

# On “Aristocratic” Dignity

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*In his recent book, Andrea Sangiovanni raises various objections against what he calls the “aristocratic” conception of dignity – the idea that dignity represents a kind of high-ranking social status. In this short article, I suggest that Sangiovanni gives the aristocrats less credit than they deserve. Not only do his objections target an uncharitably narrow version of the view, Sangiovanni surreptitiously incorporates aspects of the aristocratic conception of dignity into his own (supposedly non-dignitarian) theory of moral equality.*

## I

Andrea Sangiovanni is on a rescue mission. He wants to save us from the conundrums of human dignity. Humanity *without* dignity, he proclaims – though not, of course, as an endorsement of human depravity. On the contrary, in his new book, Sangiovanni makes a compelling case for several of modernity’s defining moral ideas: ideas of moral equality, non-discrimination, and human rights. It’s just that none of these ideas, he argues, is best understood as grounded in human dignity. Time is up on this all-too-common presumption. Instead of lapsing into tenuous abstractions about dignity, we are better off grounding a commitment to moral equality, respectful treatment, and human rights in tangible facts about our vulnerabilities as sociable beings. This is the book’s central thesis.

*Humanity Without Dignity*<sup>1</sup> is a remarkable achievement. Written in lucid prose, it is philosophically deep, novel, learned, and illustrated with memorable examples. It is also filled with sensible observations that resonate with the inarticulate subtleties of human experience, breathing life into its philosophical arguments.

My interest here is restricted to a very short section of the book. This is the discussion of so-called “aristocratic” dignity, from pages 16 to 27. That discussion forms one part of Sangiovanni’s larger case against dignitarian thinking in general, and is meant to help us see why an alternative (which the book sets out to deliver) is necessary. I think the argument moves too fast in this section. In other words, I want to stand up for the Aristocrats – as outrageous as that may sound.

## II

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<sup>1</sup> Andrea Sangiovanni, *Humanity Without Dignity: Moral Equality, Respect, and Human Rights* (Cambridge: Harvard University Press, 2017).

What does it mean to attribute “dignity” to some person, identity, or species? One traditional answer is that it indicates social status or rank – and, in particular, the *elevation* of that status or rank.<sup>2</sup> For instance, when we speak of the dignity of a certain office, such as the presidency, that is normally a way of signaling its high social rank (or *prestige*). This is what Sangiovanni calls the “aristocratic” conception of dignity, for understandable reasons.

In addition to being a mark of (high) social position, however, aristocratic dignity can also refer to the state of being in compliance with the *demands* of such a position.<sup>3</sup> So, for instance, traditionally one might speak of a queen as comporting, or not comporting, herself with suitable “queenly” dignity. In the latter case, we might say she acts “below” her dignity – that is, short of the duties attendant to the queenship. Finally, as a third component, Sangiovanni suggests that dignity, in the aristocratic sense, can refer to the high *value* or *worth* of an elevated social position, or of the demands associated with it.<sup>4</sup>

This is all plausible enough. But it’s also incomplete. For one, it is important to note that the sort of social elevation implied by attributions of dignity, in the aristocratic sense, needn’t be inegalitarian. Aristocratic dignity isn’t only for aristocrats. Instead, it is best understood as equivalent to notions like honor or respectability, which denote an elevation that (we have come to think) is attributable to all.<sup>5</sup> Accordingly, there are standards of “dignified” behavior that apply to all persons – or to the very station of humanity – not just aristocrats. For example, we often speak of the importance of acting with humanity.<sup>6</sup> The idea here seems to be that certain behavior is befitting of human beings as such: that failing to so behave would be (by implication) *inhuman*, or “beneath” human dignity.<sup>7</sup>

Second, Sangiovanni adopts too narrow a view of the practical requirements of aristocratic dignity. His account focuses primarily on the duties dignity imposes on its *bearer*. But dignity, on this conception, also calls for certain conduct, virtues, or attitudes from *others*. Consider: a president may act dishonorably, or beneath the dignity of the office (as it is sometimes said), but others may also insult the dignity of the president. For instance, as a customary demonstration of respect, one is expected to stand when the president enters a room, and (unless otherwise permitted) to refer to the president using formal terms of address (“Mr.” or

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<sup>2</sup> See Jeremy Waldron, *Dignity, Rank, and Rights* (Oxford: Oxford University Press, 2012) and Michael Rosen, *Dignity: Its History and Meaning* (Cambridge: Harvard University Press, 2012), e.g., pp. 11-12, for discussion of this view.

