
The Dignity of Persons and the Value of Uniqueness



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Philosophers agree about almost nothing, but a striking exception is a belief we share with most people in the modern world, commonly expressed in the claim that persons have a distinctive value often called “dignity.” The idea of dignity developed over many centuries, and it eventually led to the widespread adoption of the view that every person has a kind of value that does not permit exchange or replacement. A person cannot be traded off for anything else, not even for the sake of another person. In modern human rights documents the value of dignity is said to inhere in each individual person, underlying a wide range of inviolable rights, especially the right to be treated with respect.¹ Dignity does not depend upon social or legal acknowledgement. On the contrary, the laws of nations are called to recognize something that already exists.

In this lecture I want to raise the question: What would it take to give persons dignity, where dignity is understood to be a value that persons have and non-persons lack? My approach will be to explore what we mean by dignity, and to connect that with an attempt to figure out what it is about being a person that explains why we attribute dignity to each and every person.² Generally discussions of dignity in moral philosophy are not connected to discussions of personhood in metaphysics, and I think that there are important reasons for that, not the least of which is the fear that the metaphysics might be insufficient to support the ethics.³ But I am going to assume that there *is* some account of the metaphysics of persons that explains the connection between being a person and having dignity. So one of my goals is to figure out what kind of value dignity would be if it exists, and a related goal is to figure out what kind of being would have it. There is a puzzle in the value of dignity suggested by a famous passage in Kant which makes it hard to see how

anything can have dignity. I hope to make some progress in illuminating the puzzle and its implications.

The first point I want to make is that what we mean by a person is not the same as what we mean by an individual human being. "Person" is not a term in the classification of nature. The distinction between persons and natures makes it possible for philosophers like Michael Tooley (1983) and Peter Singer (1975) to deny that human fetuses and infants are persons, and for philosophers like Thomas White (2007) to attribute personhood to some animals—hence the slogan "Animals are persons too," the title of a documentary about animal rights lawyer Steven Wise.⁴ Of course, it could turn out that all and only humans are persons, but it takes an argument to defend that. Someone who claims that there are humans who are not persons or persons who are not human is not making a conceptual mistake.

A look at the origin of the idea of a person shows us where we got the important distinction between a person and an instance of a nature. In a classic study of the concept of person, the German linguist Hans Rheinfelder (1928) says that it is widely accepted that the word *persona* gained prominence in the third and fourth centuries as a way to resolve debates about the Incarnation and the Trinity.⁵ The doctrine of the Trinity as defined at the Council of Nicaea is the teaching that God is the one and only instance of the divine nature, but is three distinct persons. The doctrine of the Incarnation is the teaching that Jesus Christ is one person, but is an instance of human nature and an instance of divine nature. The articulation of these doctrines required an analysis of person that distinguished the divine persons from an individual with a divine nature, and the legacy of the origin of *persona* in the Latin West is that its use by philosophers cuts across classifications of natures. Being a person is not the same thing as being a human being or a member of any other natural kind. Notice the irony in the fact that those contemporary philosophers who argue against the Christian position on the sanctity of every human life are using a distinction between person and human being inherited from debates about the Christian God.

Second, there were two important historical developments in the idea of *dignitas* that led to the puzzle about dignity I want to raise. *Dignitas* originally signified a high-ranking social or legal status, like the status of citizen in Roman law, and it did not necessarily imply moral value. Jeremy Waldron (2012) has defended the view of dignity as status in his Tanner lectures, and he mentions the historical move from the ancient idea of dignity as status to the Christian view of dignity as a moral value possessed by all human persons. But as Waldron remarks, the idea that

dignity is a value did not leave behind the idea of dignity as rank or status. Dignity continued to be a status, but it was a status extended to all human persons, giving humans a higher rank than other animals.

The association of dignity with a value as well as a status arose out of debates about personhood in the Middle Ages. The *locus classicus* for these debates was the definition of person given by Boethius (1978) in the early sixth century: a person is an individual substance (*substantia*) of a rational nature. This definition says nothing about biological kinds, but it picks out a property that most philosophers since Aristotle have thought distinguishes humans from other animals, namely, rationality. Boethius divides the universe into God, angels, and humans in the category of persons at the top, and animals in the lower category of non-persons.⁶ So “person” was associated with high *status*, but the defining feature of personhood was a property thought to have supreme *value*. In commenting on this definition, Aquinas says that “person” signifies what is most perfect in all of nature, and that is rationality (ST I q. 29, art 3, corpus). “Thus,” he continues, “Alan of Lille defines person as ‘substance (*hypostasis*) distinct by reason of dignity.’” Here dignity is described as an intrinsic value which is possessed in virtue of the property definitive of personhood, namely, rationality. So person and dignity came to be linked, and dignity involved both a special value and a status.

