important ways and they can make certain kinds of claims on others that they didn't earn, like the way baby has a claim on to care from her parents doesn't have to earn that right to be cared for by her parents. For that matter, we have obligations that we don't choose to take care of people, not just not just even people in our immediate family, you walk down the street and you see somebody lying on the sidewalk, there's a kind of, you have to think about, you know, this is a fellow human being and gifts have been distributed in a way that are pretty different for that person, they are for me, and I need to be open to the unbidden here, I need to be open to the possibility that it's my job here to help take care of this person in some in some way. You know, and that's, that's frightening. And it's daunting, and it just it disrupts all of your everything you've rationally ordered in terms of your ambitions and your life. But and nobody does it perfectly. And that's not to say you have to, you know, go join a monastic order, or go join Mother Teresa's order in Calcutta, it just means that you have to kind of big let's start with being nice to each other. Let's start with treating each other in a kind, and compassionate and loving way.

Leah Sargeant 10:56

I think it's so interesting you when you look at what happens when people draw our attention to that mutual dependence that that fact that we aren't our own authors completely. I'm reminded a few years ago when now Senator Elizabeth Warren was running for senate and he was kind of talking about this idea of being mutually dependent and the question of where government comes into it and talked about someone who creates the business and since but you don't build that alone, you know, you drive your trucks on roads that we all pay for. And this was taken to an extent as an attack on the worth of a business person, when in fact, it's it's a fact about all of us, kind of, regardless of what you think that implies about governance and tax policy. There's no one we can point to to say, Yes, you did that everything your life solely due to you. And it was so striking to me that this was taken as a radical critique of business rather than a fact about people.

O Carter Snead 11:48

The whole and the same thing was true in the 2012 Presidential campaign, when President Obama famously said you didn't build that. And I think that's what Warren was echoing, you know, in 2015, and 2016. And then, Paul Ryan, who I like, and admire, and a lot of ways had these, like banners that said, like, "You did build that," or "Yes, we built this." And I mean, I get the point, obviously, politics is impoverished in a lot of ways. And obviously, what they were reacting to is the kind of the preface to making a claim that government is the thing that owns everything. Government is what we do together is something else that President Obama said. And, you know, I think one can acknowledge dependence and acknowledge our interconnectedness without necessarily committing him or herself to a specific governing vision of balancing private ordering versus government intervention. There was same reaction when Hillary Clinton said whenever it was in the 90s, that it takes a village to raise a family. And, you know, Rick Santorum said, "No, it takes parents to raise a family" and I get again, I get the why they were arguing with each other. But they're both right. You know, like, there's a sense in which we all have shared responsibility for everybody. And becoming a parent actually makes you alive to things that you never even thought about before. Even silly little things like driving

slowly in a neighborhood like I'm like, Okay, I gotta make sure that no kid comes darting out. Because I know how stupid kids are because I have them. And so, you know, and you know, I make sure in the book, I make a couple jokes about this. I'm a big fan of the The Office, both the British and the American Office. And there was a sequence in it where Pam, the one of the protagonists, talks about how she sees the movie Pulp Fiction differently now in characters that she would have laughed at before were kind of tragic, horrific figures. Now, she says, "Well, that's somebody's child." And so that's a kind of a kind of waking up to the reality that we're all connected to each other.

Leah Sargeant 13:49

One thing I like in the book is that you really tease out this distinction. That's not a partisan distinction. It's a philosophical distinction at these conflicting ideas about what the body is. One philosophy of the body is something we receive as a gift, that something even in its weakness teaches us how to relate to each other if we're willing to accept it as good. But on the other hand, you talk about the philosophy of expressive individualism, which I think we've been kind of dancing around. Here the body is received as raw material to be reshaped and redefined, as we define for ourselves, what gives our lives meaning. So on the one hand, the body is tutelary, and on the other hand, it's clay. And, and what I'm wondering you, America is really seems like a country full of expressive individualism. How do how do we work our way to a healthier vision of ourselves as a nation as a body politic that can really let go of some of that sense that we're only worthwhile if we can point to ourselves as the author of everything in our life? How do we hold on to what's good about American competitiveness, ingenuity, fire in the belly, while not saying that's the sole measure of value?

