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Introduction

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Figuring Human Dignity

My aim in this book is to offer a more anthropologically satisfying account of human dignity—or at least the minimal archaeological elements needed for such an account. By human dignity here I don't mean that universal feature of human reality that has been enshrined in political, religious, and ethical discourses, practices, and institutions. I mean, rather, human dignity, the notion and phrase—the figure of speech—which animates those discourses, gets turned into those practices, and gets incorporated in those institutions. My attention in this book is captured by a curious fact: namely, that since the middle of the twentieth century heterogeneous actors (from ambassadors, doctors, and activists to priests and popes), working in only loosely related venues (international governance, faith-based missions, bio-ethical commissions), have employed this formerly philosophical and theological term as though its political meanings and obligations are obvious. The results of this practice have been remarkable: the creation of a new universal figure of the intrinsically dignified human. This figure of human dignity—that is, the conception of human dignity as politically self-evident—has arguably shaped all subsequent

formulations and uses. Its political forms, force, and flexibility are such that it has subsequently been mobilized in response to a still-growing number of problems and has been made the central object of an ever-diversifying range of institutions.¹ To put all this differently, I begin in this book from a point of engaged curiosity: I want to understand how it is that the figure of human dignity has, since the late 1940s, become a commonplace of political, ethical, and religious discourse and practice. Though human dignity is often talked about as self-evident, its installation as the centerpiece of the global politics of intrinsic worth is not.

In an effort to understand better the terms of that installation, I have undertaken an inquiry into how human dignity, in the post-World War II era, has been reimagined. I have proceeded by way of an examination of the key documents in the key institutions through which human dignity has been articulated and turned into a practice. To put it a bit formalistically, I have proceeded on the assumption that the postwar formulation of human dignity constitute a threshold event in the history of truth and power. It is an event in which concerned actors, responding to a confluence of historical forces, have struggled to connect truth speaking (*logos*) about themselves and their situation (*anthropos*) with strategies for governing themselves and their situation. It is in this sense that I think a more satisfying *anthropological* account of human dignity is needed. My use of the comparative here might suggest that other anthropological accounts currently exist, accounts I find to be unsatisfactory. As it turns out, they don't—at least not in any systematic form. There are several worthwhile anthropological works on the problem of the universal notion of humanity in twentieth- and twenty-first-century discourse and politics and a significant corpus on human rights.² Despite sharing a semantic field with human dignity, however, these works do not directly address the problem I take up here. My use of the comparative, in other words, does not refer to existing anthropological work on human dignity; it refers to a lack of it.

HUMAN DIGNITY AS EVENT: A FIGURE OF TRUTH, POWER, AND ETHICS

Over the past half-decade, human dignity has introduced a shift in relations among ways of reasoning about human worth, normative terms for the governmental and nongovernmental regulation of conduct, and new possible modes of existence. This shift has been defined by novel conceptions of intrinsic worth as well as by vociferous debates about what these conceptions demand, ethically and politically. Yet despite all the talk about human dignity, this event remains underexplored and underexplained.³

Since the middle of the twentieth century human dignity has served as the object and anchor point of arguably the only religious and secular counterpolitics with

anything like the broad legitimacy and proliferative capacity to weigh against the dominant logics of national sovereignty, capitalist expansion, and scientific triumphalism. In retrospect, it might seem that given the horrors of World War II the turn to human dignity as a foundation for political thinking—the proposal that universal human dignity can provide the warrant for new regimes of governance and care—was an obvious one. The excesses of that war, after all, have rightly been cast as the paroxysmal form of the pathologies of modern power. Add to this Hannah Arendt's famous dictum that in modernity being stripped of official attachment to a nation-state leaves one in the most vulnerable of political positions, and dignity's logic of universal political inclusion appears altogether apt. But *how* this has taken place and *what* it means for the creation of new political and ethical practices is far from obvious. We shouldn't forget that the post-war formulation of human dignity as self-evident required considerable political and conceptual labor, as I will show. The institution of dignity as self-evident is itself an artifact of the politics of intrinsic worth.⁴