There was a second development in the idea of a person that was also critical for the idea of dignity, and which I find both interesting and puzzling. There gradually arose the view that each person has the value of irreplaceability. In a way, the value of irreplaceability is not hard to figure out. We see it in the Gospels in the idea that God is like a shepherd who will search for a single lost sheep (Matt 18:12–14, Luke 15:3–7). The implication is that each person is valuable in his or her uniqueness, not only in those properties shared with every other person. But upon reflection, the idea becomes mysterious. What is the property that distinguishes one person from another? It cannot be uniqueness because uniqueness is obviously a shareable property, a property that allegedly all persons possess. But uniqueness is still on the right track because I assume that uniqueness is a second-order property. It is the property of having some other property that is not shareable, a property that can be possessed (and perhaps, necessarily possessed) by only one particular being.⁷ What that property is needs to be determined, but I think that the idea that there is such a property or set of properties underlies the idea that the life of one person cannot be exchanged for the life of another, and that an individual person deserves respect as the individual she is, not just as an instance of human nature or even as an instance of rational nature.

I do not know when the idea of the unique value of a person originated in philosophy, but Colin Morris argues in his book, *The Discovery of the Individual*, that it was in the eleventh and twelfth centuries in debates about Boethius' definition of person as an individual substance of a rational nature. The Boethian definition was standard for at least a thousand years and quite possibly still is, but by the twelfth century, some philosophers thought that the standard definition did not properly express the particular value that each individual person has, and two alternative definitions were widely discussed. One was the definition of Alain of Lille I already mentioned: a person is a substance distinct by reason of dignity. The other was that of Richard of St. Victor, who argued that a person has the property of incommunicability, a property that seems to have come from an aphorism of Roman law: *Persona est sui juris et alteri incommunicabilis* (A person is a being which belongs to itself and which does not share its being with another).⁸ The original intent of this definition was to distinguish a person from a slave, so it marked a legal status, but by the eleventh and twelfth centuries, some philosophers used the idea of incommunicability to express the belief that there is something in a person that cannot be possessed by another, even in principle. By the generation before Aquinas, these three definitions were treated as competing and set the stage for a long period of debates in later Scholastic philosophy.⁹ So to review, the three definitions are these:

1. Boethius: A person is an individual substance of a rational nature.
2. Richard of St. Victor: A person is an incommunicably unique being.
3. Alan of Lille: A person is a being distinct by reason of dignity.

If we skip ahead several centuries, we find Immanuel Kant combining all three ideas—that of rational nature, irreplaceable value, and dignity. In a famous passage in the *Groundwork*, Kant says, “everything has either a price or a dignity. If it has a price, something else can be put in its place as an equivalent; if it is exalted above all price and so admits of no equivalent, then it has a dignity” (434). On the next page Kant says that to compare something with dignity to anything with a price would be “profane its sanctity” (435). What has dignity according to Kant is a being with a rational nature.

There is one glaring difference between Kant's view of dignity and the preceding tradition I have described. Kant does not distinguish rationality from human nature, nor does he distinguish between one's

humanity and one's personhood; in fact, as Christine Korsgaard argues (1996), he explicitly treats humanity and personhood as the same thing in the second *Critique*.¹⁰ Kant confines dignity to human beings because, he says, human beings are the only creatures who carry the moral law within themselves. So it appears that Kant does not distinguish a person from an instance of rational nature; indeed, he does not distinguish a person from an instance of human nature. But that is not because he is taking a stand in a long debate on the definition of person. He does not seem to be interested in that question. Nevertheless, he connects three important strands of that debate: rationality, dignity, and a value that cannot be compared with the value of anything else. Rationality is the ground for the value of dignity, and that value has two features. It is (i) infinitely above all price, and (ii) it makes a rational being such that it has no equivalent value. Like Boethius, rationality is the distinctive property underlying the value, and like Richard of St. Victor, dignity makes its bearer irreplaceable. Furthermore, it can be argued that Kant's definition of dignity does not leave behind the more ancient idea of dignity as status, although status is not his focus.¹¹