O Carter Snead 15:01

It's important to point out that expressive individualism is a kind of excess. It's a kind of extreme that privileges one account of what it means to be human being and forgets everything else. There's a lot of truth in it the core of expressive individualism there is, we are free, you know, we are we there is value in kind of interrogating the depths of our of ourselves and finding original meaning and authentic meaning and then using that to configure a life course. And sometimes it's a useful tool to react against certain kinds of mores and values of a community that needs to be overthrown. And, but the issue is that that's not the only that's it goes quiet, it goes off the rails, when it gets confused. And people think that that's the only truth about who we are. That really, my truth is that I'm a mind and a will, that can reflect and through introspection, come up with a life plan, that I produce original and distinctive to me, and that I'm going to pursue and everything else is instrumental to that goal, not just my body, but my relationship to other people, the natural world, everything right? It's all, it's all I'm going to bend it for the sake of pursuing my originality. And that's, again, that's just not consistent with lived human experience. I mean, we've been, we've been sort of, you know, the question is, how do we, how do we correct or to protect ourselves from the temptation of believing that's all there is? You know, I think, I think people becoming attentive to their surroundings being again, the arc of life is extremely instructive here, right? When you have a baby, when you become a parent, you realize there's a lot more to life than my own authentic originality and my creative capacities, to construct a future and that everybody else is instrumental. It's not, it's not, it's just you

completely, you're shorn of that illusion, when you're a parent, if you're attending to what, what it took to what your child is, and represents, you know, the child is a gift to be welcomed and loved unconditionally, not something to be rationally ordered and mastered, and to pour my aspirations into that's not to say people don't do that, you know, but but we should, how do we, how do we prevent people from making those kinds of mistakes, I think, I think by drawing their attention to practices and realities that take them outside of themselves, Parenthood, caring for the disabled, caring for the elderly, caring for the poor, care, feeding the hungry, to use the Catholic social thought line, with a preferential option for the poor, right? I mean, this is the Holy Week, we're thinking about, you know, we're thinking about what it means to be poor, and what it means, what the Incarnation means. And what it means for God to be tortured to death. Right? I mean, like, I mean, think about that for a little bit, but like, so I mean, I think of different ways to transmit this different way of thinking. The law is pedagogical in important ways. Culture and law work in tandem. I'm a law professor, so I'm definitely biased in the direction of law as a tool of shaping culture, not merely reflecting culture. It does it, whether we like it or not, law is going to shape culture, for better or worse. And so we should at least be mindful of that in constructing the law. But also, as a lawyer, and a person has worked in public policy, I'm tempted to grand solutions. And in some time, and I think in this situation, you just have to be open to the possibility that there aren't grand solutions. The way it works is just little platoons of people living in particular ways. And you're presented with the person in front of you. And your job is to love the person that's in front of you, that's how you transform the world through that kind of that kind of radical expression, prophetic expression of hospitality.

Leah Sargeant 18:55

What I think is so challenging is that you're right. A lot of people do have access to this experience by becoming parents, by knowing other people's children. A child is the place where people are most likely to come up against a lovable dependence, natural dependence. And yet, here we are, that hasn't been enough to jar us out of this way of thinking yet, even though everyone has been a baby. And perhaps if we could remember that experience more vividly, we'd find this a little easier, but many people have seen and encountered babies. I thought it was so interesting, in your book, your emphasis on the dignity of the unchosen, that we don't choose our bodies and their particular foibles, that, despite everyone's best attempts through IVF you can't actually choose your child, the other people who offer to screen for personality are lying to you. But parenthood itself is framed in our culture now is something that should be an active choice with abortion lurking as the way to un-choose a child. And I find it so striking in the book itself that you argue that not only the mother and the father, but The whole community surrounding parents are bound together by the unchosen presence of a child. Whereas in debates about abortion, the humanity of the child is written off because of what the baby can't do. The baby before and after birth is dependent. Can't feed himself can't get where he needs to go, can't express themselves.