Humanist discourses have been around for centuries.⁵ Yet it's not until the mid-twentieth century that the notion of human dignity is articulated as an extradiscursive practice and norm of institutional formation. Where human dignity was previously conceived as a potential in need of cultivation, it began to be cast as a given in need of recognition and protection. Adjusting Paul Rabinow's provocation regarding human rights, one might ask: if human dignity is "natural, or God-given, or merely self-evident, then how is it that protection at the scale of 'humanity' has not been previously invented?"⁶ Rabinow's provocation should not be mistaken for a simple expression of anthropological skepticism. The point is not to insist, yet again, that representations of anthropological universals are always inevitably historically and politically particular. The provocation, rather, is a call to inquiry. How is it, exactly, that programs for governance in the name of human dignity came to be articulated as urgent and necessary? What has the institutionalization and declaration of dignity's universality and self-evidence actually done, politically and ethically? What kinds of specialists and specialized techniques have been brought into being as a means of actualizing dignity's protection? In short, how has human dignity been reimagined such that it could become an anchor point of contemporary counterdiscourses and counterpolitics?

The most intuitive place to begin answering these questions might be human rights, which, in the end, constitute the most widely recognized form of dignitarian counterpolitics. Inquiry in this direction might reasonably begin with the United Nations and the monumental 1948 Universal Declaration of Human Rights. The animating problem for the Commission on Human Rights (CHR), who drafted the declaration, was how to respond to the failures, intransigence, and excesses of national sovereignty. Following the CHR's initial formulations it would take almost

another quarter-century before human dignity and human rights were made practicable: it was not until they became a guiding rationale of nongovernmental organizations that the terms took on their familiar operational meanings. Since the 1970s, regimes of humanitarian intervention have continued to expand, with global health and international development being primary drivers. Supporters as well as critics have put human rights to myriad strategic purposes, inflecting and further transforming their meaning along the way. The fact of this conceptual and pragmatic proliferation casts clarifying light back onto the way in which the notion of human dignity was formulated at the United Nations. Specifically, it throws into relief the way in which talk of human dignity was initially disconnected from politically and legally binding obligations and made weak in relation to the *de facto* sovereign power of member states. No less significant, however, is the fact that, although politically limited in this original setting, the notion of dignity shaped at the United Nations ultimately provided the conceptions of intrinsic worth that would be taken up and advanced by a subsequent generation of countersovereignist political actors from Oxfam to Lutheran World Relief.

Less widely recognized but arguably no less influential is the place of human dignity in the political theology of the twentieth-century Roman Catholic Church and the counterdiscourses this has enabled. Since at least the 1930s, human dignity has been mobilized as part of the church's internal struggles with modernism—that is, its theological and ecclesial struggles concerning how, and to what extent, Catholics ought to valorize the figure of the modern over the figure of tradition. Those who were initially accused of being modernists advanced human dignity as part of their diagnosis of the anomie and social breakdown of the modern world.⁷ In something of a theopolitical reversal, at the Second Vatican Council in the 1960s, this same view of human dignity was taken up by church officials. Dignity was put forward as an answer to the problem of how the church should relate pastorally to the secular world. Appealing to its teaching authority, the Council Fathers proposed that the church was uniquely positioned to discern dignity's meanings and interpret its requirements. Their turn to dignity brought with it a call for the invention of new pastoral practices. It also raised the question of whether human dignity, framed as intrinsic and universal, could be recognized and understood apart from the church's theological vernacular and doctrinal commitments. The answers given to that question triggered multiple ramifications. In the global south, for example, they further justified the political engagements of liberation theology while simultaneously inspiring the Vatican's juridical response to those engagements. Similarly, in the global north, the notion of human dignity was made the crux of the church's response to a range of developments in the life sciences: to questions of the technical meanings of

life and death in the 1970s; in vitro fertilization, genomics, and cloning in the 1980s and 1990s; and stem cell research in the late 1990s and early 2000s.