But now we get to the puzzle about dignity that I find intriguing. It seems to me that this passage in the *Groundwork* suggests two non-equivalent ways of understanding dignity. First, we see the idea that anything with a dignity is more valuable than any number of things with a price, no matter how high the price. But second, there is the idea that things with dignity are not equivalent in value to anything else, not even to other things with dignity. We can never make up for the loss of a thing with dignity by replacing it with something else. The first kind of value is infinite value. The second kind of value is irreplaceable value. These two kinds of value need not go together. When we say that something is infinite in value, we are talking about the degree of its value, whereas the value of irreplaceability is something else entirely. It is possible that something is infinitely valuable even though one instance of it is equivalent to another. Perhaps consciousness is like that. Maybe a world containing consciousness is infinitely more valuable than a world without consciousness even though all conscious beings could be replaced by similar conscious beings without loss of value. If you say that is not possible, I don't see how it can be because consciousness is infinite in value. It would have to be for some other reason.

Conversely, something could have irreplaceable value without having infinite value or even very high value. Arguably, original works of art are irreplaceable, assuming that a copy does not have the same value as the original, yet they vary considerably in merit. If a work of art is poor, it is no great loss if it is destroyed even though it has a kind of value

that makes it irreplaceable by anything else. Irreplaceable artifacts are destroyed every day, but we often do not mourn their disappearance. They have the value of irreplaceability, but they are not infinite in value.¹² So something can have infinite value but not irreplaceable value, and something can have irreplaceable value but not infinite value. Infinite value and irreplaceable value are not equivalent.

But the problem is worse than the non-equivalence of the two kinds of value because it seems to me that they are actually incompatible. When Kant says that if something has a dignity, its value is higher than anything with a price and equal to other things with dignity, I interpret this to mean that a thing with dignity *can* be compared in value to other things, and when it is compared it comes out higher than things with a price and equal to other beings with dignity. But at the same time, Kant wants to say that something with a dignity has no equivalent; it cannot be compared to anything else. So it appears that a being with dignity has a value that both is and is not comparable to the value of other things.

Some years ago I wrote a paper in which I concluded that the ground of the two aspects of dignity must be two different things (2001). One gives a person infinite value, or what Kant calls a value beyond price, and the other gives a person the value of irreplaceability; nothing can be put in its place as an equivalent. I proposed that the distinction between a person and an instance of human nature explains the difference in kinds of value. Our infinite value is grounded in our human nature, and the aspect of human nature that gives us infinite value is rationality, a property that we share with all rational beings whether or not they are human. In contrast, our irreplaceable value comes from our personhood. There is something about persons that gives each one irreplaceable value. Personhood is distinct from human nature, and it is not necessarily connected with rational nature.

But we still want to know what it is that makes a person irreplaceable. Folk wisdom tells us that human persons are unique. I assume that means that we are irreplaceable in value because we are irreplaceable in fact. But if so, there has to be some property that is different for each person and which has a value that is great enough that we think the loss of it is an important loss to the world. But what could that be? In what *respect* do we differ? We understand the claim that no two snowflakes are alike, and we can say what it is about the snowflakes that differ: they differ in shape. But in what respect do humans differ, making each one irreplaceable in value? Some philosophers fear that there isn't anything. As Raimond Gaita remarks in *The Philosopher's Dog*, we understand

what it means to say that persons are different from one another in many ways. “Some people are clever, some are silly; some are kind, some are nasty; some are good-natured, some are mean-spirited,” and so on. “But,” he continues, “if someone were to say that we treat people as unique and irreplaceable because they are unique and irreplaceable, what would she refer to? There seems to be nothing.”¹³

In his paper “Love as a Moral Emotion” (1999), David Velleman is willing to say there is nothing, but boldly argues that we can still explain the irreplaceable value of persons. Velleman argues that although there is nothing uniquely valuable about each person, irreplaceability is “a mode of appreciation, in which we respond to her value with an unwillingness to replace her or to size her up against potential replacements.”¹⁴ Persons are not literally irreplaceable in their value, but the appropriate response to the equal value of all persons as rational beings is to treat them as *if* they were irreplaceable.