<sup>3</sup> “Dignity can refer to the duties, attitudes, virtues, and bearing that ought to characterize those who occupy the higher-ranking role.” (Sangiovanni 2017, p. 16).

<sup>4</sup> *Idem*.

<sup>5</sup> In this regard I side with Waldron (2012, Sec. 9).

<sup>6</sup> For Sangiovanni’s interesting analysis of this virtue, see Sangiovanni 2017, p. 69.

<sup>7</sup> For a version of this idea, see Cicero, *On Duties* (Cambridge: Cambridge University Press, 1991), ed. M.T. Griffin & T.M. Atkins, pp. 37-41.

“Madam President”), among other established rules of presidential etiquette. A failure to conform to these rules, a breach in decorum, communicates a certain disrespect, even if this is unintended (and therefore easily forgivable). This is just one context in which aristocratic dignity imposes duties all around: on its bearer and on others who must recognize it.

Consider other, less rarefied examples. Ordinary people can act dishonorably – they may cheat, betray, or (once again) demonstrate inhumanity – but of course they may be dishonored by others, too. Bakers may refuse to bake them cakes; neighbors may scorn or shun them; classmates may bully them; institutions may vilify, subordinate, segregate, and enslave them. These are direct attacks on dignity, in the socially-oriented “aristocratic” sense identified by Sangiovanni. They are insults, degradations, and humiliations. But the victims are ordinary persons, not aristocrats or high officials. And the perpetrators – those who fall short of the demands of dignity, here – are *others*. Dignity imposes universal duties not to humiliate or degrade, and (plausibly) to protect people from such harms, too.

Third, and finally, dignity in the present sense requires more than just dignified behavior (from its bearer) and respectful treatment (from others): it also requires dignified *circumstances*. We are accustomed to think of social positions as calling for certain material conditions. A prestigious job merits a corner office. The president lives, not just in any house, but the White House. Inside the courtroom, a judge sits raised up, behind a specially designated “bench.” It is not only distinguished social positions that call for material recognition, however. We also think of ordinary (indeed, all) persons as deserving of dignified conditions of existence, simply in virtue of being human. As Sangiovanni points out, human rights practitioners often speak of the squalor or indecency of certain living conditions, with the implication that these violate human rights. Article 23 of the *Universal Declaration of Human Rights* affirms a right to a material “existence worthy of human dignity,” in just this sense.

### III

Why go on about all this? The main reason is that these observations undermine the objections Sangiovanni raises against so-called aristocratic dignity – and this, of course, undermines his case against dignitarian thinking in general. But they also do something else, in that they help us see why, despite its core mission, Sangiovanni’s book never really escapes such thinking anyways. Let me start by making good on the initial, main claim. In Section V, I’ll defend the second.

Sangiovanni raises three objections against the aristocratic conception of dignity. All of them trade on the assumptions that (a) dignity can be gained or lost, and (b) that its gain or loss depends entirely on the maintenance of dignified bearing, in the sense discussed above.

The first complaint is that dignitarian thinking is morally obtuse. On the aristocratic account (as Sangiovanni understands it), wrongs like torture and slavery violate dignity because they destroy our capacity to act in a dignified way. “By forcing people to live in squalor, or by throwing people into slave camps, or by torturing them, we make it impossible for them to retain their dignified bearing, to ‘stand tall’ among others.”<sup>8</sup> But this seems to get something wrong, he suggests. “Is the wrongness of torture or slave camps really contained in the fact that it makes it hard for us to maintain a dignified bearing? That seems hard to believe. It is the suffering, the humiliation, and... the cruelty involved in cases like these that matters, *not* our dignified bearing.”<sup>9</sup>

This is a sensible complaint. But it is worth mentioning two points here. First, we shouldn’t overestimate the role that dignity is supposed to play in moral evaluation. Unless we want to make respect for dignity the sole requirement of morality, dignity is just one moral consideration among others. And if that’s right, then dignity, or the violation thereof, may not be the only thing that makes torture and slavery bad or wrong. This allows the aristocrat to offer the following reply: “Well yes, the fact that torture and slavery deprive their victims of the ability to act in a dignified manner isn’t *all* that makes them wrong – the cruelty, suffering, and coercion matter, too (and perhaps far more) – but it is nonetheless *part* of the story. Why shouldn’t it be?”

