

Three Circles of Dignity

Ginevra Le Moli*

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Abstract

In human rights practice, references to ‘dignity’ are as pervasive as they are difficult to pin down. ‘Dignity’ is used widely and often contradictorily. It underlies the privileged legal treatment afforded to states as a result of their sovereignty, but also the claims to strip states and state officials of the manifestations of such sovereignty, such as immunities. It also grounds the overriding character of human rights and social development, while at the same time adding legitimacy to the fight against ‘anthropocentrism’ and for the protection of nature for its own sake. From ‘sovereignty’, to ‘human dignity’, to ‘eco-centrism’, the concept of dignity underlies the normative claims of three competing circles. In this review essay, we rely on the distinction between these three circles of dignity to organize the survey and discussion of an extensive body of work that has helped to clarify the contours of the concept of ‘dignity’. The essay aims to empower practitioners not only to avoid the abuse of this concept but also the dilution that may result from casual and unconsidered reference to it. More fundamentally, it explores two conceptual battlefronts opened by the concept of human dignity. These battlefronts are interdependent because the very assertion of human dignity to protect the individual against the powers of the state may also lay the foundations for an over-exploitation of nature.

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1. Framing dignity

In human rights practice, references to ‘dignity’ are as pervasive as they are difficult to pin down. ‘Dignity’ is used widely and often contradictorily. It underlies the privileged legal treatment afforded to states as a result of their sovereignty, but also the claims to strip states and state officials of the manifestations of such sovereignty, such as immunities. It also grounds the overriding character of human rights and social development, while at the same time adding legitimacy to the fight against ‘anthropocentrism’ and for the protection of nature for its own sake. These and other uses of the term ‘dignity’ have become a common feature of human rights practice, and we hardly pay any attention to them, even when they are contradictory.

There is, however, something remarkable about them. It is the choice of the concept of ‘dignity’, out of so many other concepts, to assert the normative claim of a group or entity—we shall use the term ‘circle’—against another (Gearty 2013: 163–5; Feldman 1999: 697; Théron 1998: 305). Even more remarkable is the fact that ‘dignity’ has been progressively and, in many ways sequentially, at the root of state sovereignty; then, of the efforts to defend—

* The author is a Visiting Scholar at the Lauterpacht Centre for International Law, Cambridge, UK; she previously worked for the UN Office of the High Commissioner for Human Rights (OHCHR).

against that sovereignty—the dignity of human beings; and, more recently, of the reaction against anthropocentrism and its excessive footprint on nature. Thus, in spite of its ambiguous and rhetorical uses, it is not a concept that can be easily dismissed. It performs a foundational function. From ‘sovereignty’ to ‘human dignity’ to ‘eco-centrism’, the concept of dignity underlies the normative claims of three competing circles.

In this review essay, we rely on the distinction between these three circles of dignity to organize the review of a vast body of work on dignity, including academic writings as well as a number of other discursive materials that have helped to clarify the contours of the concept of ‘dignity’. By reviewing and organizing this work, the essay aims above all to empower practitioners. References to ‘dignity’ were included almost by accident in the original text of the Charter of the United Nations and in the 1948 Universal Declaration of Human Rights. Yet today the concept is widely invoked as the foundation of human rights, that is, the value through which our commitment to human rights can be ultimately explained. An effort at charting and organizing its different uses therefore appears useful to avoid not only the abuse of this concept but the ‘dilution’ which may result from casual and unconsidered reference to it. More fundamentally, it explores two conceptual battlefronts opened by the concept of human dignity. These battlefronts are interdependent because the very assertion of human dignity to protect the individual against the powers of the state may also lay the foundations for an over-exploitation of nature.

2. Dignitas or ‘sovereign’ dignity

Understanding what the concept of dignity exactly means or refers to, and its practical implications, requires pondering on its many faces. Since Roman times, two main ideas of dignity have emerged. On the one hand, dignity was the basis of rank, status and ultimately—through the dignity of kings—of ‘sovereignty’. On the other hand, dignity was emphasized as an attribute of human beings as such (Debes 2017; Bayertz 1999). These concepts are not only different; they are interlocked in a sequential and rival manner. That means that the use of the concept to assert the normative claim of one circle is largely dependent on the use of the concept for the other circle. Yet, at the same time, the two uses cannot be fully reconciled because they entertain a competing or ‘rival’ relationship in that one concept developed precisely to limit expansion of the other.

