

Sangiovanni, Andrea. *Humanity without Dignity: Moral Equality, Respect, and Human Rights*. Cambridge, MA: Harvard University Press, 2017. Pp. x+308. \$39.95 (cloth).

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In *The Sources of Normativity*, Christine Korsgaard declared that “Enlightenment morality is true,” arguing that all persons have equal moral worth as agents capable of free, rational choice. (Christine Korsgaard, *The Sources of Normativity* [New York: Cambridge University Press, 1996], 123) Enlightenment morality, so understood, represents an influential position in contemporary moral philosophy and, more broadly, in our moral and political discourse. Andrea Sangiovanni aims to rebut the core of Enlightenment morality while holding on to some of its more popular ideals. He wants to salvage the idea that all persons are moral equals, endowed with certain basic rights (our humanity) while setting aside Enlightenment morality’s foundation for this idea in our worth as free, rational agents (our dignity). What results is an importantly novel and nuanced moral theory that has wide-ranging implications in ethics and political philosophy.

Sangiovanni begins by raising worries about attempts to ground the moral equality of persons in human dignity (chapter 1). He considers and rejects what he calls “aristocratic” and (Thomistic) “Christian” views of human dignity, but he is primarily concerned with Kantian views that naturally fall under the “Enlightenment morality” heading. He divides them into two camps. The “Regress Reading” follows Korsgaard in taking a commitment to the equal moral worth of persons to follow from our commitment as free, rational agents to the value of our chosen ends. The “Address Reading” follows Stephen Darwall and Rainer Forst in taking a commitment to the equal moral authority of persons to be a presupposition of our practices of mutual address and justification.

Sangiovanni’s most compelling objection to the Regress Reading is that, even if it explains why all persons have some moral worth, it does not establish that they have equal moral worth. (46-8) To see why not, start with the problem about moral equality that Bernard Williams brought to light:

given that we vary in the degree to which we possess the capacity for free, rational choice, it seems that we vary in the degree to which we possess whatever moral value (or dignity) is grounded in that capacity. (Bernard Williams, "The Idea of Equality," in *Philosophy, Politics, and Society*, 2nd series, ed. P. Laslett and W. G. Runciman [Oxford: Blackwell, 1962], 112-17) Sangiovanni shows that it does not help the Kantian to appeal in response to transcendental, "noumenal" freedom, nor does it help to appeal, as Rawls does, to the notion of a "range property" fixed at some threshold of capacity for free, rational choice. (John Rawls, *A Theory of Justice* [Cambridge, MA: Harvard University Press, 1971], 508) Sangiovanni argues that the Address Reading also fails to adequately explain our moral equality, because the moral authority that we presuppose someone has when we address them (or purport to justify ourselves to them) need not be equal to the authority we take ourselves to have. (53-8) It is worth noting the standard to which Sangiovanni holds these views: it is not enough for them to explain why all persons have some basic moral standing above a threshold; they fail to explain why we have the same basic moral standing involving the paradigmatic rights we associate with our humanity.

Sangiovanni then develops his central theoretical framework, which he terms the "Negative Conception" of the moral equality of persons (chapter 2). The Negative Conception says that our commitment to the moral equality of persons is not a (positive) commitment to recognizing some value-conferring property all persons share but rather a (negative) commitment to not treating persons as inferiors in certain ways. Which ways? Sangiovanni singles out the forms of "inferiorizing" treatment that are socially cruel, which include stigmatizing, dehumanizing, and infantilizing treatment. These familiar forms of wrongdoing are all socially cruel because they inhibit persons' abilities to have "an integral sense of self." (74-6) That is, they inhibit persons' abilities to make sense of their values, commitments, and relationships in light of their own decisions. And the fact that these forms of treatment undermine persons' sense of self is the basic reason why they are morally wrong.

Now, you might wonder why we could not maintain a sense of self – a coherent conception of our values, commitments, and relationships in light of our decisions – in the face of social cruelty. Sangiovanni says that it is difficult to do so because of our social nature, what he calls our “sociability.” We are “self-presenting” beings, who can make sense of ourselves only by having some control over how we are seen by others and creating some congruence between how others see us and our self-defining values, commitments, and relationships (79-82). This is what makes the distinctively social, interpersonal character of the forms of cruel treatment on which Sangiovanni focuses so important. As sociable creatures, we are vulnerable to having our sense of self disrupted by those with whom we interact. They can easily render us incapable of determining which values, commitments, and relationships serve as the basis for how others view us.