Given the central place of Catholic thought in the history of its development, it's not surprising that bioethics has been the scene for the emergence of yet other dignitarian counterpolitics. In the early 2000s, the U.S. President's Council on Bioethics, directed by a group of self-styled counterestablishment bioethicists, proposed making human dignity the guiding term for the governance of science. They began with the proposition that life, understood as the object of the biological and biomedical sciences, needed to be understood in terms equivalent to life figured in bioethics. They reasoned that if *bios*, the object of both biology and bioethics, can be characterized in terms of human dignity, this is because the dignified human is a living being. This conceptual a priori required the President's Council to demonstrate exactly how human dignity, which had been framed in political-spiritual terms in other venues, could be identified with embodied human life and with humanity understood as a living population. Members of the President's Council thus put themselves in the position of having to speak as specialists of a distinctive sort: technicians capable of articulating a program whereby notions of intrinsic worth could be made the absolute norm of otherwise relative biomedical practices. Whereas at the United Nations and the Vatican the notion of human dignity was mobile and expansive, in bioethics the definitional motion became centripetal: the question of the relation between human dignity and biotechnical practice was posed in increasingly tighter terms. This circumspection ultimately served to undermine, within bioethics, the previously generative and expansive character of the term. In the end, it opened up ethical and political problems beyond both human dignity and its biopolitical object of critique.

In view of these developments, one could argue that human dignity is one of the more important recent examples of what Michel Foucault described as "those innumerable intersections between jurisdiction and veridiction that is undoubtedly a fundamental phenomenon in the history of the modern West."⁸ In the name of human dignity a flexible and heterogeneous collection of political interventions and truth claims have been brought together, legitimated, and put to work in the world. In the midst of this eclectic collection, technicians of human dignity have struggled to find strategies for managing contradictory conceptual and pragmatic demands. Proponents have insisted that human dignity is threatened by its own successful history: the worldwide elaboration of dignitarian politics has left those politics without coherence or self-consistency. Critics have insisted that the notion suffers conceptual "thinness." This, they argue, issues in delocalized and ungrounded political practice, a fact taken to be especially problematic in the justification and application

of human rights. Lost in the mix has been sufficient examination of human dignity as a historical event of anthropological consequence, one in which the incessant re-definitions and denunciations themselves constitute important aspects of the term's social life. Taken in this sense, the politics of human dignity constitute less the sort of thing one would be for or against and more a dimension of our historical being as late moderns in need of elucidation.

One strategy for pursuing that elucidation consists in establishing an analytic of truth, power, and ethics in relation to which the primary source materials might be taken up. That analytic might then be used to think through how the key actors in select venues defined human dignity and worked to articulate new modes of governance and care. The analytic might need to be adjusted and perhaps even set aside as inquiry proceeded and material details tested its limitations.

With regard to this book, I have sought to establish a rhythm of recursive movement between analytics and source materials pertinent to the three cases of counterpolitics just outlined. I have given critical attention to significant episodes within the life of each of those cases, episodes through which the terms of human dignity were articulated, put into play, and contested. I have examined the key documents that resulted from those episodes, with an eye to how the logic of human dignity formulated therein established parameters for subsequent practices.

The book begins with a close reading of the theological politics of the Vatican and the transformation of these politics during the Second Vatican Council. Beginning with Vatican II rather than, say, the United Nations is analytically useful for several reasons, as I will explain at more length in the next chapter. Among other reasons, it helps clarify the distinctive conceptual problems introduced by the notion of human dignity conceived as an intrinsic and defining feature of humanity. The vehement debates among the Council Fathers exemplify how the turn to dignity as a response to modernity ultimately constitutes a pastoral problem—even for those working in secular settings. Having introduced the terms of that pastoral problem, the book then shifts to the United Nations and the foundational work of the Commission on Human Rights. It examines the commission's attempt to articulate a framework for international human rights articulated as an expression of human dignity. It focuses on the circumspect micropolitics through which it was proposed that the appropriate response to human dignity is "declaration and recognition." This turn to "mere" declaration was enshrined in the Universal Declaration of Human Rights. The third case, U.S. federal bioethics, gives close attention to the framing of human dignity in the writings of the President's Council on Bioethics in the early 2000s. It gives particular attention to the ways in which the President's Council attempted to use the notion of human dignity as a means of moving bioethics beyond what might be called a biopolitical frame of reference. This move was ultimately elaborated as a