Sovereign dignity reflects the first and ancient meaning of dignity, and it is still used today mainly to express features of a high social standing (Sangiovanni 2017: 16). According to this conception, examined in detail by Jeremy Waldron in his ‘Dignity, Rank, and Rights’, dignity is to be attributed only to some human beings, whose legal status is defined in terms of honour, title, powers and responsibilities (Waldron 2009: 6; 2010)—and granted to different degrees (Spiegelberg 1986: 191). It finds expression in such dignities as are conferred on ‘dignitaries’ through honours or titles, by virtue of more or less ‘decent’ behaviours. The roots of this conceptualization of dignity are ancient. Commenting on the work of Cicero, Hubert Cancik notes that dignity ‘denotes worthiness, the outer aspect of a person’s social role which evokes respect and embodies the charisma and the esteem presiding in office, rank or personality’ (Cancik 2002: 19).

The conception of dignity outlined in the previous section presents three noteworthy features. The first is that it can and typically does attach to persons holding a specific position and hence to the institution as such. In this sense, one could use the expression ‘institutional dignity’ when an institution is a dignity-bearer as an entity. In his introduction to *Understanding Human Dignity*, McCrudden argues that, in the present day, *dignitas* is generally attached to those appointed to a particular public office and applied to institutions and the state itself (McCrudden 2013; 2008: 656–7). Samuel Moyn, in the same volume, calls this understanding of the concept ‘corporatist’ dignity (Moyn 2013). By way of illustration, dignity would attach to institutions like Parliament or the Church, which corresponds to an understanding to be found in the eighteenth and nineteenth century meaning of dignity as distinction and status. For present purposes, it is important to note that, from a legal standpoint, this conception of *dignitas* attaches first and foremost to the state and to state officials, and it finds expression in a range of more specific legal concepts expressing the idea of sovereignty, such as the immunities of states and state officials. As evidence for this statement one can refer to a judicial decision dating back to the late nineteenth century. In a decision rendered in 1880 in *The Parlement Belge*, the English Court of Appeals reasoned that:

as a consequence of the absolute independence of every sovereign authority, and of the international comity which induces every sovereign state to respect the independence and dignity of every other sovereign state, each and every one declines to exercise by means of its courts any of its territorial jurisdiction over the person of any sovereign or ambassador of any other state. (*The Parlement Belge*, CA (1880) LR 5 PD 197, at 214–5)¹

This conception was restated a century later in the decision rendered in 1981 by the House of Lords in *I Congreso del Partido*:

to require a State to answer a claim based on such [commercial] transactions does not involve a challenge or inquiry into any act of sovereignty or governmental act of that State. It is, in accepted phrases, neither a threat to the dignity of that State nor any interference with its sovereign functions. (*Marble Islands v I Congreso del Partido*, House of Lords, 16 July 1981, [1983] 1 AC 244, at 262)

At the root of the modern conception of sovereignty thus lies the ancient idea of *dignitas* in its institutional expression.

A second feature of this conception is the transient character of *dignitas*. The institutionalization of *dignitas* necessarily entails its detachment from the person holding the office and its conferral on the office itself. To continue with the example of the immunities of state officials, so-called ‘functional immunities’ attach to state officials exercising acts of their office, which are immune precisely because they are necessary to preserve the sovereignty of the state they represent. Even the so-called ‘personal immunities’, namely, immunities attaching to the very state representative in his or her personal dealings and those of his or her

¹ This case provides a detailed review of the legal authorities connecting sovereignty to dignity, including Blackstone, Vattel, Wheaton, and others.

family, are based on the idea of *ne impediatur legatio*, that is, to allow the operation of a diplomatic representation of the foreign state by virtue of its own sovereignty. It must be noted, however, that whereas the *dignitas* of the individual is transient, that of the institution itself—the state—is permanent. Yet its scope may change in such a way that an action considered an encroachment on such *dignitas* at a given time may no longer be considered as such at a later time.

