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# Love and the Basis of Dignity

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## Abstract

It is often said that dignity is the ground of human rights. But what grounds dignity? According to proponents of the *metaphysical view*, dignity is grounded in our rational capacities, our sense of justice, or a disjunctive list of valuable capacities. According to a rival *political view*, dignity is grounded in our evolving social practice of treating one another as equals or the simple political commitment to act as if we were one another's equals. I argue that both views face serious objections. I then consider a recent alternative proposal, the *relational view*, and argue that we should reject it because it fails to offer an answer to the question: what grounds dignity? In its place, I argue that we should adopt a different sort of metaphysical view—call it Naïve Humanism—which says that being loveable necessarily entails being valuable, and that all human beings are fit to love in a distinctive sort of way and are thus essentially valuable in a distinctive sort of way, possessing a dignity. I conclude by considering a methodological disagreement and suggesting a way forward for all participants in this debate.

> "What is meant, though, by saying that persons are free and equal?"
> —John Rawls.[1]

## 1 | INTRODUCTION

It is often said that dignity is the ground of human rights.[2] But what grounds dignity? According to proponents of the *metaphysical view*, dignity is grounded in our rational capacities, our distinctive capacity for language, our sense

of justice, our capacity to value, or a disjunctive list of valuable capacities.[3] According to a rival *political view*, dignity is grounded in our evolving social practice of treating one another as equals or the simple political commitment to act as if we were one another's equals.[4]

Though proponents of metaphysical and political views disagree on many things, they agree on one big thing, namely, that our bare humanity is not enough to ground dignity: we need humanity plus some other (intrinsic or extrinsic) property to explain what makes it the case that we have dignity. But finding such a special property has proven to be exceptionally difficult. To each newly proposed property, counterexamples are raised, replies are offered, yet no property seems fully satisfactory. Roughly put, the problem is that dignity seems to be something that we all share equally and at all times, but all of the properties proposed to do the work of grounding dignity are contingent: some lack rational capacities, others find themselves outside of a political practice of treating one another as equals, and not every polity shares the political commitment to act as if we were all worthy of equal concern and respect. We thus seem forced to conclude that we are not all free and equal in dignity and rights.

Now a solution to this problem could, in principle, be forthcoming. Perhaps we just need to continue our search for the special property that is equally distributed to an equal degree. But I want to suggest that what gives rise to this seemingly intractable issue is the assumption that our bare humanity is not enough to ground dignity. The goal of this paper is to cast doubt on this assumption by laying the groundwork for a different sort of metaphysical view—call it *naïve humanism*—regarding the ground of dignity. According to naïve humanism, our bare humanity suffices to ground our being valuable.

But why think that *being human* is a morally significant property? Previous attempts to defend naïve humanism either offer unsatisfactory answers or they deny the need to offer an answer. For instance, T. M. Scanlon (1998: 185) claims that "The mere fact that a being is "of human born" provides a strong reason for according it the same status as other humans." And Cora Diamond (1991: 57) claims that one does not need to give an explanation as to why being "human born" is normatively significant. But these answers will hardly convince a skeptic of naïve humanism. What Diamond and Scanlon owe—but have failed to provide—is a good independent reason for thinking that *being human* is a morally significant property.

Fortunately, I think that the naïve humanist can do better. Here's what they ought to say. Many of us think all human beings, regardless of whatever properties they possess, are fit to love in a distinctive sort of way. We think, for instance, that persons with severe cognitive disabilities are just as worthy of love and respect as persons with rational capacities. This is not an idle fact. Love and value, I shall argue, follow each other around in a special way: whenever something is loveable, it is also valuable. Thus our fitting love towards other human beings is *evidence* of their being valuable in a distinctive sort of way, of their possessing a dignity.

Now I should flag at the outset that my argumentative strategy is comparative in nature. That is, rather than provide a full defense of naïve humanism, I simply aim to present it as a worthy competitor to rival views. To do so, I will begin, in §2, by outlining and defending three desiderata that any satisfactory account of human dignity ought to meet. In §§3–4, I examine metaphysical and political views regarding the ground of dignity. I argue that neither adequately satisfies all three desiderata. In §5, I consider a recent alternative proposal—the *relational view*—and argue that we should reject it, not because it fails to satisfy all three desiderata (I think it does), but because it fails to answer the question: what grounds dignity? In §6, I show how the naïve humanist view is better equipped to satisfy all three desiderata. In §7, I shall consider a different sort of political view, one that seeks to provide a vindicatory genealogy of our commitment to the idea that we are all equal in dignity. In §8, I conclude.

## 2 | DESIDERATA FOR A THEORY OF HUMAN DIGNITY

As Zylberman (2016) points out, a satisfactory account of human dignity ought to meet three pre-theoretical desiderata:

*Scope:* All human beings have the same dignity.
*Direction:* Respect is owed to every bearer of human dignity.
*Grip:* The duty of respect [that derives from dignity] is especially exigent.[5]

Let's unpack each desideratum in turn. First, the scope desideratum articulates the universal cosmopolitan nature of human dignity, which is perhaps most memorably put in Article 1 of the United Nations, General Assembly (1948). Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights."[6] The phrase "equal in dignity" captures the distinctive egalitarian character of dignity, which stands in stark opposition to those who make distinctions of the worth and value of human beings by pointing to arbitrary features, such as birth, race, gender, social status, genes, etc.[7] It is no accident that demands to recognize one's dignity make no appeal to such arbitrary features. On the contrary, such demands simply appeal to features that we universally share. A satisfactory account of dignity ought to account for this fact.[8]

Second, the direction desideratum captures the idea that the duty to respect is *directed*. That is, it is a duty that is owed to particular people.[9] For instance, when you promise to call your mother on Mother's Day, you owe it to her to do what you promised. Failure to do so results in a wrong *to* a person rather than a wrong simpliciter. In contrast, your non-directed duty, say, not to destroy the statue of David, seems to entail that you would act wrongly *simpliciter* if you took a sledgehammer to it; sad as that would be, you would not wrong a particular person.[10] Thus, the duty to respect every bearer of dignity seems to be a duty that you owe to others. In failing to respect their dignity, you don't just act wrongly—you wrong a particular person.