strategy for supervening on biopolitics and fostering a culture of scientific practice indexed to dignity. The effect of that strategy—comparable to developments in other domains—was to introduce a seeming incommensurability between a biotechnical logic keyed to normalizing bodies and populations and an ethical logic keyed to protecting the inviolability of dignity.

In each of these cases, my analysis has been guided by two central, if broad, hypotheses. First: the notion of human dignity, which has had a long and varied history in philosophy and theology, only began to coalesce and take on seemingly singular and coherent political and ethical forms within and through these three venues. Second: human dignity only became a problem when the actors in these venues tried to transform it into the object and objective of new ethical and political practices and strove therein to establish themselves as specialists uniquely equipped to care for it.

I use the term *venue* here rather than, say, institution or organization. Taken in the sense of a scene or setting in which an event takes place, the term venue signals the fact that the Vatican, the United Nations, and the President's Council served as settings for, and thereby facilitated, dignity's reconceptualization and pragmatic reworking.⁹ This facilitation involved the creation of a distinctive kind of specialist—an extraphilosophical expert on human dignity. I use the term *specialist* to designate the fact that the actors involved were put in a distinctive and privileged position. They were positioned to establish the technical terms according to which human dignity would be allowed to be discussed and interventions imagined. Borrowing a term first proposed by Paul Rabinow, one could say the specialists involved in the formulation and elaboration of human dignity were *technicians of general ideas*: they set out to define the broad terms in relation to which it might subsequently be possible to invent practices of care and governance. In this way, they also established the programmatic outlines according to which subsequent actors could take up human dignity in a technocratic manner, that is, could make use of, and work to maintain, the ethical and political equipment for protecting human dignity first imagined through these venues.¹⁰ In the case of the United Nations, for example, the members of the CHR engaged in extensive debate concerning whether or not recognition of human dignity in human rights ultimately required the creation of international courts located within, but not under the jurisdiction of, all UN member states. Though the debates were ultimately settled in favor of preserving national sovereignty, these discussions indirectly contributed to the creation of human rights observers in humanitarian organizations who, in the name of human dignity, could reject the ultimate priority of national sovereignty.

To say that the participants involved were positioned as technicians of general ideas is to highlight the fact that their primary task was to carry out the work of *figu-*

ration: imagining the figure of human dignity as a response to perceived breakdowns in modern regimes of power.¹¹ This task consisted of putting together an otherwise discordant ensemble of ways of thinking, acting, and relating (for example, philosophical notions, political institutions, ecclesial precedence, norms of research, etc.) and conceiving of that ensemble as a conceptually and functionally coherent whole. This ensemble could then be talked about as an integrated and even singular object by using the term human dignity. Put the other way round: when these participants said “human dignity,” the referent consisted of a complicated assemblage of ways of thinking, acting, and relating. In this way, these specialists opened up the possibility of discerning what it is about the world that puts human dignity at risk and what, technically and bureaucratically, needs to be done to protect it.

The terms of this practice of figuration were not especially complicated: human dignity needed to be cast as the central element in a diagnosis of the excesses and deficiencies of modern power. To that end, it was conceived as a uniquely valuable and vulnerable object of care. This object was positioned as urgently in need of protection in the face of the secularization of the primary spheres of life, the dominance of state sovereignty, and the unguided power of the biological sciences. Specialists reimagined their respective venues as distinctly responsible for—and uniquely capable of—caring for human dignity. This imaginative task was not, as it were, strictly discursive. It consisted, rather, of the more difficult labor of articulating a logic of governance and care that could subsequently be turned into infrastructures and practices. Said differently, in each of these venues the specialists involved undertook the work of reimagining and redescribing their respective institutions as venues dedicated to the care of human dignity.