The third and perhaps most important feature of this conception for present purposes is its exclusionary character. *Dignitas* is expressed by the syntagma ‘relational dignity’, since dignity is defined in relation to certain qualities (Spiegelberg 1986: 193). It is therefore a concept that carries with it a social distinction and establishes an unequal treatment between those (or the institutions) who have rank and honour and those who do not. Both the qualities conferring a special treatment and the treatment may change over time, but the exclusionary character of the concept remains. And it is this feature that, by its very definition, draws a circle which leaves outside it a wider circle of those not enjoying such a special treatment. A challenge to such treatment can thus take two forms: either the circle is extended to those left outside or the scope of the treatment is limited. As discussed next, in both cases, the claim rests on the assertion of a competing form of dignity.

3. Human dignity

The second conception of dignity challenges the distinction and/or the powers conferred by *dignitas*. It refers to a specific attribute of every human being simply by virtue of being human and does not defer to any social degrees. Thus, it cannot be acquired or lost (Spiegelberg 1986: 192). It is not transient—and it attaches to every human being—thus is not exclusionary within the circle of human beings, but excludes other entities, such as legal persons. Its permanent and non-exclusionary features do not mean that this conception, with its many variations, is not ‘rival’. This is important because, as mentioned earlier, the different circles of dignity are interlocked in a way that can be characterized as sequential (dependent on one another) and rival (competing). The following paragraphs discuss three prisms through which human dignity has been characterized.

An initial distinction can be made between two broad families of conceptualization: first, a religious perspective, which looks at the concept as connected to the divine or to a metaphysical account; secondly, what could be called a set of ‘secular’ accounts that have enabled the development of human rights. The emergence and consolidation of human rights embodies not the triumph of one concept over the other but a more complex process of conceptual elaboration and generalization of a religious conception so as to make it more widely acceptable. The affirmation of human dignity in constitutional and international legal documents is indeed a product of a secular age. Yet the development of the underlying concept of what a human being is stems from religious thought (Barak 2015) and, primarily, Christian thought (Starck 2002: 180). Authors studying the non-Christian foundations of human rights (Manglapus 1978; Donnelly 1982; Debes 2017) have identified a range of concepts close to the idea of human dignity in other religious traditions, including Hinduism (Braarvig 2014a), Buddhism (Braarvig 2014b), and Confucianism (Luo An’xian 2014; Lee 2008), as well as similar ideas in Ubuntu and Maori traditions (Metz 2014; Barrett 2005; Carozza 2011). Yet

these ideas did not act as drivers of the legal elaboration of human rights in the aftermath of the Second World War and the process of adoption of the Universal Declaration of Human Rights. This process has been analysed from a historical perspective by authors such as Mary Ann Glendon (2001) and Samuel Moyn (2015, 2010). Their narratives differ, but they all converge on the broad frame within which the process unfolded—one whereby an initially Christian conception of human dignity was progressively stripped of its idiosyncratic features as a condition for its generalization through international instruments.

Aside from the aforementioned historical work on the role of the religious conception of human dignity in the early stages of international human rights law, there have been initiatives either to ground human rights in a wider range of cultural and religious traditions, such as the compilation directed by the Swiss philosopher Jean Hersch under the aegis of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) (Hersch 1968), or, following a different route, to conceptualize the world order around a secularized goal of human dignity. Regarding the latter, one of the major intellectual initiatives was that of Myres McDougal and Harold Lasswell who, writing in 1959, sought to shape a framework centred on human dignity, offering analytical tools taken from the social sciences (McDougal and Lasswell 1959; McDougal, Lasswell, and Chen 1977; McDougal and Lasswell 1992). Significantly, they ‘postulated’ this goal in order to ‘deliberately leav[e] everyone free to justify it in terms of his preferred theological or philosophical traditions’. In fact, they viewed the ‘essential meaning of human dignity ... [as] ... a social process in which values are widely and not narrowly shared, and in which private choice, rather than coercion, is emphasized as the predominant modality of power’ (McDougal and Lasswell 1959: 11). Their conception rested upon eight categories of values that human beings seek (power, enlightenment, wealth, well-being, skill, affection, respect, and rectitude) and affirmed that a global order centred on human dignity should allow people to pursue them. Thus, international law was seen as a normative practice orientated towards establishing the conditions through which everyone can have dignity.