In what does our moral equality consist, then? Sangiovanni claims that we are moral equals in virtue of having rights protecting us against socially cruel forms of inferiorizing treatment. These rights stem from our deep interest in having an integral sense of self as sociable creatures. (101-2) Sangiovanni’s view thus falls into the relational egalitarian tradition. He thinks that the moral equality of persons is most fundamentally realized in certain kinds of social relations. Taking seriously the avowedly negative character of his view, it is realized in the avoidance of social relations that involve socially cruel, inferiorizing treatment. But a clearly positive view also emerges, on which relating to one another as moral equals is a part of exercising the broader virtue of treating one another “with humanity,” (69-71) by which we recognize our mutual vulnerability to social cruelty and underlying interest in having a sense of self. I return to this point below.

Sangiovanni’s defense of the Negative Conception sets the stage for his analysis of more concrete issues in morality and politics. He focuses first on discrimination (chapter 3). Taking for granted that wrongful discrimination is wrong because it violates our moral equality, Sangiovanni asks: *how*

does it violate moral equality? Not ultimately by depriving its victims of social opportunities or reinforcing their inferior social status, he argues, but rather by having a “social meaning” that creates “objectionable relational nexuses” (121-2). The social meaning of discrimination consists in the bad attitudes it expresses toward victims, given their social context. (122-4) Sangiovanni then uses examples of racial and sex discrimination to illustrate how the expression of these bad attitudes entails the forms of inferiorizing social cruelty that undermine victims’ sense of self. It is worth highlighting that what matters most here for Sangiovanni’s overall project is showing how wrongful discrimination is socially cruel in virtue of undermining victims’ sense of self (thus violating their moral equality according to the Negative Conception). Whether this always happens by way of expressing bad attitudes is a further point. To make this further point go through in cases of unintentional, “indirect” discrimination, where no specific bad attitude toward victims is expressed, Sangiovanni adverts to the idea of expressing an attitude of “indifference” (123, 161-2). As far as I can tell, indifference is simply the failure to reach some moral baseline of regard for others, and given what he says elsewhere in the book, Sangiovanni would understand this moral baseline in terms of our rights against socially cruel, inferiorizing treatment. It thus seems he could have straightaway applied the Negative Conception to these cases – showing how wrongful indirect discrimination involves socially cruel, inferiorizing treatment – without appealing to the elliptical idea of expressing indifference.

Sangiovanni next develops a “Broad View” of human rights (chapter 4) that he uses to explain how many of the human rights that are and should be encoded in our system of international law are grounded in our rights as moral equals, i.e., our rights against socially cruel, inferiorizing treatment (chapter 5) and that these rights are both basic and, in at least one sense, indivisible (chapter 6). His Broad View of human rights singles out human rights as those rights whose “systematic” violation should elicit some form of moral, legal, and/or political concern (191-8). A striking feature of this view is that whether a given right counts as a human right depends on the form of moral, legal, or

political concern that is at stake. Talk of defending human rights with an eye to military intervention will refer to a different (likely narrower) set of rights from those invoked when we are working on coordinating the activities of international NGOs. Sangiovanni argues that this context-sensitive Broad View improves upon other conceptions of human rights, not only because it is more sensitive to the different contexts and purposes of the concept of human rights, but also because it does a better job of distinguishing human rights from the wider class of moral rights. (198-201) However, he does not discuss how his own view seems to blur this distinction when the forms of universal concern at stake are relatively tame, such as moral disapproval. Consider our moral right to have others keep their promises to us, one of Sangiovanni's central examples of a moral right that is not a human right. (180-2) It seems that anyone, anywhere, should morally disapprove when some group of persons is systematically deprived of what others promise them. Does the right to have others keep their promises to us end up as a human right, then, relative to this mild form of universal concern? I suspect that Sangiovanni would deny that this is one of the relevant kinds of universal concern, but he does not say why not.

I have skipped over many additional interesting, incisive arguments that Sangiovanni makes, but I want to return to the centerpiece of his moral theory, the Negative Conception of moral equality. I have two main questions. First, given that Sangiovanni is rejecting Enlightenment morality's foundation for our moral equality (our dignity as free, rational agents), does his replacement foundation (the moral imperative to avoid socially cruel, inferiorizing treatment) hold as an independent alternative? Second, supposing that it does, does the superstructure of moral equality survive the transfer from Enlightenment morality's foundation to Sangiovanni's alternative?