This position treats dignity as a conferred value rather than an inherent value, and there are many variations of this approach. It is, of course, a possible way to proceed, and I think that we proceed this way when we think that the idea of dignity as an inherent value will not work. We begin with the idea that we should treat a person as irreplaceable because she is, in fact, irreplaceable. We refuse to size her up in comparison with others not because we have decided not to, but because we think that we couldn’t do it even if we tried. If our belief turns out to be false, then we will need a fallback position that preserves the ethics without the metaphysics that ties dignity directly to being a certain sort of being. But I am not yet ready to say the belief is false. When we say people are unique, we are probably not clear about the respect in which people are different from each other, or the extent of the differences, or whether people remain different in various counterfactual circumstances, but the fact that so many of us believe that uniqueness exists is reason enough to search for an account that would explain the truth of the belief.

So what can we say? It seems to me that we will never find a respect in which a person is necessarily different from every other person if we are looking for a qualitative property. Every qualitative property is shareable in principle. Even if it is a contingent fact that no other being has the quality, every quality has criteria for equivalence that permits its bearer to be compared to others. In fact, I would be willing to say that what we *mean* by a quality is a property that is shareable in principle. This line of thought leads to the conclusion that if what gives a person the distinctive value of irreplaceability is something necessarily non-shareable, it has to be something non-qualitative.

As far as I can see, there is only one candidate for the ground of the second aspect of dignity, and that is subjectivity in the sense of an irreducibly first-personal consciousness. I find this position very attractive, and there is already a history of reflections on subjectivity from different philosophical traditions to help us out. I don't see how we could ever tell that one person's conscious states are necessarily different from every other person's. However, the intractability of the problem of reducing the first-person viewpoint to something else is some reason to think it cannot be done. Those who are taken by the problem sometimes say that the subject is outside the world. Thus, Wittgenstein says in the *Tractatus*, "The subject does not belong to the world: rather it is a limit of the world."¹⁵ In any case, it seems to me that the standpoint of the conscious subject is the only aspect of persons that at least potentially gives a person the value of irreplaceability. I am not saying that we can demonstrate the uniqueness of each person's conscious states and so we can conclude that each person has the value of irreplaceability. Rather, I am arguing that if we assume that each person has the intrinsic value of irreplaceability, it is likely that a condition for the existence of this value is that subjective conscious states are non-shareable and that, of course, also means non-duplicable.

Discussions of the uniqueness of persons often focus on the uniqueness of the conscious history of a person. What makes us different from each other on this proposal is our total stream of conscious states. It is worth noticing that if each conscious state is such that it is possible that some other conscious being has a state exactly like it, then it is possible that someone else has had the total set of all the conscious states you have ever had or ever will have, and that possibility has been discussed many times. There is more than one way we can respond to that. My own view is that we should conclude that every individual state of consciousness is necessarily unique. Each occurrence of tasting, smelling, seeing, remembering, imagining, feeling joy or anger or frustration has an aspect that is not shareable by another being who tastes, smells, or feels frustration at the same thing. But I am not going to argue for that because I think that many philosophers are willing to accept the contingency of the uniqueness of an individual's conscious history, and to say that contingent uniqueness is sufficient to ground the value of irreplaceability. I agree that the reactive attitudes we have towards the uniqueness of other persons do not depend upon the belief that it is impossible that there ever be another person with his conscious history. It is enough that the probability that there will ever be someone else who duplicates his conscious history is vanishingly low.

One reason it is vanishingly low is that the reflective feature of human consciousness increases the differences between one person's conscious states and those of another exponentially. Even under the hypothesis that two persons have qualitatively identical states, the result of their reflections on their respective states will generate qualitatively different states, and further reflection, together with new experiences and their generation of new ideas, will make the stream of their conscious states diverge more and more. I think that the reflective feature of human consciousness is a mystery, and the solution to the mystery will explain why self-conscious beings differ from each other even *before* they reflect, but in any case, reflection creates differences because there are indefinitely many products of reflection on the same thing.

Another reason it is improbable in the extreme that anyone else can have a conscious history identical to yours is that we share our lives with other persons, particularly persons we love. Our conscious history includes attention to the conscious states of others, as well as shared attention—attention to the same thing with a mutual awareness of the other's attention.¹⁶ The improbability that someone has a conscious history like yours is multiplied when we include your conscious history of awareness of the conscious states of many other persons and your awareness of their awareness of your own conscious states. I think that our dim awareness of other people's conscious states is the real source of the idea that persons are unique. When we attempt to grasp what someone else is thinking or feeling, we often believe that we are seeing something unique in the world. In fact, I think that love is always directed at what we believe to be unique about a person; it is something that nobody else has. To quote Raimond Gaita again, love has the revelatory power of revealing human individuality.¹⁷ We could not, or at least will not, find anybody else who is exactly like our loved one. I don't mean that we could not love someone else just as much, but that we love what is unique in the person, and if the relationship is lost, we think that something of irreplaceable value to us has been lost. If the person is lost to the world, we think that something of irreplaceable value is lost to the world.