Finally, the grip desideratum captures the distinctive deontic and categorical nature of human dignity. It is not enough to say that everyone is of equal worth and thus counts the same, for even those who claim to value everyone equally might contend that we ought to torture an innocent girl if doing so is necessary to save ten people. Indeed, they might claim that since everyone counts the same, we ought to equally consider everyone's interests, tally them up, and torture the innocent girl.[11] Yet such an action, it is often claimed, fails to respect the dignity of the innocent girl. Thus, the grip desideratum captures both the idea that dignity is especially resistant to trade-offs and that it has a categorical grip on us. We cannot escape its normative force simply for the sake of promoting other valuable ends.[12]

With these desiderata on the table, let's now turn to our target question: What grounds dignity?

## 3 | THE GROUND OF DIGNITY: METAPHYSICAL

Proponents of the metaphysical view say that the property which grounds dignity is intrinsic to human beings and is thus a non-conventional status.[13] There are, to be sure, many sorts of metaphysical views on the market. I cannot examine each and every one of them, and so I will turn my attention to what is perhaps the most enduring and influential variant, namely, the Kantian view.

In *The Groundwork of the Metaphysics of Morals*, Kant specifies the link between dignity and autonomy as follows:

> In the kingdom of ends everything has either a price or a dignity. What has a price can be replaced by something else as its equivalent; what on the other hand is raised above all price and therefore admits of no equivalent has a dignity. [...] that which constitutes the condition under which alone something can be an end in itself has not merely a relative worth, that is, a price, but an inner worth, that is, dignity. [...] Autonomy is therefore the *ground* of the dignity of human nature and of every rational nature.[14]

James Griffin takes a cue from Kant when he similarly specifies the ground of dignity as follows: "The sort of dignity relevant to human rights, however, is that of a highly prized status: that we are normative agents" (Griffin 2008: 152). Not unlike Kant, Griffin claims that our normative agency is of intrinsic value. It picks out a special feature of us: that we are the kinds of creatures who have a capacity to choose and pursue ends that we set for ourselves. Thus, with respect to our target question, Griffin's answer is this: we have dignity in virtue of our status as normative agents.[15]

Now at first glance, one might think that Griffin is in a good position to satisfy the scope desideratum. This is because the capacity for normative agency does not seem to make reference to any arbitrary features about us, such as race, class, gender, nationality, etc. Yet by grounding dignity in normative agency, Griffin's view invites the undesirable consequence that infants, comatose adults, and those with severe cognitive disabilities lack dignity because they are not "normative agents" in Griffin's sense.[16] Griffin acknowledges this shortcoming as a price his theory must pay. Though he does not give the issue much treatment, he does claim that "we have a better chance of improving the discourse of human rights if we stipulate that only normative agents bear human rights—*no exceptions*: not infants, not the seriously mentally disabled, not those in a permanent vegetative state, and so on" (Griffin 2008: 92).[17] Griffin's motivation for this stipulation is twofold. First, he thinks that the term "human rights" lacks a determinate sense, which is to say that there is no criteria for determining when the term is used correctly or incorrectly. Second, he thinks that the remedy for this problem is to "see human rights as protections of our normative agency" (Griffin 2008: 2). Nevertheless, Griffin's stipulation fails to satisfy the scope requirement, namely, that we all have the same dignity. Surely I am not conceptually confused if I assert that someone in an irreversible coma could have their dignity violated. Likewise for infants and the seriously mentally disabled.[18] Now Griffin does not tell us exactly what he means by "the seriously mentally disabled," but presumably the term would pick out any sort of cognitive functioning that impairs one's ability to be a normative agent—to choose, pursue, and realize one's conception of a worthwhile life.[19] If so, then, for Griffin, the property of dignity would seem to flicker in and out of existence: one would lack it at the stage of infancy, somehow acquire it thereafter, then perhaps lose it after a sudden cardiac arrest, only to gain it upon leaving the hospital bed before losing it once more to an unfortunate diagnosis of dementia. Dignity, it would seem, is quite fragile for Griffin. But as the ground of human rights, it seems natural to say that dignity is robustly shared by all. That's what the scope desideratum tells us. But Griffin can't satisfy the scope desideratum.

Things look better when we consider the direction desideratum and the grip desideratum. For Griffin can say that the fact that we are normative agents gives us the capacity to make claims on one another, and that these claims are highly resistant to trade-offs. Interfering with another's normative agency, for example, by coercing them, seems like a clear case of violating someone's dignity. Or take the case of treating a person like a mere thing, for example, the previously mentioned case of torturing an innocent girl to save ten people. Griffin is in a better position to explain these cases since they all involve violations of normative agency.