To the first question, one concern is that Sangiovanni's Negative Conception is not so negative and, in the end, not so far away from at least some versions of the Kantian account of what grounds

our moral equality that he wishes to reject. It is true that the initial motivating thought behind Sangiovanni's view is negative: persons are vulnerable to social cruelty and, as such, have rights protecting them from socially cruel, inferiorizing treatment. But to explain what unifies the various forms of social cruelty and why we have basic rights protecting us from it, Sangiovanni draws on a distinctively positive thought: we are sociable creatures who have a deep interest in developing and maintaining a sense of self. This does not seem so different from one of the Kantian views he criticizes: Korsgaard's view that our "practical identities" – and most fundamentally our identity as creatures who need practical identities – ground our reasons for action (Korsgaard, 101-21). To be sure, Sangiovanni's explanation of why we have a strong interest in having a sense of self is different from Korsgaard's. Rather than drawing on some Kantian claim about the formal structure of human agency, he claims that having a sense of self is a constituent of many of the central goods in a flourishing life. (81-2) But I wonder what lies behind Sangiovanni's idea that a flourishing life so strongly depends on having a sense of self. I was struck by his statement that a flourishing life does not merely involve things such as beauty and friendship; it must also involve pursuing these things "through our own endeavor, choice, and commitment" (82). Why? Sangiovanni does not say, and it is natural to think that the Kantian provides the most plausible answer: such self-authorship is important because of our dignity as free, rational agents.

I also wonder whether Sangiovanni's explanation of why social cruelty is wrong in terms of how it undermines our sense of self threatens to explain too much. It is not only socially cruel treatment that undermines our sense of self; being esteemed and lauded by others can do this as well. Suppose that I am admired from a young age as a great future politician. As a result, others regard me only in terms of the abilities, interests, and achievements that point to a promising future in politics. I struggle to make sense of myself in light of this, given my deep interest in non-political things and my deep distaste for politics. My sense of self is disrupted. Now, while I am stifled and, to that extent,

mistreated by others, it seems false to say that this mistreatment is wrong for the same basic reason that the various forms of social cruelty are wrong. There is not merely a difference in the degree of wrongness between how I am treated compared to the victims of social cruelty; the difference runs deeper than that.

Setting those concerns aside, let's briefly turn to the second question. Sangiovanni clearly aims to preserve our commitment to the moral equality of persons. He argues, again, that we are all moral equals in virtue of having rights against socially cruel, inferiorizing treatment, stemming from our vulnerabilities to having our sense of self disrupted by others. But as he points out, we vary in the extent to which we are vulnerable to social cruelty and, as a result, "our rights against being treated as an inferior – and hence to equal moral status in my terms – vary along with our capacities to develop and maintain an integral sense of self" (104). This would seem to suggest that we have *unequal* moral standing. Sangiovanni responds by claiming that, since the variations in our vulnerabilities to social cruelty and corresponding capacities to form a sense of self are not scalar, there is no sense in which some of us have more or higher moral standing than others. (105) Even so, I am not sure that Sangiovanni has secured our moral equality, because it remains that persons do not all share the same basic moral standing. We have varying rights corresponding to our varying vulnerabilities. He may reply that, despite these variations, it is sufficient for establishing our moral equality to show that all persons have some rights against socially cruel, inferiorizing treatment. But then we are no longer talking about moral equality as having the same basic moral standing, which seems central to our ordinary commitment to moral equality. Sangiovanni should thus more fully address the revisionary aspect of his view. He is not just providing an alternative account of moral equality starting with our ordinary concept of it. He is surrendering much of our ordinary concept of moral equality (as having the same basic moral standing) while still salvaging what he thinks we really care about in using this concept (being protected from socially cruel, inferiorizing treatment).

It should be clear that Sangiovanni's work paves the way for exciting new lines of moral inquiry for those who, like him, doubt the core of Enlightenment morality's theory but remain attracted to its high ideals. He may be right that our basic moral standing is more fundamentally grounded in our vulnerabilities as social creatures than in our dignity as free, rational agents. Even if not, he sets a high standard for how to explore what would follow from this deep shift in our moral thought.

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