So the story I previously told about persons and the value of dignity went like this. Each human being is both a person and an instance of human nature. We have infinite value or value beyond price in virtue of our nature as rational beings. That nature is the ground of respect. It is clearly shareable and has nothing to do with uniqueness. When we talk about human equality, that is what we are talking about. In contrast, I proposed, irreplaceable value is grounded in our personhood, not our

nature, and what makes something a person is subjectivity in the sense of a first-person conscious viewpoint, necessarily distinct from that of every other person. You are irreplaceable in value because there could never be another person just like you. But because you are also a rational being and, hence, infinitely valuable, the loss of you is not like the loss of a bad work of art. You are infinitely valuable because you are human, and irreplaceably valuable because you are a person.

Now, I think that that story is not good enough as a way to solve the puzzle about dignity. I have no objection to the position that the ground of our infinite value is a feature of our nature. I think that the word "rationality" is misleading, but I will let that pass for the moment because my main worry is that my account of our irreplaceable value will not work. The problem is that being irreplaceable in some way or other does not give a person irreplaceable *value* unless what is irreplaceable is valuable *in the respect in which the object is irreplaceable*. It is not enough that it has supreme replaceable value in one way and is irreplaceable in some other way. Suppose, for instance, that what makes human beings unique is the shape of our irises. We are all infinitely valuable because we are human and, hence, are in the category of rational beings, and we are all irreplaceable because of the shape of our irises. You will immediately retort that if *that* is what is irreplaceable about us, it does not give us any value that we do not already have by being rational beings. We don't get the second aspect of dignity identified by Kant, and 600 years earlier by Richard of St. Victor, unless the respect in which we are unique is something that is valuable apart from the mere fact that it is unique. It is not enough that we have infinite value because of our nature and, in addition, we are unique in some way or other.

So if what is unique about us is subjectivity, subjectivity had better be valuable, valuable enough that it *matters* whether each instance of it is irreplaceable. Why would the loss of the subjective consciousness of a rational being be any worse than the loss of the uniquely shaped iris of a rational being? If iris shape is unimportant, then uniqueness of iris shape is unimportant. The loss of a unique iris is no loss to the world. Similarly, if the kind of consciousness of a being who thinks of itself as "I" is unimportant, then the uniqueness of the consciousness of such a being is unimportant, and the loss of that unique consciousness is no loss to the world. The explanation of the value of a unique conscious perspective has to link it with the superlative value of that kind of consciousness itself.

A possible way out lies in the connection between subjectivity and rationality. Yogi Berra's son, Dale Berra, once made a quip about Yogi

that became famous. He said, "You can't compare me to my father. Our similarities are different."¹⁸ Most people chuckle because it doesn't make sense, and it revealed that Dale Berra is like his father after all. But I think that in a strange way Dale Berra's comment does make sense, and it is something we could say about any two people, not just fathers and sons. We are alike in our nature, but it takes a unique form when it is actualized in a concrete being. My hypothesis, then, is that rational consciousness is infinitely valuable, but it has infinitely many variations. The power is infinitely valuable, and the way the power is actualized in individuals is irreplaceable. *Each individual has an infinitely valuable power that is actualized in an irreplaceable way.*

George Kateb (2011) argues in his book, *Human Dignity*, that there is something in human nature that gives each human the capacity (perhaps unrealized) to become something that it is impossible that any other being could be. He thinks that explains both our dignity as a species, and our equal dignity as individual humans. We alone of all species can outstrip our nature. We have the freedom to think and to act in ways that could not be predicted given the nature we have.¹⁹ Our uniqueness lies in the set of attributes that permit human beings not only to make remarkable achievements not made by other species, but to make an indefinitely large set of remarkable achievements. This gives us the capacity to understand nature and to be stewards of it, and it means that our value goes beyond our value to other humans. We are valuable to other species. In this way, he says, dignity is not just a status we bestow upon ourselves as a self-admiring species.²⁰

I think this is a helpful way to think about dignity, but what is the power in us that permits us to outstrip our nature in infinitely many variations? We can call it rationality, but it cannot be the same as the power of reason, which I assume is limited in the variations it permits. Variations in personality are surely not due to the effect on a human being of the exercise of the reasoning faculty although they may be due to something in reflective consciousness.