We ought to give credit where credit is due. This is indeed an attraction of the Kantian view: namely, that it illuminates not only the basis of dignity but also the relationship between dignity and rights. Nevertheless, the same issues that Griffin had with the scope desideratum seem to undercut the direction desideratum and the grip desideratum. For to say that the respect that I owe to you is conditional on your being a normative agent seems to provide me with a conditional reason to respect you. Put somewhat differently, the issue is that the duty of respect that derives from dignity is unstable because dignity itself is unstable on Griffin's view. So even if Griffin adequately satisfies the direction and grip desiderata, he struggles to do so in a stable manner.

## 4 | THE GROUND OF DIGNITY: POLITICAL

Jeremy Waldron (2012: 4) claims that a natural way to begin thinking about dignity is to take it as a moral ideal and look at how adequately it has been represented in statutes, constitutions, and human rights conventions. As we have

seen, proponents of the metaphysical view take this approach, and so do many others.[20] But Waldron thinks that this is not the only approach to take when examining the concept of dignity. Taking up a distinctive juridical point of view, Waldron writes:

> What if we were to approach things from the opposite direction? Dignity seems at home in law: law is its natural habitat. We find it in many legal documents and proclamations: in the opening provision of Germany's Basic Law, for example, in the South African constitution, and in the International Covenant on Civil and Political Rights (ICCPR). We tell ourselves that this must be a case of the law using a moral ideal. But maybe morality has more to learn from law than vice versa (Waldron 2012: 14).

Waldron goes on to claim that dignity is a distinctive legal idea that "moral philosophers have appropriated" (Waldron 2012: 14). Contrary to "the moral philosophers [who] tell us that dignity is a matter of status," Waldron contends that "status is a legal conception" (Waldron 2012: 14). Thus, rather than continue searching for a moral ground for dignity, Waldron asks us to turn our attention to the domain of law and thereby take as our starting point not the Kantian notion of worth beyond price, but rather, the Roman notion of *dignitas*; that is, dignity as rank. He writes: "the modern notion of *human* dignity involved an upwards equalization of rank, so that we now try to accord every human being something of the dignity, rank, and expectation of respect that was formerly accorded to nobility" (Waldron 2012: 33). Thus, with respect to our target question, Waldron's answer is this: We have dignity in virtue of our evolving social practice of treating one another as equals.[21]

Waldron's account does not adequately satisfy the scope desideratum because the dignity, rank, and expectation of respect formerly accorded to nobility is necessarily exclusionary and hierarchical.[22] As Don Herzog notes, the core of the sort of dignity "enjoyed by aristocrats is something like this: I enjoy special privileges and need not answer to the likes of you for how I use them" (Herzog 2012: 103). That the privileges enjoyed by aristocrats have this exclusionary character built into them poses an issue for Waldron's claim that our modern notion of human dignity is simply the aristocratic notion of *dignitas* levelled up and universalized. Contra Waldron, the concept of *dignitas* seems resistant to universalization because, by nature, it is inapt for levelling up.[23] But whatever dignity is, it seems to be had by everyone equally. So, since human rights are universal in scope, they cannot be grounded in something that is non-universal in scope, i.e., dignity *as* rank.

But suppose that there is a way to rescue the concept of *dignitas*. Does that allow Waldron to satisfy the scope desideratum? I don't think so. Here's the root of the problem. According to Waldron (2012: 20), our duty to treat every bearer of dignity with respect is grounded in the existence of an evolving social practice of treating one another as equals. But social practices are contingent. They could have been otherwise. So there's a possible world where there isn't a social practice of treating one another as equals. Indeed, one doesn't need to look that far back in history to find such a world.[24] Now I take it as a basic data point that if any of us were in such a world, we would still have good reason to treat every bearer of dignity with respect. But this is inconsistent with what Waldron says. The duty to treat every bearer of dignity with respect, according to Waldron, seems to flicker in and out of existence with our social practices: one would lack it in a state of nature, somehow acquire it thereafter because a social practice arose, then perhaps lose it in the event that the social practice disintegrates, and so on.[25] This seems implausible. Dignity does not seem to be a property that one possesses only in the lucky event that they find themselves included in the right kind of social practice. So, Waldron's account cannot adequately satisfy the scope desideratum.

What about the direction desideratum? Here Waldron's account seems to fare just as well as the orthodox Kantian view. The only salient difference is the *source* of the duty to respect each and every bearer of dignity. For Griffin the source is our normative agency, whereas for Waldron the source has nothing to do with facts about *us*. Rather, the source is our evolving social practices of treating one another as equals. And such practices—at least when they are operative—do seem to give reasons of the right sort. For instance, anti-discrimination law, tort law, various constitutional provisions, just social policies, civil rights, and so on, all give us reasons to respect individuals qua individuals.[26] So Waldron's account satisfies the direction desideratum.

What about the grip desideratum? Given that social practices are contingent, the type of normativity derived from an evolving social practice of treating someone as an equal seems merely formal. By "formal" I mean the type of normativity that is internal to an activity.[27] Formal normativity is ubiquitous in games. For instance, suppose that you and I are playing tag. It seems like I have reason to avoid being tagged by you and vice versa. So, if you are running towards me, then I ought to run as fast as I can in the opposite direction. But the norms governing the game of tag seem cheap. They don't seem genuinely authoritative for our lives because we only have reason to abide by them so long as we are committed to playing tag *well*. And sometimes we might want to play tag *badly*. For example, if a parent is playing tag with their child, then perhaps they ought to run slowly to make their child feel like a good tagger. But the type of normativity that dignity has seems robust, as opposed to merely formal. Our thought and talk about dignity is not like our thought and talk about tag. It seems wrong, for instance, to say that you ought to treat each bearer of dignity with respect because that is what our evolving social practice requires. That seems to be the wrong sort of reason to respect you.[28] Thus, Waldron's account cannot adequately capture the grip desideratum.