And you defend the child's dependence. But you also want to talk about the mother, you will say that she's like her child in her need and dependence rather than arguing, which I think is more common that the child has dignity because he resembles his presumably autonomous mother. And the passage that stood out to me in your book was "Law and policy, animated by an

anthropology of embodiment would view the mother as a vulnerable, dependent member of society, who is entitled to the protections and support of the network of uncalculated giving and graceful receiving that must exist for any human being to survive and flourish." And usually, when we do what you're doing here analogizing someone to the dependent state of a baby, it's called infantilizing, and it's an insult. So how do you work against this assumption when you're talking about this argument, that the child, demands things of his mother by virtue of his needs, that the mother's need to provide for a child demands things of a much broader group of people.

O Carter Snead 21:26

The attentive reader will notice that the mother is not unique in her entitlement to the network of uncalculated giving and graceful receiving or in her vulnerability or her dependence. The book argues that every single human being, by virtue of their embodiment, is dependent and vulnerable and in need of care and concern and subject to claims of other people who are in need of care and concern because it is, in fact, a network, if we're going to care rightly for human beings, which is what I argue for in the book. So I can understand someone saying, you know, how dare you say that a woman is vulnerable and needs help, All she needs is an abortion. When I think sociologically, that can't be right. I mean, like people that in my life that I know who have gotten abortions or people who have chosen not to get abort, it's perfectly clear, in the same way that that a person you know, a person who is sick and possibly dying, all they need is assisted suicide to write the last chapter of their life, or a person who's infertile, all they need is IVF to heal whatever wound bodily wound they have, and to move on to their future and to pursue their pathway. Honestly, it sounds, to me, this is gonna sound maybe crazy to your listeners, and maybe it is crazy. It sounds like the Devil talking. You know what I mean? It sounds like all you have to do is this one thing, this one thing, and you can be like a god, you can be independent, you can be autonomous, you can be free of all of your mutual dependency. But you know, you can get an abortion, you can get IVF, you can kill yourself with this with barbituates, you are not actually freeing yourself of the bonds and mutual connection. And frankly, you're also not engaging in just a self-regarding action in any of those things. Because we're all connected to each other, everything we do affects everyone else. So I can understand why someone might who is ready to hear, especially a man who's making a kind of pro life argument, saying something that is denigrating about a woman's independence and autonomy and so on. But I think I would say the same thing about a man, I would say the same thing about anybody I do say the same thing about everybody in the book, if you have a body, you are vulnerable and dependent and subject to natural limits, and you're entitled to my care, and I and I have to take care of you. Because we're all connected to each other.

Leah Sargeant 23:56

That's what I want to kind of drill in a little on because in that passage, what I was really struck by is that sense of who makes a demand on whom, what what gives shape to that network of dependence. Because you've made this hot button topic in bioethics, abortion and the dignity of the child, a key to understanding worth throughout life. So the need of the mother is like the need of the child is like the need of a disabled person is like the need of someone who just has a 24-hour bug, but is in intense need right this moment. But, you know, you analogize that unchosen obligation of the mother to her child to the unchosen obligation of the community

to—and this is the kind of the tricky part for me grammatically—it's mother? Whose community is in charge of this mother.