If the locus of our ability to outstrip nature is not in reason, neither is it limited to the will. It seems to me that a person outstrips nature in every aspect of consciousness that is affected by self-reflection. We create new states of consciousness all the time upon reflection on our other mental states—sensory states and states of memory, beliefs and potential beliefs, emotions, hopes, desires, and cognitive states of every kind. The will is not special unless we just mean by the will the ability to outstrip nature by reflection. So I think that if we go along with Kateb's idea that our dignity is grounded in the power to outstrip our nature, we

should agree that it is not only the power of reason and the power of willing that permits us to do so.

Let me now return to the puzzle about dignity. We have inherited the idea that dignity is a kind of value that is infinite in degree and which also makes it the case that each being with dignity is valuable for her differences from every other being with dignity. How is this possible? My answer is that the kind of consciousness human beings have is infinitely valuable, and it is the kind of thing that permits infinitely many differences in subjective consciousness. Our similarity is in a nature that includes something that makes us different. A human being is a being with that power. But that power is actualized in a different way in each individual, and we call that individual a person.

This brings us back to the distinction between a person and an instance of a nature. I think that preserving that distinction is helpful in more than one way. First, I have argued that it explains how a human person can have two kinds of inherent value: infinite value, in virtue of being human, and irreplaceable value, in virtue of being a person, and I have told a story about the value of human consciousness that explains why we value the differences among conscious beings in addition to their property of being conscious.

The distinction between a person and an instance of a nature is helpful in another way. Numerous philosophers have observed the tension in the idea that morality involves impartiality—we think of all human beings as deserving of equal treatment, and yet we value the partiality of love and friendship. There are many contexts in which the moral point of view is identified with the impartial point of view. But on the other hand, we value close personal relationships and desire a way to integrate the moral attitude towards loved ones with the moral attitude towards all human beings.²¹ I think that the distinction between a person and an instance of a nature and the two aspects of dignity can help us out with this problem. If the dignity of human persons inheres in both their human nature and their unique subjectivity, and if dignity is a moral value, then the *moral* response to persons requires both partiality and impartiality, and the connection between partiality and impartiality is no longer puzzling. It seems to me that we cannot penetrate the subjectivity of most other persons very far; we just know it is there. But we *can* go some distance with a few persons, the ones we love. The moral attitude requires us to respect each person's rational nature, which allows them to outstrip their nature in a unique way. For some other persons we are able to get a glimpse of what that unique way is, and they get a glimpse of the same thing in us. That makes love a morally appropriate attitude. I

suggest that love is directed towards the unique subjectivity of another person that is revealed to us. Respect is directed towards the unique subjectivity of another person that is not revealed to us, but which we know exists because it is entailed by our nature.

The distinction between a person and an instance of human nature also has implications for the possibility of non-human persons. For Kant, dignity is a value that only one species has. It belongs to humanity insofar as humanity is capable of morality,²² and he does not identify a distinct category of persons. So the reason Kant rules out non-humans as possessors of dignity is that he believes that the feature of rational nature that gives a being dignity is its capacity for morality, and non-human animals lack that capacity. I have not argued against that, but I have proposed an alternative. I have treated the consciousness of reflective beings as a property that is both supremely valuable and capable of infinitely many variations. I have said I think it is unlikely that it is identical to the faculty of reason, and it is unlikely that it is a property of the will. If so, I do not think we can rule out the possibility of non-human animals as bearers of dignity on the grounds that their faculty of reason is not as developed as ours and their capacity to will does not extend to a capacity for morality as Kant understand that. Whether animals have dignity depends upon the nature of the property that permits the variations in subjectivity that we think makes a being irreplaceable in value. Sometimes we have the same response to certain animals as we do to humans. We think we detect something unique about them, a distinctive personality. We could be wrong about that, of course, but the distinction between a person and an instance of human nature leaves open the possibility that we have overlooked an important class of beings with dignity, a possibility we would not want to foreclose on the grounds that even if we are not sure what dignity is, we are sure it is limited to humans.

The distinction of the Church Fathers between a person and an instance of a nature also opens the possibility that there are persons in the universe who are higher than humans. That possibility forces us to confront the problem of human *hubris* in our conception of the value of other beings. Many writers have aimed to escape speciesism, and that almost always means extending the scope of morality to species below us on the traditional scale of being. But what if there are beings elsewhere in the universe higher than we are even on our own scale? If we met them, we would fear them, but we would almost certainly admire them. We would see them as beings with dignity. I think that the possibility of such beings forces us to be humble about the kind of value we have. We might be in the category of the highest kind of being

in the physical universe, but if so, that would be because we are the only creatures who are persons; it would not be because we are human.