Second, as noted above, aristocratic dignity is, on a fuller understanding, not only concerned with the bearing of its would-be possessor. It also requires recognition and respectful treatment from others, as well as fitting material conditions – an existence “worthy” of dignity. So Sangiovanni’s analysis gets off on the wrong foot. Aristocratic dignity can condemn torture and slavery on numerous grounds, not all of them about bearing or orthopedics (i.e., “standing tall”). What matters most, from the point of view of dignity, is presumably the mentioned interpersonal *humiliation* inflicted by such practices: the total subordination of one person to the power and authority of another, and the concomitant demolition of any pretense of equality between them. Once we (gently) expand our understanding of dignity to incorporate a concern with social harms of this sort, it becomes more plausible to think of it as capturing the core (even if not the whole) of what makes torture and enslavement wrong. This still leaves us with two other complaints, though.

Sangiovanni’s next complaint is a more challenging one. It is about the *grounds* of dignity – that is, the conditions under which one can (rightfully) be said to have it. Sangiovanni points out that, if we take aristocratic dignity seriously, we seem to be committed to the idea that dignity is something that, for any given individual, can be temporarily or permanently *lost*. And this generates some difficult puzzles. For

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<sup>8</sup> Sangiovanni 2017, p. 25. For an account of the wrongness of torture like this, see: Waldron 2012, p. 22.

<sup>9</sup> Sangiovanni 2017, pp. 25-26.

one, it puts us in the uncomfortable position of having to say that some people (e.g., those who, for whatever reason, lack the capacity to act as required) have no dignity. This runs against the sacrosanct idea that all human beings have a certain dignity (i.e., *human dignity*) regardless of circumstance, capacity, or individual distinction of any kind. Next, it also seems to confusingly imply that a heroic individual who is able to maintain a dignified bearing (or “stand tall”) despite horrific treatment, such as torture or slavery, can make no dignity-based complaint against their aggressor, since this aggressor never manages to “take” the hero-victim’s dignity away.<sup>10</sup>

There are other puzzles that might be mentioned here, too. For instance, if torture does deprive its victim of dignity, as is sometimes said, does it also (paradoxically) make itself permissible, since it destroys the very dignity that is supposed to prohibit it? Nor does it matter that Sangiovanni has too narrow a view of the conditions under which dignity can be lost, on the aristocratic conception. If dignity depends on the actions and/or attitudes of others, as well as on material conditions (and not just the bearing of its would-be possessor), this only creates more opportunities for the very same puzzles to arise.

I agree with Sangiovanni that the aristocratic account – indeed, any account of dignity – needs to provide some response to this set of questions. But, unlike him, I don’t believe that they are so devastating as to be unanswerable. One elegant option is to distinguish between what Pablo Gilabert calls *status* and *condition* dignity.<sup>11</sup> Status dignity is a normative property. It is what *calls for* dignified treatment, bearing, and material conditions in the case of its possessor. Condition dignity, by contrast, is a descriptive property. One has it only if one *actually* enjoys or attains the treatment, bearing, and material conditions that their status dignity prescribes.

If we think of dignity in these dualistic terms, we can resolve the puzzles described above. For example, while torture and enslavement – on the aristocratic view – do place us in undignified conditions (“stripping” us of condition dignity), they need not alter anyone’s *status* dignity: that is, our status as persons whom it is wrong to torture or enslave. So, we don’t have to worry, here, about rejecting the idea of human dignity: all human beings can have (status) dignity – they can all *deserve* dignified treatment and living conditions – even if many human beings, at various points in time, fail to actually find themselves treated, acting, or living in dignified ways. And for those heroically able to resist, so far as possible, the humiliations of undignified treatment and/or conditions – by preserving an internal “sense” of dignity (or “upright gait”) despite it all – their status dignity can still provide them with grounds for complaint.

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<sup>10</sup> Ibid, p. 26. See also Martha Nussbaum, “Compassion and Terror” in *Daedalus* (2003), Vol. 132, No. 1, pp. 18-19.

<sup>11</sup> Pablo Gilabert, *Human Dignity and Human Rights* (Oxford: Oxford University Press, 2018), p. 3.