## 5 | THE GROUND OF DIGNITY: RELATIONAL

According to Ariel Zylberman's relational view, dignity is grounded in our original, as opposed to acquired, practical standing. He writes: "A has human dignity if, and only if, A enjoys an original relational practical standing, that is, the general and necessary standing constituted by general and necessary claims and directed duties" (Zylberman 2017: 936). One way of understanding Zylberman's relational view is to contrast it with the views we have covered thus far. Whereas Griffin's view says that we have dignity in virtue of having normative agency, Zylberman's relational view says that dignity is "an irreducibly relational and deontic notion, the standing constituted by general claims and directed duties" (Zylberman 2017: 936). And while Waldron might want to ground such standing to make claims in some further fact: namely, the fact that one exists in a social practice of treating one another as equals, the relational view rejects this request for further explanation, claiming instead that "dignity is an irreducibly relational and deontic notion" (Zylberman 2017: 936).[29]

A virtue of Zylberman's relational view is that it fares quite well with respect to the scope desideratum. By making a distinction between original standing and acquired standing, Zylberman is able to avoid the worries facing Waldron's view, for one's original standing is guaranteed by being a rights bearer, which is a non-contingent fact. Moreover, since original standing is not grounded in the property of normative agency, it similarly avoids the worries facing Griffin's view. Of course, one might worry that those excluded on Griffin's view—e.g., infants, comatose adults, and so on—don't have an original practical standing to assert rights and thus lack dignity. But as Zylberman (2018: 749) points out, this confusion arises from failing to distinguish between being a rights bearer and having the capacity to assert one's rights. Those excluded on Griffin's view have an original practical standing—they just lack the ability to assert it. Thus, Zylberman's view satisfies the scope desideratum.

What about the direction and grip desiderata? Zylberman claims that his account can satisfy both because dignity itself is a deontic notion. He writes:

> On a relational analysis, human dignity represents an original [practical standing], which already contains a basic claim to directed respect from others. […] Dignity generates a deontic constraint because it is itself a deontic notion. And dignity generates a directed duty because it is itself a relational notion, immediately containing the relational notion of a claim (Zylberman 2018: 749).

This is a tidy solution. Yet while I agree that the proper response to a rights bearer is respect, and that the duties which follow from having rights are directed duties, I worry that Zylberman's account secures the direction and grip desiderata at the cost of presupposing the very thing that dignity is supposed to explain: our having rights. This

worry might also be extended towards Zylberman's strategy for securing the scope desideratum. To see how, let's take a step back and look at the dialectic thus far.

We began our inquiry with a platitude: dignity is the ground of human rights. We then asked: What grounds dignity? An adequate answer to this question is supposed to explain what is so special about us—what gives us supreme worth and value—such that it makes sense to think of ourselves as rights bearers. Consider appeals to treating persons as ends in themselves, the separateness of persons, all our thought and talk about human rights, and so on. These notions are often justified by appeal to claims about dignity. We want to know what makes it the case that we have dignity. But Zylberman's account does not provide an answer. Rather, it presupposes the very possession of human rights that dignity is supposed to explain. For when we ask, "What grounds human dignity?" Zylberman's account says that human beings have an original practical standing as rights bearers, and that having dignity constitutively involves having rights.

But this answer renders dignity redundant. Consider what work "dignity" is doing in Zylberman's account. We could omit dignity-talk from Zylberman's account without losing any explanatory power. Indeed, the account would be more parsimonious. It would simply posit the following primitive fact: human beings have an original practical standing as rights bearers. Yet notice that such a view doesn't offer an answer to our question: What grounds dignity? So insofar as we want an answer to *that* question, we can't let dignity play a redundant role. Rather than serve the role of an idle wheel in a theory of human rights, it seems natural to think of dignity as the foundation upon which rights rest.[30] For when we ask, "Why does anyone have rights?" it seems natural to answer: "Because they have dignity." In contrast, it seems odd to say that rights give rise to dignity, for your being a rights bearer seems to presuppose that there is some underlying fact about you which gives you value and worth, such that it makes sense to even think of you as a rights bearer.

I therefore conclude that Zylberman's account can't adequately capture the direction and grip desideratum while remaining faithful to our pre-theoretical intuition that dignity is the ground of human rights. Of course, this is not a decisive strike against Zylberman's view. It is always possible to reject a pre-theoretical intuition or revise our ordinary manner of speaking. But insofar as we think that the question "What grounds dignity?" is well-formed and admits of an answer, we should expect a straightforward answer.

## 6 | THE GROUND OF DIGNITY: BARE HUMANITY

None of the views that we have canvassed thus far have satisfied all three desiderata (while remaining faithful to our guiding question). So where else might we look? We could continue to look inward for some special capacity that we all share. If Kant was wrong to cite rational capacities as the ground of dignity, then perhaps some other capacity will do the trick. But I am skeptical that there is such a morally relevant capacity that is equally distributed to an equal degree.[31] Alternatively, we might try to modify Waldron's proposal to ground dignity in a different sort of extrinsic property.[32] Or we could modify Zylberman's view and thus search for a different sort of relational property.[33]

I cannot rule out any of these alternative proposals here. But as I said at the outset, my goal is more modest. I simply aim to sketch the contours of an alternative metaphysical view—naïve humanism.[34] Instead of looking inward for a special capacity or outward towards a social practice, the naïve humanist suggests that we take seriously the idea that our bare humanity suffices to ground our being valuable.