Both the religious and the secularized conceptions of human dignity entail significant limitations not only for the powers conferred by ‘sovereign dignity’ but, potentially, for its very recognition. The religious variant, whether in its Christian form or in its wider (and subsequent) cultural rooting, does not question the basis of authority of the state. But it entails limitations for the scope of the powers that states can claim over humans. This is a delicate balance indeed but, in the aftermath of the Second World War, that appeared the most urgent task to be accomplished. Yet the conception expounded by McDougal and Lasswell, as well as other conceptions which were developed earlier—such as the account of the French jurist and philosopher George Scelle (1932)—and subsequently—such as the more recent work by Patrick Capps (2009: 3)—go a step further and imply that the entire world order, including the very justification for the special powers arising from state sovereignty, rest upon and are a function of human dignity. Here, both the powers that a state may exercise over its population and the very qualities that confer such power on states and state officials are made dependent on human dignity.

The discussion regarding the generalization of human dignity to strip it of its idiosyncratic origins in Christian thought runs in parallel with another partially overlapping dichotomy between ‘reductionist’ and ‘essentialist’ approaches to human dignity. Reductionist approaches see human dignity as, at best, a redundant concept and, at worst, an empty vehicle that offers judges as well as others the possibility to advance their own idiosyncratic views. By way of illustration, philosopher Ruth Macklin has claimed that ‘dignity seems to mean nothing other than ‘respect for autonomy’, which is already a respected societal value. Therefore, dignity, as used in medical ethics, ‘can be eliminated without any loss of content’ (Macklin 2013). Others see human dignity as a ‘vacuous concept’ (Bagaric and Allan 2006), a ‘floating signifier’ (Douzinas 2007: 8), which is an ‘impossibly vague’ (McCrudden 2008: 723) subjective idea that changes ‘radically with the time, place, and beholder’ (Pinker 2008), masking ‘a great deal of disagreement and sheer confusion’ (Rosen 2012: 67; Davis 1999: 413). It is a noble sentiment that ‘can have no place in an attempt at rational persuasion’ (Hayek 1960: 6) failing to ‘provide a universalistic, principled basis for judicial decision-making in the human rights context’ (McCrudden 2008: 655). Because dignity, with its elusive nature, has no ‘concrete meaning or consistent way of being defined’, judges are tempted to ‘introduce their own moral standards amid competing claims of rights each of which has a plausible case of human dignity violation’ (Lee 2008: 3; Rosen 2013). It then appears that, in the eyes of its critics, the principle is too ‘hollow’ to fill the jurisprudence and practice that recall it.

By contrast, so-called ‘essentialists’ have tried to assess dignity’s features, finding a core to establish roots and meaning. For example, the philosopher William Parent has noted that dignity is ‘a negative moral right not to be regarded or treated with unjust personal disparagement’ (Parent 1992: 62), whereas McCrudden has advanced a ‘minimum core’ according to which ‘every human being possesses an intrinsic worth[,] ... that this intrinsic worth should be recognized and respected by others, and [that] some forms of treatment by others are inconsistent with, or required by, respect for this intrinsic worth’ (McCrudden 2008: 679).

The implications of this dichotomy for the rival character of human dignity must be analysed at two levels. Reductionist approaches seem to deny the ability of human dignity to ground a competing claim, either because the genuine basis would be some other value (such as autonomy) or because an empty concept cannot provide such a basis. Yet on closer inspection, these two implications do not challenge the rival character of human dignity. References to the redundancy of dignity are a challenge to the signifier, not to the meaning (which may encompass autonomy or other values). Conversely, references to the emptiness of human dignity are a challenge to the meaning (which may encompass the subjective moral judgments of a judge or other official) not to the signifier. But neither challenges the possibility that asserting a socially recognized competing value (such as autonomy) by means of the concept of human dignity may serve to place limitations on the powers of another circle. Reductionists converge with essentialists on this key point. The main difference between them is that essentialists see a distinctive meaning in the concept of human dignity, which is neither redundant nor subjective or illegitimate. And it is this meaning which grounds the competing normative claim.