I said at the beginning of this lecture that I think that many philosophers fear that the metaphysics of persons is insufficient to support the ethics. Much is at stake since the dignity of persons is the core idea in a multitude of documents on human rights, representing the farthest human beings have gone in getting widespread acceptance of a framework for political life. The idea of human dignity is one of the greatest achievements in the history of thought. I think that we can preserve both aspects of dignity identified by Kant by making a distinction between a person and a nature, and I believe that the separation of personhood from biological categories frees us to investigate the moral dimension of the many categories of non-human beings.

NOTES

1. Michael Rosen (*Dignity: Its History and Meaning*) has defended the importance of dignity as the right to be treated with dignity, arguing that that approach has been neglected in the focus on the idea of dignity as an inner transcendental value.
2. When I say that what a person is should explain the distinctive value of dignity, I do not mean that we cannot determine whether some being has dignity unless we first find out whether it is a person. I do not assume that it is easier to tell that a being is a person than that it has dignity. My point is that having dignity is possessed in virtue of being a person, and what I want to explore is what it is about personhood that gives a person this value.
3. For instance, Bernard Williams (*Ethics and the Limits of Philosophy*, 114) argues that the category of person is a poor foundation for ethical thought because it signals characteristics that come in degrees. I am proposing an answer to Williams here.
4. See <http://www.nytimes.com/2014/04/27/magazine/the-rights-of-man-and-beast.html>. Note that Wise is using "person" as a term for a legal status which gives animals certain rights. He is not arguing that animals are equal to humans.
5. The word *persona* was used even earlier by Tertullian in the second century as a scriptural exegetical tool.
6. Boethius actually says that God is not a person except in a metaphorical sense. But Boethius' reason for denying personhood to God has nothing to do with God's status, which is obviously at the top. His main concern, as described by Aquinas, seems to be that every person is a *hypostasis*, which signifies the subject of accidents, but God has no accidents. He also mentions the origin of *persona* in the masks worn on the stage, which does not apply to God except metaphorically.
7. If I am right that uniqueness is a second-order property, then that would answer a question raised by David Velleman that it does not make sense to say uniqueness can make anyone special if everyone is unique. Velleman, "Love as a Moral Emotion," 363.
8. See Crosby, *The Selfhood of the Human Person*, for discussion of the origin of the medieval notion of incommunicability.
9. See Barnes, "Albert the Great and Thomas Aquinas on Persons, Hypostasis, and Hypostatic Union," for discussion of these debates.

10. Korsgaard remarks that according to Kant, the characteristic feature of humanity as such is the power to set an end, whereas he thinks of personality as the power to adopt an end for moral reasons. Korsgaard, "Kant's Formula of Humanity," 114.
11. Jeremy Waldron takes his support of dignity as status rather than value as setting him apart from Kant. Kant clearly thinks of dignity as a value, but it seems to me that he might also think of it as a status. Waldron, "Dignity and Rank," in *Dignity, Rank, and Rights*, 23–27.
12. The problem here cannot be solved by thinking of irreplaceable value as sentimental value. Some objects are irreplaceable because of their sentimental value to a particular person. For instance, your first car is irreplaceable, even by a car just like it, and you might feel regret that you will never have that car again. But that is not what Kant means when he says that a being with dignity has irreplaceable value, nor do I think that that is what ordinary people mean when they speak of the irreplaceable value of persons.
13. Raimond Gaita, *The Philosopher's Dog* (New York: Random House, 2002), 80-81.
14. Velleman, "Love as a Moral Emotion," 368.
15. Wittgenstein, *Tractatus Logico-Philosophicus*, 5.632.
16. For instance, Adam Kadlac argues in a delightful paper on irreplaceability that having a shared history with the ones you love not only contributes to making both of you the persons that you are, but it makes each of you irreplaceable to the other. Kadlac, "Irreplaceability and Identity."
17. Gaita writes, "The power of human beings to affect one another in ways beyond reason and beyond merit has offended rationalists and moralists since the dawn of thought, but it is partly what yields to us that sense of human individuality which we express when we say that human beings are unique and irreplaceable. Such attachments, and the joy and the grief which they may cause, condition our sense of the preciousness of human beings. Love is the most important of them." Gaita, "Goodness Beyond Virtue," 27.
18. *Sports Illustrated*, August 9, 1982, 12.
19. Kateb, *Human Dignity*, 10.
20. Kateb says that the value of dignity is an existential value, not a moral value. The rights that are grounded in dignity are not morally grounded, but they are grounded in a value. Notice that the value of the capacity to be stewards of nature cannot depend upon the good that we do to nature since the capacity that permits us to be stewards of nature is also the capacity to ruin nature. Kateb's point has to be that we are *important* to non-humans as well as to other humans. But what if there are other beings in the universe? Would we be important to them? What if they are a higher species than we are? How likely is it that we are important to them even if we have the astonishing ability to outstrip our nature?
21. One way to frame the issue is whether there is such a thing as morally admirable partiality that is not reducible to impartial standards. Cannold et al. ("What Is the Justice-Care Debate Really About?") argue that the debate is the same as the debate over justice vs. care in ethics. My purpose here is not to try to settle the dispute, but to suggest that the idea that a human being is valuable in one way in virtue of being human, and in another way in virtue of being a person is an approach that can permit us to have it both ways.
22. Kant, *Groundwork of the Metaphysics of Morals*, 435.