Now as I said in §1, this is often dismissed as a mere prejudice, for it seems strange to claim that *being human* is a morally significant property.[35] What could possibly lead us to believe that this is so? In search of a justification, I want to suggest that we look at our attitude of fitting love towards one another. To be clear, the sort of love I have in mind here is not romantic love or anything of that sort. What I have in mind is a more general form of love, which we might call *love of humanity*. Love of humanity is a complex pro-attitude that takes a particular human being as its object; it is complex because it involves care, recognition, and attachment.[36] Let's briefly unpack each of these elements.

Love as care is a teleological attitude: it is directed towards advancing another's good. As Rawls (1971: 190) puts it, "Love clearly has among its main elements the desire to advance the other person's good as this person's rational self-love would require."[37] Love as recognition is non-teleological and is more akin to a kind of aesthetic appreciation, which Velleman (1999: 360–61) captures nicely when he says that love is an "arresting awareness" of value which "disarms our emotional defenses [and thereby] makes us vulnerable to the other." Unifying these two forms of love is what I shall call love as attachment, which Frankfurt (2004: 61) conveys when he says that "a lover *identifies himself* with what he loves. In virtue of this identification, protecting the interests of his beloved is necessarily among the lover's own interests. [...] Far from being austerely detached from the fortunes of what he loves, he is personally affected by them."[38]

Having sketched the sort of love I have in mind—*love of humanity*—I now want to turn our attention to the cases that have been posing problems for previous versions of the metaphysical and political views: namely, the cases where human beings, despite their lacking rational capacities or being outside of the political practice of treating one another as equals, nevertheless appear to us as having dignity. For the naïve humanist, it is fitting to feel love of humanity towards another human being regardless of whatever capacities they possess. The object of our love in such cases is thus another's bare humanity. And when we feel love of humanity towards human beings it seems that we must see them as valuable in a distinctive sort of way.[39] Let's now see how the naïve humanist view fares with respect to our three desiderata.

Start with scope. Recall that Griffin's view has the undesirable consequence that infants, comatose adults, and those with severe cognitive disabilities lack dignity because they are not normative agents. According to the naïve humanist, it is fitting to feel love of humanity towards any human being regardless of whatever capacities they possess. It is fitting, for instance, to care about those with severe cognitive disabilities, to think that they are just as worthy of the sort of respect that we feel towards Kantian agents. But even when it comes to Kantian agents, I want to suggest that love of humanity arises within us—and feels fitting upon reflection—not because we cognize that (many) human beings have the capacity to will the moral law.[40] Things are much simpler. The fitting love that we feel towards one another is a response to another's bare humanity, not Kantian rationality.[41]

What about the direction desideratum, which says that respect is owed to each bearer of dignity? For the naïve humanist, this is satisfied because part of what it is to feel love of humanity towards another human being is to feel that respect is owed to them. This is perhaps easiest to grasp by considering those near and dear to you. When you find it fitting to love your friends or family, you are committed to thinking that they are worthy of respect. That's just part of what it is to love them. To think otherwise—that is, to regard them as a mere means—is to fail to love them properly. Now I want to suggest that the same is so with humanity as a whole. The respect that we owe to others derives from the prior fact that they are worthy of love. Thus, how we ought to feel towards others and how we ought to respond to them (in word and deed) are bound up together. In thinking that it is fitting to love human beings, we are committed to thinking that they are, to borrow a phrase from Rawls (1980: 546), "self-originating source[s] of valid claims."[42]

What about the grip desideratum? Here I think that appealing to love of humanity can do a lot of work. Love both reveals and explains how others come to matter to us—how they get a normative grip on us. When we love someone, we generally take their interests to have priority over other things in our life. For instance, the fitting love that I feel towards my friends and family gives me special reason to care about their well-being, to respect their choices, and so on. But my fitting love also *excludes* a certain way of thinking about them: namely, as beings whose interests may be aggregated and traded off against each other.[43] Thinking of them in this way is inconsistent with the sort of relationship that we have with one another, whether as a friend or family member. That's how it is with humanity as a whole. The fitting love that we feel towards humanity gives us reason to regard each person as having a supreme worth and value beyond price—a dignity.

So that's how the naïve humanist purports to satisfy our three desiderata. First, they start with the intuition—shared by some but not all—that another's bare humanity seems to suffice to ground their being valuable. But instead of dismissing this intuition as a mere prejudice, the naïve humanist suggests we turn our attention to love, and, in

particular, to love of humanity. This general form of love, says the naïve humanist, is fitting to have towards any human being regardless of whatever other properties they may possess. They then argue that fitting love and value follow each other around in a special sort of way: whenever something is fitting to love, it is loveable, and whenever something is loveable, it is also valuable.[44] To put it otherwise, the naïve humanist reasons from our fitting love towards human beings to the conclusion that all human beings are valuable in a distinctive sort of way. In doing so, they arrive at a Kantian conclusion on non-Kantian grounds. The Kantian conclusion is that human beings are bearers of a supreme worth and value beyond price; the non-Kantian ground, however, is that it is love, not rationality, that explains why this is so.