Several cross-cutting themes emerge from the religious/secular and reductionist/essentialist dichotomies, which can be treated as a third prism on the concept of human dignity. This prism mainly concerns the character, dimensions and implications of human dignity. The character of dignity relates to an examination of what dignity is. It appears as a basic question, answered in either narrow or broad ways. It is said, for instance, that dignity ‘refers to’ an intrinsic value (Andorno 2009: 233) which therefore recalls why dignity is recognized, rather than what dignity is. On the latter question, legal commentators have provided different definitions, seeing ‘human dignity’ as a ‘type of value’ (Rosen 2012: 19–23); a ‘need’ (Shultziner and Rabinovici 2012: 107); ‘normative property’ (Birnbacher 1996: 118); a ‘potential’ (Pollmann 2010); or a ‘process’ (Lickiss 2007). Waldron has argued that dignity must be identified with a ‘status’ (Waldron 2013: 24–7)—a perspective that others have criticized (Rosen 2009) or further explored (Beitz 2009: 283–8).

The dimensions of dignity analysed in legal circles call in turn for additional distinctions: some refer to different meanings (Shultziner 2007); to different directions taken by the protection of dignity (Dupré 2009); or to dignity itself as having two dimensions. Andorno has defined dignity as having two natures, ‘ontological’ and ‘ethical’ (Andorno 1997: 37). Similarly, Maurer, studying the approach adopted by the European Court of Human Rights, has described the principle of human dignity as having a basic dimension (‘fundamental’) and a realizable or active dimension (‘actioned’) (Maurer 1999: 50–58). Kass, instead, draws a distinction between the ‘basic dignity of human beings’ and the ‘full dignity of being (actively) human—of human flourishing’ (Kass 2009: 299). These distinctions reflect the idea that dignity has a foundational core and an outer more flexible layer able to respond and adapt to different realities.

To understand the implications of human dignity, some scholars have focused on how it is violated and, conversely, how it is promoted. Scholars use the terms ‘degradation’ and ‘humiliation’ (Shultziner 2007) to describe assaults on human dignity, seen as a form of ‘denial of social recognition’ (Shultziner and Rabinovici 2012); as a destruction of the capacity of self-direction (Beitz 2009: 289); or as the deprivation of ‘basic goods’—in the bioethics field (Birnbacher 1996: 110). Scholars who focus on promotion refer to empowerment and constraint. By way of illustration, Deryck Beyleveld and Roger Brownsword have noted that human beings are ‘recognized not only as having the capacity to make their own choices, but also as being entitled to enjoy the conditions in which they can flourish as self-determining authors of their own destinies’ (Beyleveld and Brownsword 2004: 64). Human dignity as empowerment, or as liberty, is a function of human autonomy and is closely connected to modern human rights conceptions, which consider individuals as possessing an inherent value as the basis for their ‘inalienable’ rights. But dignity may also entail constraints, which in turn require a delicate balance between respect for individual choice and limitations of such choice to avoid undignified situations. The balance is linked to a community’s concept of civilized

life. What a community considers to be the limits of dignity has a bearing on what can be negotiated—as it is, for instance, in the areas of commerce in human organs or prostitution.²

The analysis of the character, dimensions and implications of human dignity provides a finer-grained cartography for the examination of how this concept may perform a rival function. If, as suggested by the literature on implications, human dignity protection is implemented through agents' empowerment (Beyleveld and Brownsword 2004: 218), respect for individual freedom (Dworkin 1994: 239), social justice (Kelman 1977) and respect for freedom of choice (McDougal, Lasswell. and Chen 1977: 467), then the limitations placed on the state's exercise of sovereign prerogatives is closely circumscribed. The area where such limitations may intervene is likely to concern the outer layer or dimension of human dignity, not its core. And, importantly, depending on whether dignity is seen as a value, a need, a normative property, a potential, a process or a status, there may be more or less room for encroaching on the core of human dignity.

