

So much at stake

Whether membership card, cultural achievement or shibboleth, the concept of dignity has meanings which philosophy and society ignore at their peril

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inalienable dignity simply in virtue of being human. Rosen's second strand of meaning becomes in the end a Kantian one: the intrinsic value of humanity.

It would be worth separating the two sides of Kant's proposal more firmly than Rosen does. The idea of dignity as intrinsic value allows us to raise the question whether something other than humanity might have it: whether such dignity may be possessed by non-human animals (the Great Ape Project ascribes dignity to the great primates); or by lowlier members of creation (a Swiss ethics committee ascribes dignity to plants, a claim Rosen defends as coherent). The point is that an affirmation of something's dignity can be a way of saying it has a value that goes beyond the merely utilitarian or instrumental. So it is a pity that Rosen collapses the two sides of Kant's proposal together, saying that "for Kant, the idea of dignity as intrinsic value was to be identified with a feature that all (and only) human beings have in common". Not so: Kant distinguished the question of what dignity is, from the question of who has it, and why. And so should we.

Rosen's third strand is the idea of dignity as measured, "dignified", self-possessed behaviour. "Dignified" bearing is often associated with social rank, the behaviour "dignitaries" exemplify. *Dignitas* was used by the ancients to describe speech that was weighty and majestic, as well as the speaker himself (always a "him", comments Rosen). But when we describe individuals who confront suffering or misfortune with "dignity", we mean something different: an ability to endure troubles with calm fortitude – an

Rosen's fourth strand is the idea of respect. Dignity is thought to demand a response: respect, and the sort of treatment respect entails. Kant said, "by virtue of this dignity we are not for sale at any price". Something having merely relative value or "price" may be bought and sold, replaced by something else that does the job just as well, used merely as an instrument or means to our own ends. However, something having dignity in the sense of intrinsic, unconditional value (Rosen's second strand) must not be treated thus, but "always as an end", and "never only as a means". The dignity of humanity demands respect for autonomy, so that we do not treat others merely as tools, or means to our own ends; and, more positively, we must treat them "as ends in themselves". Rosen explores the meaning of the Kantian injunction about how we are to treat the bearers of dignity, and aligns it with a requirement that we respect



"Dignity", 1999, by Max Ferguson

"respectfulness" that refrains from treatment that degrades or humiliates, even where such treatment is otherwise harmless. Rosen raises excellent questions about how dignity's role in the law is supposed to allow it to function in these different ways: at once as a ground of human rights in general, and as a safeguard against humiliation in particular.

Some of the above contrasts are played out in the story of Manuel Wackenheim, which in a "dwarf-throwing" competition, first because his mayor banned the sport as a "violation of the dignity of the human person", then because his appeals to French and international courts failed on similar grounds – notwithstanding his own insistence that it was the ban, not the throwing, which affronted his dignity more deeply. Rosen agrees that "dwarf-throwing" is undignified (in terms of his third strand). But he argues that treating someone with dignity (in terms of the Kantian strands) means allowing them the freedom to be undignified if they so choose. He regards intervention in this to be as ludicrous as attempting to prevent "undignified behaviour in bars and clubs at night".

Some may find his dismissal too swift. Rosen mentions that the organization "Little People of America" opposed this "sport" in the USA, on the grounds that it "tears down the structure and the esteem that little people are trying to gain". He could have mentioned

between Rosen's first strand and his fourth: the interplay between dignity as social standing, and respect; especially given that, as Rosen has shown, respect can involve more than respect for choice. To take a different example, in the Hollywood of the 1930s, there was a demand for "coon-caricature" comedy actors, who were paid to portray slurring, brutalized racial stereotypes. Would Rosen insist this was solely a matter for with the stereotypes they fostered? It is a harder question than Rosen allows, whether being paid to be on the receiving end of indignity is always redeemed by choice.

Having identified four strands in dignity, and surveyed their careers in philosophy, religion, law and history, Rosen raises a puzzle about dignity's role in norms that have received scant attention from philosophy or law. Why, he asks, is it so widely agreed that the dead should be treated with dignity? After all, there no longer exists any human person. We cannot say that respect for autonomy, or for humanity as an end itself, requires respectful treatment: for neither autonomy, nor humanity in the relevant sense, remains. There is no longer, as he puts it, any "particular, existing beneficiary".

Rosen's proposed solution is that there are duties to express symbolic respect – duties not grounded in the humanity or rational agency of the being to which we

wise perhaps what happens to your body.

More importantly, the absence of an existing beneficiary does not imply the absence of value. This brings us to Rosen's second answer, in some tension with his first: yes, duties to the dead are grounded in something of value, namely our own humanity – as Kant himself thought, though he was wrong to identify it with a timeless "noumenal" self. The duty to respect the dignity of the dead, says Rosen, is "fundamentally a duty towards ourselves": if we fail to respect these others, "we actually undermine humanity in ourselves". Rosen is to be applauded for raising an important puzzle about symbolic and expressive duties. But he fails to solve it, because his answers compete with one another, and in any case leave mysterious why respect for humanity in oneself should require respectful treatment of something that is no longer human.

Kant's idea that human beings have "a dignity" and not a "price" has been an important resource for theorists of race and gender, who have seen implications in it for the social standing of subordinated groups. It is, as Rosen remarks, no coincidence that exemplars of dignity in the status sense (his first strand) were male. And it is no coincidence that objectification of women involves the treatment Rosen discusses under his Kantian strands of meaning: denying people's autonomy, treating them as sexual objects, mere means or instruments. Objectification is at odds with Kantian dignity.

Rosen's insightful insistence on the significance of non-degrading treatment (his fourth strand) extends this Kantian thought in a further distinction between human beings and animals – for example, in upright gait, through the wearing of clothes... defecating and copulating in private. It is this which the torturers and murderers target".

Not just the torturers and murderers: it is a feature of hate speech generally, as Rosen points out, that hated out-group members are cast in such terms, whether it be Jews described as insects in *Der Stürmer*, or the Tutsi described as cockroaches by Hutus on Rwandan radio broadcasts. Feminist readers of Rosen's book might also be prompted to ask: is it a coincidence that representations of women in our culture so often "target" precisely the behaviour Rosen describes as expressive of human dignity? Rosen's work has potential to help us view such questions in a fresh light.

One possible lesson to be gleaned from Rosen's rich study is that while dignity can be an illusory shibboleth, it can also be a cul-