## 7 | A VINDICATORY GENEALOGY?

I have been presuming that we need to find a ground for dignity. But why search for a ground? It is natural to assume that we need an answer to the grounding question in order to answer further questions about the nature, normativity, and scope of dignity. But not everyone shares this methodological commitment. Paul Sagar, for instance, argues that we can vindicate our thought and talk about dignity by asking a different question: namely, what does our commitment to dignity *do* for us?[45] Or to put the question in negative terms: what would our social and political world look like if we were to give up the idea that we are all equal in dignity?

Sagar argues that the consequences would be disastrous: we would be back to forming "hierarchies that draw distinctions within the human set regarding the worth, status, authority, and so forth, of some group of humans as compared to others" (Sagar 2024: 123–124). Under such hierarchies, domination, oppression, subordination, and exploitation would flourish: those with power (the superiors) would endlessly subject those without power (the inferiors) to their whims and wishes; and there would be little hope of change, for the superiors would spread legitimization narratives which function to maintain the illusion that the subordination of the inferiors is "*the proper order of things*" (Sagar 2024: 124). And this, Sagar goes on to claim, is "ultimately injustice of the worst sort: not only the denial of any possibility of redress to those who suffer at the hands of their oppressors, but a denial of any recognition that what they are subjected to *is an injustice at all*" (Sagar 2024: 124).

What all participants to this debate can agree on is that we are right to reject these sorts of hierarchical social arrangements, for they are rife with cruelty and injustice. Yet for Sagar it is our rejection of cruelty and injustice, *not* our commitment to dignity, that comes first in the order of explanation. And it is crucial to emphasise that the explanation that Sagar offers is not a justificatory explanation *divorced* from an historical explanation. Rather, for Sagar, it is only by understanding the contingencies of our particular history that have brought us to this point in time—where the idea that we are all equal in dignity seems undeniable—that we can properly assess what the concept of dignity *does* for us. Dignity is so persistent, Sagar suggests, because it provides us with a reason to reject "the politics of cruelty and injustice as being (falsely) legitimated through (false) claims about the inherent superiority of some kinds of humans to others" (Sagar 2024: 125).[46]

But of course, as Sagar anticipates, a skeptic may respond to all this with a battery of questions: What's so bad about relating as unequals? What's wrong with cruelty? What's wrong with domination, oppression, subordination, and so on? And of course, Sagar could reply by offering an account of how these forms of treatment are inconsistent with our status as one another's equals. But to do so would be to offer yet another foundationalist explanation. For Sagar, however, the rejection of cruelty and injustice comes first—it's the normative bedrock.[47] And to those who don't share this intuition, Sagar replies that it is not so important to convince a skeptic who is insistent on playing devil's advocate. As Sagar writes: "What matters is what we, who *are* committed to basic equality already, can confidently say to ourselves and each other about why basic equality is a value for us, given the wider values and commitments we presently find ourselves with. And in this regard, the historical record provides overwhelming reasons in favour of keeping the commitment" (Sagar 2024: 129).

What should we make of Sagar's account, given the dialectic so far? For one thing, there is a remarkable similarity between Sagar's view and my sort of naïve humanism. The naïve humanist tells the Kantian: there is no special property that makes it the case that we have dignity. It is rather our bare humanity that suffices to ground our being valuable. And that fact is revealed to us through our fitting love towards one another. Sagar tells the foundationalist: there is nothing about us that places demands upon any rational agent to reject cruelty and injustice. It is rather our rejection of cruelty and injustice which leads us to posit that we are one another's equals. The crucial difference between the two, then, is that while the naïve humanist arrives at the claim that we are all equal in dignity through appeals to love, Sagar arrives at dignity through the rejection of cruelty.

There are, however, many disagreements between the naïve humanist and the sort of political view offered by Sagar. For instance, take the disagreement over how we should begin our inquiry. Even starting with the question "What grounds dignity?" seems to stack the deck in favour of a foundationalist answer. Once the deck is stacked in this way, the foundationalist will no doubt ask "What's so bad about cruelty and injustice?" and offer as a tentative answer: cruelty and injustice are to be rejected because they are an affront to our status as dignified beings. For dignity explains what makes it the case that people should not be subordinated, dominated, oppressed, and so on; and since explanations are asymmetric, it cannot be that dignity is itself explained by the wrongness of any or all of those things on pain of vicious circularity. This answer, however, assumes that we must explain our rejection of cruelty and injustice in a foundationalist fashion, which sidesteps the vindicatory genealogy offered by Sagar. This disagreement, among many others, makes it difficult to simply assess which view is correct by checking whether it satisfies the pre-theoretical desiderata that I laid out in §2. Indeed, proponents of Sagar's view might even call into question whether these desiderata are *pre-theoretical*, for they too seem to be a product of our historically contingent circumstances. What is more, one's desiderata, one's method, and even one's substantive commitments all seem to inform what one takes to be the success conditions for a theory of human dignity.[48]

So, there is a methodological rift present in the debate about the basis of dignity. Some say we should start our inquiry with the question: what grounds dignity? Others say we should start our inquiry with a different question: namely, what does our commitment to dignity *do* for us? These two starting points reflect differing background commitments about the structure of moral reality in general. And I raise these different starting points not to provide a conclusive answer in favour of the foundationalist view, but rather to make explicit that the argument in this paper is addressed primarily to those who think we need an answer to the question: "What grounds dignity?" To those who think we need an answer to this question, I hope to have shown that my sort of naïve humanism fares better than the available alternatives. But of course, as we have already seen, many recent theories of dignity (or related theories of moral equality) have abandoned this starting point (Killmister 2020; Bird 2021; Sagar 2024). Indeed, some think that the search for a ground has functioned to maintain objectionable hierarchical relations among human beings (Phillips 2021: 41). The methodological rift runs deep, and I cannot address each and every aspect of it here. But making it explicit can, I hope, foreground the significance of this metaethical and methodological disagreement which has shaped the contours of this debate.[49]