O Carter Snead 24:45

Think about it this way, if you were like imagine a small town and you hear somebody scream or yell, "There's a mother and a baby who fallen in a well and they need our help," everyone is going to stop what they're doing and they're going to run in, they're going to help. I mean, that's true even now. There's something that grabs on to our heart when someone vulnerable is a need, and we all have to come to their aid. The key to the whole thing is that in order to flourish as a human being because we are embodied what we need, and what we have to have, are what I describe as networks of uncalculated giving a graceful receiving, that's the that's the scaffolding that we need to survive, but also to flourish and to learn to become the thing that we're supposed to be, which is the kind of person that can make the good of someone else, our own good. It's a normative claim, I'm not claiming to demonstrate this, I'm saying that, my view is that, because we are dependent in on one another, and we're vulnerable, that the only and the only way we survive is through this pathway. What that means, in effect is that we're made for love and friendship. And when someone is in need and suffering, obviously, I mean, there's a kind of principle of subsidiarity at work, and I'm talking about the concentric circles of mother-child and because that's a parent child situation, right? But when there's a parent and a child in crisis, that's a summons for everybody because, of their vulnerability, we're responding in just generosity, to the, to the to the measure of their vulnerability. And anybody who says that a woman seeking a pregnancy or seeking an abortion because she's facing pregnancy isn't subject to serious burdens and serious risks and anxiety and everything else. That's the route by the way, in the jurisprudence of the right to abortion. It's because Blackman said, a woman is uniquely burdened in these ways that she has to have recourse to abortion. And what I'm saying is I agree with you she's facing some pretty steep and difficult challenges. But the answer is not abortion, the answer is rendering aid and care in proportion to the her and the baby's need and the family's need.

Leah Sargeant 27:03

I want to stick with this question of how we find the people were called to care for because it feels like you're talking about these concentric circles. But a lot of my experience of encountering people who are going through tough times is mediated through the internet, where there's an extent to which there kind of circles of people I know better or worse, there are people where I've donated to their medical bills where I've never met them in person. But it's it's overwhelming. You know, the New York Times columnist Liz Bruenig, said, it's like taking a God's eye view of the world where every part of human suffering just turns up in a feed in front of you. Alongside jokes, and photos of friends kid,

O Carter Snead 27:39

Gil Meilaender talks about this a lot, right, and in a very interesting and compelling way, about the cosmos of vocations and the idea that there could be a Cosmos of vocations in which, like, I don't have to go out every night with a bucket of water and look around for fires to put out internet. It is the case that everyone has a vocation and in a kind of micro fashion, you respond

to the people that to use the theological line that God puts in front of you, you know, what I mean, and everyone has a different vocation, some of which is, you know, philanthropic, some of which is service, some of which is writing, some of which is artistic, but I mean, and, and, and so, one could, doesn't need to go insane thinking about, like, you know, Oscar Schindler at the end of Schindler's List, he's thinking about the people he saved. And then realizing he didn't do enough, I mean, there, that's good. I mean, in a way that comes from a good place, but I'm not trying to make our lives easier, or to tell our conscience, when it shouldn't be sad, we should be alive to these concerns. But at the same time, you've got to exercise some prudential discipline and think about the the web of vocations that we all have, and to realize that I don't have to do everything for everybody, I just have to do the things that I'm able to do. And, look, I mean, I have kids and a wife and a job. If I were to move to Calcutta and and work with Mother Teresa's order, I would be leaving my family behind. That can't be right, so it's a matter of discernment. Given the way communications has been amplified through social media, you can be overwhelmed but truthfully, anybody can be overwhelmed by thinking for a minute about Bangladesh or downtown or my neighbor next door. You could become paralyzed by it. And that's why I think especially high-achieving people, people who are like want to go into public policy or people who are lawyers or people who think in grand terms can be paralyzed by the size of the problem. It's like eating an elephant. That's not a good example. You shouldn't eat elephants, but like trying to eat something really big. You take it one bite at a time. And you have to trust in God. There's a network of vocations out there composed of people who are all hopefully, you know, in perfect ways trying to grapple towards doing the right thing.