## IV

So much for the second objection. Now for the third, which also concerns the grounds of human dignity. How, Sangiovanni asks, can the aristocratic account possibly make sense of the idea of human dignity? Or rather, how can it make sense of the idea that all human beings are *equal* in dignity? If aristocratic dignity is grounded, as Sangiovanni assumes, in an agent's bearing or capacity to live a dignified life, this will necessarily vary from person to person. "So, if that is true, then why does everyone have an *equal* claim, or *right*, to have their 'human dignity' respected? Why shouldn't those who have realized their human dignity to a greater extent have more of a claim than others?"<sup>12</sup>

One way to take the sting out of this objection is to distinguish, once again, between status and condition dignity. We may grant that an individual relinquishes his or her *condition* dignity by acting, or failing to act, in certain ways. But even if we grant this, we can still insist that they maintain their *status* dignity throughout: that is, the status of being *called upon* to act in a dignified manner, and of *deserving* dignified treatment and conditions in general. This is what we seem to insist when, for example, we say that someone (who is behaving badly) acts "beneath" their dignity. So long as behavioral (and other) differences amongst individuals do not affect the universal distribution of status dignity, in some such way, the aristocratic should be able to account for human dignity.

But we might wonder whether this solution gets something wrong. Doesn't bad behavior affect what we *deserve* – that is, our status dignity, in the very sense just described? And if we think of dignity as prescribing for its possessor a certain (honorable) social position, as the aristocratic conception encourages us to do, isn't the importance of behavior even more obvious? After all, sufficiently bad behavior can justify the punishment, and even humiliation, of an offender. We think "less" of someone who commits a terrible crime, and (it would seem) rightfully so. Isn't the idea of an *equal* claim to dignity, on the part of all persons, fundamentally implausible then, just as Sangiovanni suggests?

The answer depends on our understanding of the scope of human dignity. If dignity entitles us to social status (and its various benefits and burdens), then we can have many "dignities" – corresponding to our various social positions, engagements, or roles. A judge has *judicial* dignity; a professor has *professorial* dignity; a citizen, *citizenship* dignity; a mother, *maternal* dignity; and a respected member of society has the dignity of (what we might call) *good standing*. Each of these dignities carries with it certain demands and privileges. Many of them are, in principle, compossible. And each of them can be gained and lost, in the course of one's life. A judge may be impeached; a professor sacked; a respected member of society, disgraced. *Human* dignity, however, is supposed to stay with us for life (and

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<sup>12</sup> Sangiovanni 2017, p. 26.

perhaps even in death),<sup>13</sup> no matter what. And because it is only one among several species of dignity (and thereby limited in scope) it can plausibly do so. So, while it is true that committing a terrible crime may justifiably deprive us of *certain* dignities or statuses – for example, those of good standing and unrestricted citizenship – it cannot deprive us of the dignity owed to us simply on account of being human. Human dignity (and its associated benefits and burdens) always remains, as a kind of lower limit beneath which our social conditions must not be allowed to sink.<sup>14</sup>

Now, even on this understanding, it is not easy to explain “where” this universal (status) dignity comes from, or what *grounds* it. Like other commonly and deeply held moral ideas, it may seem easier to believe in human dignity than in any specific account of why we should. And in so far as Sangiovanni is pointing out the difficulty of grounding it in a behavioural capacity that is not equally distributed amongst human beings, his point is a fair one. But it’s worth noting that Sangiovanni’s own (aspirationally non-dignitarian) account of moral equality is itself grounded in a capacity that is not equally shared amongst human beings: the capacity to “*develop and maintain an integral sense of self.*”<sup>15</sup> It is because this valuable capacity depends on difference-blind treatment from others (or what Sangiovanni calls “*opacity respect*”), that equality is an important moral end, in his view.<sup>16</sup>

But what about people who lack this capacity, such as infants, the permanently comatose, or the braindead? Or what about those who (like Harriet Beecher Stowe’s “Uncle Tom”) use it to adopt a demeaning or servile self-conception? Respecting the “integral sense of self” adopted by such persons would seem to require treating them as *subordinates* rather than equals – an embarrassing result for a theory of moral equality. Sangiovanni tries to block this by explaining (not all that convincingly) that a subservient self-conception is by necessity “*already fractured,*” and so fails to draw the protection of the capacity for integrity.<sup>17</sup>

As for those who lack self-consciousness altogether, Sangiovanni admits that “such beings lack the bundle of rights constitutive of equal moral status.”<sup>18</sup> The shock of this admission is supposed to be mitigated by the fact that such persons will still possess “basic moral status” – presumably enough to ground essential duties of care.<sup>19</sup> But there is still a problem here. Sangiovanni takes moral equality to characteristically prohibit “*stigmatization, dehumanization, infantilization, instrumentalization, and objectification.*”<sup>20</sup> In denying the mentally incapacitated equal

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<sup>13</sup> For a discussion, see Rosen 2012, Ch. 3.