4. Widening the circle: anthropocentrism and the dignity of nature

Because of its extension to each and every individual, human dignity may appear as the ultimate horizon of dignity. Indeed, if no one is left out of the human dignity circle, there is no excluded group to be integrated into it. However, on closer examination, human dignity draws a circle which excludes a range of other normative claims to dignity, including those of collective entities (such as a 'people' or a 'community' or even a legal person); other living things (such as flora and fauna); and even the full extent of what we call 'nature'. Expanding the circle of dignity to these other entities does not mean treating them on an equal footing with humans. But it does entail a recognition of the dignity of such entities which places limitations on the powers flowing from human dignity. Much like the relationship between *dignitas* and human dignity, that between human dignity and this third circle of dignity is a rival one. Of the three examples of excluded entities, certain collective subjects, such as indigenous and tribal peoples or, more generally, 'peoples' as understood in international law, enjoy a range of specific human rights (Schrijver 1997; Crawford 1988) and they are therefore not clearly excluded. For this reason, it is more accurate to leave them out from the discussion of the third circle. It must be noted however that the recognition of such collective rights is only partially grounded on 'human dignity', at least if the latter term is understood in its individual (rather than collective) and universal (rather than cultural) meaning. As with the previous circles, the survey looks first at the work concerning the religious dimensions and then moves to the more recent work on environmental ethics.

The starting point is provided by the thesis of the historian Lynn White, Jr. who, in an influential article published in *Science* in 1967 (White 1967) argued that Christianity was not only at the root of a conquering attitude of humankind over nature but also, for that very reason, it was at the root of what he called 'our ecologic crisis'. The relationship between the 'disenchantment of the world', enabled by Christianity's *Weltanschauung*, and the

2 On prostitution, see Supreme Court of Canada, Reference Re ss. 193 and 195.1(1)(c) of the Criminal Code (Man.), [1990] 1 S.C.R. 1123, 4 W.W.R. 481. See also France, Conseil D'Etat, *Dwarf-Throwing Case*, Ville d'Aix-en-Provence, 1996 Dalloz 177.

development of Western societies had been widely studied even before White's work (Weber 1922). But White linked it to the ecological crisis. His reasoning is essentially an exploration of the mentality of Latin Christianity in the Middle Ages as well as of the later connection between science and technology, which together have been the main drivers of both 'progress' and environmental degradation. This conjunction of science and technology was, according to White, enabled by the overall view in Latin Christianity of humans as masters of nature. He concludes that:

the fact that most people do not think of these attitudes as Christian is irrelevant. No new set of basic values has been accepted in our society to displace those of Christianity. Hence, we shall continue to have a worsening ecologic crisis until we reject the Christian axiom that nature has no reason for existence save to serve man. (White 1967: 1207)

Similar views have resonated in different strands of philosophical and policy literature, as further discussed in the following section. But it is striking that perhaps the main extension of White's voice has been that of Pope Francis himself in the 2015 encyclical letter *Laudato Si'* (Pope Francis 2015).

White had noted at the end of his account that the main exception to the conquering message of Christianity was that of St Francis of Assisi, who he sees as professing a virtue of humility not only at the individual level but for man as a species. The encyclical carries the title of St Francis' words in the *Canticle of the Creatures*, 'Laudato Si', mi' Signore' (Praise be to you, my Lord'). The text of the encyclical is subtle and combines abundant references to the egalitarian doctrine of St Francis with an unequivocal assertion of the unique dignity of human beings. The possible tension is not ignored. Pope Francis makes reference to the stance taken by some of his predecessors regarding the overexploitation of nature. Of particular note, he seems to echo—without making any express reference—the thought of White, who had proposed 'Francis as patron saint for ecologists' (White 1967: 1207). At paragraph 10 of the encyclical, Pope Francis mentions that St Francis 'is the patron saint of all who study and work in the area of ecology, and he is also much loved by non-Christians'. Then at paragraph 11, he notes that:

If we approach nature and the environment without this openness to awe and wonder, if we no longer speak the language of fraternity and beauty in our relationship with the world, our attitude will be that of masters, consumers, ruthless exploiters, unable to set limits on their immediate needs. By contrast, if we feel intimately united with all that exists, then sobriety and care will well up spontaneously. The poverty and austerity of St Francis were no mere veneer of asceticism, but something much more radical: a refusal to turn reality into an object simply to be used and controlled.