Leah Sargeant 30:28

This question of how do we address a big problem with small everyday practices in a way at the heart of what we're trying to do here with the Worthy Life Project. In your book, you talked about that being fully human means practicing the virtues necessary to sustain life as humanly lived, living out those unchosen obligations, that economy of giving and receiving. And so what I'm wondering you, we want to be attentive to virtue as a practice, not waiting till virtue is required of us by some big ask, but something we inculcate daily. So you do thing at that big level of the law and bioethics policy, but do you have any kind of daily practice, whether chosen or kind of unchosen that help you keep developing this attentiveness outside a law book, to particular human beings?

O Carter Snead 31:16

I go to Confession a lot. And so I mean, well, not a lot. The truth, again, it's back with my kids, I try to think about how they're watching all the time. And so I try to be thoughtful about the little sort of micro decisions I make, even in things like just being snarky about other people, you know what I mean? As you talk about social media, that the temptation to be funny, and to get a laugh and to be snarky, and, and to hurt people's feelings. And by the no means, am I successful with this, which is why I go to confession a lot. But it is the case that you take the person that's in front of you, how you treat them and Mother Teresa, I keep coming back to her. I mean, she famously said that, if we have no peace in the world it's because we've forgotten that we belong to each other. That, to me, is a more eloquent way to say what I was trying to say in the book. And more eloquent through her life. She cared for people who had literally

people wouldn't look at, she would treat them as if she had Christ in her arms. We all recognize that, the heroism in that, but what about just like daily interactions with people, micro decisions, the point at which you have a choice to go one of two ways. And one way is the way of compassion and love and just generosity and hospitality and misericordia. The other way is, I'm too busy for that I'm gonna focus on you know, doing what I need to do. Because what I'm doing is important, because I'm important. You're trying to examine what you've been up to, to try to hold yourself to account and to be around people that will hold you to account. But I do think that the law is essential for shaping culture. I think that the law should be involved, at the at least at the level of protecting the weakest and most vulnerable, and that itself is pedagogical, right? Like if the law leaves these folks behind? It's not you can't blame someone who's not otherwise. got good teachers for thinking, Oh, well, I guess that doesn't matter, I guess, I guess, I guess the human light the child in the womb is nothing. You know, I guess the person who's who's unconscious and dependent on life sustaining measures is is kind of nothing that their life is over, or that whatever I need to make a baby, you know, I should be able to do because that's really nothing. That's just kind of parts as parts, you know. And I think that the law exists to protect and promote the flourishing of persons and to a lesser extent, it's an imperfect but essential teacher. And I think that i think there there should be actual system wide legal interventions to on these particular questions.

Leah Sargeant 34:44

I appreciate what you say about the law being a teacher here because I think this touches on the question of whether the law is about, you know, bare equality or about equity to an extent, if we have people who are in some sense disadvantaged by their bodies by other weakness, does a fair law treat them as exactly the same as everyone else and hold them to it The extent to where abortion laws do to the same standard of existence as everyone else? Or does the law single them out in some sense in order to raise them to or to recognize equal dignity? By having special provision for them?

O Carter Snead 35:22

This is the real problem. Justice Ginsburg's reasoning, I mean, fundamentally, she what she said about abortion is the current thinking among the elite about why there should be abortion rights, Riva Siegel at Yale Law School, for example, saying that abortion is a mechanism of liberation, for women to pursue a life that is identical in its cooperation or participation in the civic and economic life of the country, a woman needs to be able to do what a man does in terms of sexual expression, sexual behavior, and needs to be free to participate as he does. And the only way you can do that in a world where, by virtue of natural endowments, she gets pregnant, and he doesn't, she has to have recourse to abortion. I think she kind of skates over that doesn't actually engage the question of what or who the unborn child is, or whether it matters or not, if the unborn child is a is a person or part of the moral legal community. I admire those laws that try to require accommodations for people so that they can have the fullest life they can have. But they're one has to be attentive to the mechanisms by which we accomplish those goals. And abortion is the most kind of dramatic example where we licensed the freedom of a woman by by by authorizing lethal violence.