<sup>14</sup> It is, in this sense, what Waldron calls a “sortal” condition. Waldron 2012, pp. 57-61.

<sup>15</sup> Sangiovanni 2017, p. 76.

<sup>16</sup> Ibid, pp. 88-99.

<sup>17</sup> Ibid, pp. 96-99.

<sup>18</sup> Ibid, p. 108.

<sup>19</sup> Idem.

<sup>20</sup> Ibid, p. 74.

moral status, does he really mean to suggest that it is permissible to treat them in these ways? It is an outrageous implication.

These are tricky cases for Sangiovanni. But they are not necessarily knockdown arguments against his view. Constructive works of philosophy always face problem cases. Nor do I want to defend the idea that human dignity is grounded in the capacity to live a “dignified” life. Like so many others, I am not sure what gives us dignity – though I do think the aristocratic view offers the right picture of what dignity consists in.<sup>21</sup> The point I want to make here, instead, is dialectical. If Sangiovanni thinks we can ground the requirements of moral equality in an *unequally* distributed human capacity, why is he so sure that the egalitarian requirements of human dignity cannot be grounded in a similar way?

## V

A final word about terminology. *Humanity Without Dignity* claims to offer us a theory of moral equality that eschews any appeal to the idea of dignity. But on inspection, I wonder if this is false advertising. It is true that Sangiovanni diligently avoids using the term “dignity” in any justificatory premise of his text. Avoiding the term is not the same as avoiding the concept, however.

Consider once again the various forms of “social cruelty” that Sangiovanni takes equal moral status to prohibit: dehumanization, instrumentalization, stigmatization, infantilization, and objectification. It is very difficult *not* to think of these as violations of human dignity. Moreover, as Sangiovanni (interestingly) points out, what makes these harms incompatible with equality is their “*social meaning*” – the demeaning or disrespectful *attitude* they express towards their victims.<sup>22</sup> This is exactly the sort of consideration that makes such harms violations of human dignity on the aristocratic account, focused as it is on social propriety and communicative respect. But again, Sangiovanni wants to avoid this association:

Notice that at no point have I invoked the idea of dignity. We have an understanding of social cruelty, I have suggested, that is prior to our understanding of dignity. It is prior in the sense that we can know what social cruelty is, and how it is wrong, without needing to explain in what sense we have dignity. It is enough that we see how social cruelty is an attack on one’s capacity to develop and maintain an integral sense of self, and that such attacks threaten to destroy something of great value to us, namely our ability to enjoy and participate in those things we have most reason to value.<sup>23</sup>

Perhaps we can grasp the phenomenon of social cruelty (and what’s wrong with it) without *explicitly* thinking about dignity, or any well-worked-out theory thereof.

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<sup>21</sup> See my, “What’s So Special About Human Dignity?” (DRAFT).

<sup>22</sup> Sangiovanni 2017, pp. 122-123.

<sup>23</sup> *Ibid*, pp. 85-86.

But worries about social cruelty – humiliation, degradation, dehumanization, and disrespect – ultimately *just are* worries about dignity as it is conventionally (and aristocratically) conceived. You can avoid the term all you want. These are attacks on social status or honor: i.e., dignity in the aristocratic sense. So, it is not quite right, then, to say that we can understand social cruelty without giving any thought to dignity. On the aristocratic conception, these are linked ideas; to think about the former is to think about the latter.

For these reasons, *Humanity Without Dignity* seems to me less radical than advertised. Dignity still lurks (unwantedly) within it. Indeed, the book can even be read as developing, rather than debunking, the aristocratic theory of dignity. Its arguments help us understand why social goods like dignity, status, honor, recognition, and respect are so important to us in the first place: because, as Sangiovanni puts it, they further our capacity to maintain an integral sense of self. Its focus on the communicative aspect (or “social meaning”) of actions helps us understand when and why it is that some immoral acts take on a dignitarian significance, while others do not. And the book’s vivid and convincing accounts of social cruelty, of the various ways in which our social standing can be attacked or undermined, give us a sharper sense of what respect for dignity concretely requires.

If Sangiovanni’s point is that people should stop thinking of *dignity* as the thing that’s undermined by such acts of social cruelty, and focus only on the capacity to form and maintain an integral identity, it looks as if his argument is merely about labeling. So long as we appreciate the value of this capacity, and its social vulnerability, why should we not think of it as illuminating the importance of dignity – of treating people respectfully, or as worthy of respect? There is no reason why we shouldn’t. And besides, dignity’s been around for a while. I suspect it will be with us for a while yet.