## 8 | CONCLUSION

Let's take stock. The goal of this paper was to put an alternative view regarding the ground of dignity on the conceptual map. The other views—metaphysical, political, and relational—all struggled to adequately address our desiderata, whereas the naïve humanist view fares better in that respect. But of course there is still more to say. As far as the naïve humanist view goes, I have only laid the groundwork, and so the view is still underdeveloped, perhaps too underdeveloped to provoke more than a mere credence, let alone an outright belief. The naïve humanist view is, after all, yet another attempt to answer what Connie Rosati calls the "million-dollar question in ethics," namely: what makes human beings valuable?[50] It would be foolish to think the question is settled. And indeed, one might think that it is a question that doesn't need to be answered. For there is the live possibility that we might eschew

foundationalist explanations and instead offer a vindicatory genealogy of our commitment to treating one another as equals. Nevertheless, setting these debates aside, I think that bringing the naïve humanist view into discussion with its rival views might have a lot of teach us. For if I am right, then it turns out that there isn't anything over and above being human that we need to appeal to in explaining why we have dignity, and so we can stop debating whether it is rationality, autonomy, agency, language, a sense of justice, or some other fact that grounds dignity. And that seems like philosophical progress. And if I am wrong, then we can continue our search for the special feature over and above humanity which grounds dignity. And that too seems like philosophical progress.

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## ENDNOTES

[1] Rawls (2001: 19).

[2] See, e.g., United Nations, General Assembly (1948), Sangiovanni (2017), Etinson (2020), Gilabert (2017), Gilabert (2018), Gilabert (2022), Zylberman (2016), Zylberman (2017), Zylberman (2018), Killmister (2020), Tasioulas (2013), Waldron (2012), Waldron (2015), Waldron (2017), and Kymlicka (2018).

[3] See, e.g., Kant (2010), Christiano (2008), Griffin (2008), Kateb (2011), Rawls (1971), Theunissen (2020), Nussbaum (2019), and Gilabert (2018). For a more detailed taxonomy, see Fix (2023: 370–371, 2025: 448).

[4] See, e.g., Waldron (2012), Bird (2013), Bird (2021), Killmister (2020), and Killmister (2023).

[5] See Zylberman (2016: 201). Zylberman (2016: 209, n. 2) notes that his desiderata derive from Dan-Cohen's (2012) discussion of the origin, scope, distribution, and grip of dignity.

[6] United Nations, General Assembly (1948). Note well that the scope desideratum does not require us to say that dignity is shared by *only* humans.

[7] Cf. Anderson (1999: 312).

[8] See Etinson (2020: 355) and Waldron (2012: 22–23).

[9] See May (2015: 523) as cited in Zylberman (2016: 202).

[10] See Zylberman (2016: 202). I adapt his example.

[11] See BBC (2011). In particular, see 3:21 for an exchange between Peter Singer (arguing in favor of torturing the innocent girl) and Michael Sandel (arguing against). Cf. Singer (1993: 132).

[12] As Tasioulas (2013: 299) puts it, "It is this notion of [inviolable] status, which encapsulates the resistance of rights to trade-offs, that we can reasonably translate as human dignity." Some say that the rights that flow from human dignity are absolutely resistant to trade-offs. Others disagree. The grip desideratum is compatible with absolutist and threshold views regarding the stringency of rights. For discussion, see, e.g., Thomson & Jarvis (1990).

[13] See, respectively, Kant (2010: 42–43), Griffin (2008: 152), Kateb (2011: 138) as cited in Waldron (2017: 96), Rawls (1971: 446) as cited in Waldron (2017: 105), and Theunissen (2020: 108).

[14] See Kant (2010: 42–43). AK 4:435–4:436. Emphasis added.

[15] See Griffin (2008: 152).

[16] The issue I raise here is not new; it is often noted that Hart (1984) and various other will theorists face a similar problem.

[17] Emphasis in original. The word "disabled/disability" appears only twice in Griffin's book; first in the passage quoted above, and secondly in a footnote.

[18] Consider, for instance, article 3 of the United Nations Declaration on the Rights of Disabled Persons (Nations, United 1975): "Disabled persons have the inherent right to respect for their human dignity."

[19] For instance, Griffin (2008: 34) writes: "Infants, the severely mentally retarded, people in an irreversible coma, are all members of the species, but are not agents."

[20] See, e.g., Darwall (2006), Gilabert (2017), Gilabert (2018), Gilabert (2022), Zylberman (2016), Zylberman (2017), and Zylberman (2018).

[21] For other variants of the political view, see, e.g., Phillips (2021), Bird (2021), Killmister (2020), and Killmister (2023).

[22] Cf. Rosen (2012) and Moyn (2013) on the exclusionary and hierarchical character of aristocratic dignity.

[23] See Rosen (2012) for a similar worry.

[24] We may also reasonably ask whether any of our current schemes of political organization treat one another as (*de facto* or *de jure*) equals.

[25] Cf. Dan-Cohen (2012: 6). Zylberman (2016: 204) presses a similar worry against Waldron's account.

[26] As Waldron (2012: 54) puts it, the law "embodies a crucial dignitarian idea—respecting the dignity of those to whom the norms are applied as beings capable of explaining themselves."