Leah Sargeant 37:06

We could have a whole separate discussion about the the form of feminism that helps women by helping them catch up to be more like men. This is not limited to a question of women versus men. But this question of people who are more dependent on a certain period of time or less dependent. If we take the least dependent person as our legal norm of a person, is everything else all about catching people up to that level of non-dependence, or it's about accommodating them as equal citizens where they are.

O Carter Snead 37:36

Now that's very nicely said. And it's a very potent feminist critique that observes that what we're doing in Justice Ginsburg's approach is valorizing male behavior and making that the standard and women are valuable to the extent that they can be like men. A lot of very powerful feminist critique is no, that hasn't exactly wrong, that doesn't respect what women are as women, it simply tries to make them like men that's in some ways trying to absorb women into the masculine standard.

Leah Sargeant 38:08

Well, the last question, I'd like to ask you, in our time together, I think folks can go through a period of life where they don't experience heavy physical dependence of their own, maybe they're in their mid 20s, early 30s, their back hasn't gone out yet. And when they kind of review their habits of the day, the way you talked about thinking about how you treat people in front of them, they may find they don't see much need around them, their streets have homeless people kind of pushed out to the margins, they're not along their commute. The people who are their friends who are parents have kind of moved further away from them and their children and their needs are more absent from them. People who are elderly live far away or are warehoused, how can someone take one step closer to need so that they are being confronted by the dependence of others in their prime of life?

O Carter Snead 38:55

Well, that's a great question. And, you know, Pope Francis, you can't improve much on what he says about you have to go to the peripheries, right? But you don't have to look very far. Honestly, it could be that can be if you are at an elite institution that is in a place that has been sanitized of all poor people and whatever. I mean, there's still folks that work there, right. There's still people that, that that if you look around, there are people who serve you probably that could you know, that, at the very least, are entitled to the basic decency of your kindness and respect, right? Not in a condescending way. Also, there's a risk of like, Okay, I'm gonna go to Africa, or I'm going to go to the, you know, how about go downtown, you know what I mean, Africa, we need to do all of it, but like, you can start it's romantic to like, go to a completely different culture and whatever, but but there's a certain less romantic version of that. I guarantee you that there's somebody nearby that could use your help. There's some old person that is lonely, that could use your help. There is a family that needs help. There's a food that I mean, there's all kinds of things that one can do. And, and thankfully, at a lot of these elite institutions, which which value expressions of charity and social justice, it's not hard to find people that need your help, you

know, but even even people you encounter every day, you don't know what they're carrying around. Befriend people, be kind to people see if you can be helpful.

Leah Sargeant 40:32

I've been really touched in the wake of the pandemic of the mutual aid groups that have sprung up locally, which have brought a lot more of the need of my community directly in front of me, rather than being something have to work as hard to find out about. It started after the acute need of the pandemic, but people are still going through basic needs that are less related, even just death of back wages, and what will the community do to make this economic injustice right.

O Carter Snead 40:58

That's a really nice point.

Leah Sargeant 41:02

Well, thank you so much for joining me today, Professor Snead? Our guest has been Professor Snead, the author of What it Means to be Human. And if people want to learn more about your writing or your work, where should they go to find you?

O Carter Snead 41:16

So you can find me at the University of Notre Dame Law School website, but also you can go to the website of the de Nicola Center for Ethics and Culture, ethicscenter.nd.edu, we have a whole variety of programming and resources that people might find interesting. If they're interested in the subjects of this book, then there's a lot to enjoy and digest at our website.

Leah Sargeant 41:35

Thank you all so much for joining us for this conversation. This is the Worthy Life Project where we turn to creative thinkers to ask our most pressing questions. I'm your host, Leah Sargeant. See you next time and until then, remember, we are what we repeatedly do. Excellence then is not an act but a habit.