BIBLIOGRAPHY

Aquinas, Thomas. *Summa theologiae*, translated by Fathers of the English Dominican Province. New York: Benziger Brothers, 1992.

- Barnes, Corey. "Albert the Great and Thomas Aquinas on Persons, Hypostasis, and Hypostatic Union." *The Thomist* 72 (2008): 107–46.
- Baron, Marcia. "Love and Respect in the Doctrine of Virtue." *Southern Journal of Philosophy* XXXVI, no. 1 (1998): 29–44.
- Boethius. *Opuscula sacra (Theological Tractates)*, translated by H. F. Stewart and S. J. Tester. Cambridge, MA: Harvard University Press, 1978.
- Cannold, Leslie, Peter Singer, Helga Kuhse, and Lori Gruen, "What Is the Justice-Care Debate Really About?" *Midwest Studies in Philosophy* XX, 1995: 357–75.
- Crosby, John F. *The Selfhood of the Human Person*. Washington DC: The Catholic University Press, 1996.
- Gaita, Raimond. "Goodness Beyond Virtue." In *A Common Humanity: Thinking about Love and Truth and Justice*, 17–28. London: Routledge, 2000.
- . *The Philosopher's Dog*. New York: Random House, 2002.
- Kadlac, Adam. "Irreplaceability and Identity." *Social Theory and Practice* 38, no. 1 (2012): 35–54.
- Kant, Immanuel. *Groundwork of the Metaphysics of Morals*, translated by H. J. Paton. New York: Hutchinson's University Library, 1958.
- Kateb, George. *Human Dignity*. Cambridge, MA: Harvard University Press, 2011.
- Korsgaard, Christine M. (1996). "Kant's Formula of Humanity." In *Creating the Kingdom of Ends*, 106–32. New York: Cambridge University Press, 1996.
- Rheinfelder, Hans. *Das Wort Persona*. Halle: Niemeyer, 1928.
- Rosen, Michael. *Dignity: Its History and Meaning*. Cambridge, MA: Harvard University Press, 2012.
- Sports Illustrated*, August 9, 1982, 12.
- Singer, Peter. *Animal Liberation: A New Ethics for our Treatment of Animals*. New York: Random House, 1975.
- Tooley, Michael. *Abortion and Infanticide*. Oxford: Clarendon Press, 1983.
- Velleman, David. "Love as a Moral Emotion." *Ethics* 109, no. 2 (1999): 338–74.
- Waldron, Jeremy. "Dignity and Rank." In *Dignity, Rank, and Rights (The Berkeley Tanner Lectures)*, edited by Meir Dan-Cohen, 13–46. Oxford: Oxford University Press, 2012.
- White, Thomas. *In Defense of Dolphins: The New Moral Frontier*. Oxford: Blackwell, 2007.
- Williams, Bernard. *Ethics and the Limits of Philosophy*. Cambridge, MA: Harvard University Press, 1985.
- Wittgenstein, Ludwig. *Tractatus Logico-Philosophicus*, translated by D.F. Pears and B.F. McGuinness. Routledge and Kegan Paul, 1961.
- Zagzebski, Linda. "The Uniqueness of Persons." *The Journal of Religious Ethics* 29, no. 3 (2001): 401–23.