[27] I borrow the term "formal normativity" from McPherson (2011: §4).

[28] Cf. Scanlon (1990) on similar "wrong kind of reason" objections to conventionalist explanations of promissory obligations. See Killmister (2023: 650) for a conventionalist response in the context of political views regarding the ground of dignity.

[29] There is a trivial sense in which so-called political views are also relational, but the relational view says that the relevant fact is constitutive (grounded in the relevant standing-facts) rather than constructed.

[30] See Beitz (2013) who charges "dignity" as being an ornamental phrase, adding nothing to a theory of human rights. Those seeking to vindicate dignity-talk need a way to respond to Beitz's objection. But I worry that Zylberman's account may lack the theoretical resources to do so.

[31] We could ignore degrees and appeal to range properties. See, e.g., Rawls (1971: 446) as cited in Waldron (2017: 105). But what about those who fall outside the range? Perhaps we could follow Gilabert (2022) and claim that dignity is grounded in a disjunctive list of "valuable capacities" shared by all human beings. Though I can't properly address the merits of this view here, I will note that whatever capacities one puts on their disjunctive list, it seems as if there will be some human beings at the margins who fail to instantiate any of them. We might also wonder what unifies all the items on the list. Whatever the number is, we might ask: why *that* number and not more or less? Why *those* capacities?

[32] See, e.g., Killmister (2020) and Killmister (2023).

[33] See, e.g., Darwall (2006).

[34] For a more detailed articulation and defence of Naïve Humanism, see Walters (n.d.-a); I also expand on this account in Walters (n.d.-b).

[35] See, e.g., the discussion in Williams (2006b).

[36] Love of humanity, as I construe it, is meant to be a particular conception of agape love. See White (2025) for a rich overview of the tradition of agape love and a discussion of some of the difficulties with the very idea of loving all (whether it is possible, desirable, and so on).

[37] As cited in Velleman (1999: 352). Cf. Darwall (2024: 80).

[38] Cf. Nozick (1989: 68) as cited in Velleman (1999: 352). I take it that this claim is independent of Frankfurt's other views about the nature of love.

[39] Others also make this point about the connection between love and value. See, e.g., Setiya (2014: 258), Setiya (2023: 315), and Ebels-Duggan (2023: 348).

[40] Velleman (1999). Setiya (2023: 315) and Yao (2020: 12–14) also disagree with Velleman on this point.

[41] Cf. Williams (2006a: 140).

[42] Cf. Darwall (2006: 13).

[43] Cf. Raz (1975: 77) on the "exclusionary reasons" that the law gives us.

[44] Ebels-Duggan (2023: 339) makes a similar argument. Here I rely on an instance of the fittingness biconditional: namely, that X is loveable if and only if it is fitting to love (Howard 2018).

[45] Here I am paraphrasing Sagar (2024: 123), and though he speaks in terms of "basic equality" I take him to be tracking the same phenomena as, for instance, Griffin, Kant, Waldron, Zylberman, etc. Thus, in what follows I shall use these terms—"basic equality" and "dignity"—as coextensive.

[46] As Sagar (2024: 194, n.4) notes, the argument here draws on Shklar (1984, 1989, 1990) and Williams (2006a). It is worth emphasizing that while Phillips (2021, 2024) and Sagar (2024) both reject the need for a foundationalist explanation, Sagar (2024: 113) departs from Phillips's (2021: 41) view that we bring our status as basic equals into being through our commitments and our claims. Rather, Sagar (2024: 113) holds that "we can explain this claim and commitment in terms of its origin in our psychology—our innate essentialism, plus our immersive fictions—whilst recognizing that it took on the particular normative configuration that it has due to contingent reasons bound up with our relevant political and moral histories, in particular the practice of *treating* each other as equals." Sagar consequently rejects Phillips's claim that "basic equality therefore "needs no justification," and must simply be put forth as a nonnegotiable commitment" (Sagar 2024: 113–114). Cf. Bejan (2022; Forthcoming) for a discussion of the relationship between equality and its alleged (in)compatibility with hierarchy in the history of political thought.

[47] But note well that Sagar (2024: 129–130, n.8) rejects the idea that this introduces foundationalism "through the back door," as it were. For an account Sagar (2024: 196, n.8) cites of this sort, see, e.g., Sangiovanni (2017: chap. 2).

[48] There is, in the background, likely further disagreements about relativism, realism, and the epistemic significance of genealogical debunking arguments (Srinivasan 2015, 2019). There is also the question of whether we should separate questions of justification from questions of (historical) explanation (Queloz 2021), and, relatedly, disagreement over what a satisfactory error theory amounts to. On these issues, see Sagar (2024: 11, 12, 50, 55, 56, 60, 103, 113, 115, 128, 129). Finally, although it is often underexplored in these debates, I want to suggest the possibility that there are divergent pictures of the self which operate in the background and thereby make plausible certain (meta-)normative commitments. On this theme, see, e.g., Taylor (1989: 105, 316) and Taylor (1985a, 1985b); relatedly, see Shklar (1991) and Nussbaum (1990) for discussions of Taylor (1989). For an argument in the spirit of these Taylorian (or Hegelian) commitments, see Thakkar (2024). Thanks to an anonymous referee for suggesting that I bring Taylor into this discussion.

[49] See Zylberman (2025) for an illuminating discussion of this methodological disagreement.

[50] See Rosati (2008: 343) as cited in Theunissen (2020: 74, n.31).

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