The encyclical never crosses the line of equating humans and nature in terms of dignity. It does recognize the tension, albeit in veiled terms, and addresses it by redefining human dignity in terms that require harmony with nature. Thus, although it does not recognize an extension of the circle, it does accept the intrinsic value of nature and limits the powers associated with human dignity. The articulation between these two circles is thus comparable to that between

dignitas and human dignity when the latter is relied upon not to limit the powers conferred by the former.

Another parallel can be made with respect to the secularization of the debate, which has been reformulated in a terminology that makes a distinction between ‘instrumental’ and ‘intrinsic’ value. This distinction lies at the roots of global environmental governance and, more generally, of contemporary approaches to human rights and environmental protection. The field is vast, and one could make reference to a wide range of materials, from writings (Routley 1973; Routley and Routley 1980; Rolston 1975, 1988), to political speeches (see Gandhi 1972), to reports from expert groups (TEEB 2010), to policy and even legal instruments (see Declaration of the UN Conference on the Human Environment (UN 1972), Principle 1; Rio Declaration on Environment and Development (UN 1992), Principle 1). As before, the purpose of reviewing some of them is to illustrate how the circles of dignity are interlocked in a rival manner.

At the philosophical level, perhaps the main challenge to ‘Anthropocentrism’ or human ‘specism’ (Richards 2010) comes from ‘deep ecology’ as expounded in the writings of the Norwegian philosopher Arne Næss (Næss 1973; Næss and Sessions 1984; Næss 1989). Næss initially distinguished between a ‘shallow ecology movement’ whose main feature was to be anthropocentric and, more specifically, to address pollution and resource depletion for the sake of ‘the health and affluence of people in the developed countries’ (Næss 1973: 95). He contrasted this movement with a ‘deep ecology,’ one based on the idea of ‘biospheric egalitarianism’ (ibid: 95–6). Interestingly, Næss spoke of an expanded version of the self, which would be inherently connected to nature and hence inseparable from it. This is a subtle idea. It does not mean merely that humans are part of the biosphere, as one species among others, but that the very individuality of human beings is a construction that obscures their embeddedness in nature, the fact that the relationship with nature is a definitional feature. As Næss puts it, humans and other organisms are ‘knots’ in the biospherical net. Perhaps the major problem faced by this clear extension of the circle of dignity from humans to other living things and nature was its unintuitive practical implications, which set the right of humans to live and blossom on the same footing with that of other creatures. Deep ecology was revised in the 1980s so as to become a ‘platform’ (rather than a doctrine) based on eight principles around which many religions and philosophical traditions were expected to converge (Næss and Sessions 1984).

These principles embody the rivalry between the second and the third circles of dignity. They begin (principles 1 and 2, Næss and Sessions 1984: 3) with a statement of the intrinsic value of both human and non-human life (understood broadly to include non-living things, such as rivers and landscapes) as well as of its ‘richness and diversity’. Then, a delicate balancing between two competing interests is attempted. Humans have ‘no right to reduce this richness and diversity except to satisfy vital needs’ (principle 3, ibid: 3–4). The term ‘vital needs’ is deliberately left open but it appears as the irreducible core of human dignity ensuring its overriding character. It represents, in other words, a redrawing of the second circle within the third circle of biospheric value.

Even in its revised and more ecumenical form, the expectations of the deep ecology platform remain far too ambitious when compared with the policy realities. In turning against sovereign dignity, human dignity has not only conquered some of the space of the first circle, it has also expanded to exclude the third one. The recognition of the dignity of this third circle is nowhere near the expanse and importance of the second. That is perhaps the dilemma presented by human dignity. Due to the rival character of dignity as a concept, the assertion of human dignity against *dignitas*, or sovereign dignity, carries with it an encroachment on a third circle. The price of preserving human dignity and all the advancements that follow from it may well be, as suggested by White in his seminal essay, to remain entangled in the man–nature attitude deeply grounded in Christian dogma that is, still today, at the roots of our ecological crisis.

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