It bears noting that in practice actors in all three venues took human dignity for granted, in the sense that dignity was more premise than problem. Human dignity was simply announced as the object and objective of their respective venues. This act of announcement, however, opened up a more fraught problem: specifying what they meant, exactly, when they used the term—what it referred to in the world and what obligations would fall (or not) to their respective institutions. Their task, in sum, was to figure human dignity in such a way that it could be discursively taken for granted. Only then could it be considered as an object whose character and vulnerabilities formed the programmatic rationale for political governance and ethical care.

TRUTH: HUMANITY, INTRINSIC WORTH, AND THE ARCHONIC

In one of the most lucid reconstructions of his own work, Michel Foucault described his general project as a “history of thought,” distinct from either “the his-

tory of ideas” or the “history of representations.” A history of thought consists in the study of “the focal points of experience” (*foyers d’expérience*) characteristic of modernity and late modernity.¹² Famously for Foucault, these included the study of madness, incarceration, sexuality, governmentality, and political spirituality. The question was how to approach these focal points of experience. Foucault proposed proceeding by way of three constitutive aspects: the possible forms of knowledge that take shape within these focal points, the normative frameworks of behavior which govern them, and, in view of these first two, the potential modes of existence that are either opened up or closed down.

Meditating on the first of these, Foucault explained that he had consistently sought to move away from more familiar modes of historical practice, such as critiquing the content of ideas, discerning the “mentalities” that accompany actual behaviors, or assessing the representational value of systems of thought.¹³ The reason for this move is that it allowed him to study experience as a matrix through which new forms of knowledge production become possible, thus reconfiguring experience. In the case of his work on madness, for example, Foucault sought to investigate how, through multiple forms of knowledge (psychology, psychiatry, sociology, etc.), it became possible to grasp “madness” as a singular and fundamental experience. It thereby also became possible to institutionalize norms of behavior and normative modes of subjectivity. Inquiry into focal points of experience thus required paying careful attention to a vital relation: the relation between actual discursive practices (how things are said or not said) and what Dreyfus and Rabinow called “possible serious speech acts,” that is, the rules of authorized knowledge that determine which statements are allowed to count as true and false and which actions can thereby be talked about as necessary and urgent.¹⁴ As matrices of possible forms of knowledge, actual discursive practices could then be analyzed as regulated forms of “veridiction.”¹⁵

Even a passing examination of the ways in which theologians, humanitarians, and bioethicists have talked about human dignity indicates that regulated forms of veridiction are in play. The difference with dignity is that the regulative element of discursive practice does not seem to turn on epistemic rules that structure thought—as Foucault had speculated early in the development of his work.¹⁶ The debates at the United Nations about the legal requirements of rights, for example, were conducted using markedly different modes and forms of reasoning than, say, the bishops’ debates over the relation between dignity and the teaching authority of the church. With dignity, the regulative element seems to lie, rather, in what might be called an *ontological* rule. The specialists in these venues shared a convergent sense of the way in which human dignity exists in the world. In each case, human dignity was talked about in terms that seem to take as a given that human dignity is

intrinsic, inviolable, and vulnerable. In other words—and to introduce a technical term central to this book—human dignity was talked about as existing in the world in a fashion that can be called *archonic*.

The term archonic is derived from a combination of two Greek terms: *arkhē*, meaning “the beginning or the primordial,” and *arkhōn*, meaning “the ruler or the judge.”¹⁷ It was coined as part of philosophical and theological debates during the last quarter-century, which critically revisited nineteenth-century questions concerning the nature of causation in history. More specifically, it was coined as part of attempts to parse the relative significance of theological notions of creation and eschatology—that is, theological ideas about how things in the world originate and culminate—for understanding the historical character of human affairs. In the course of these debates, the theologian Ted Peters advanced the notion of the archonic to characterize a particular mode of being-in-history, one that can be thought of as ontologically unsettled. This is a mode in which the human is imagined as a creature whose form of life is contingently elaborated over time but whose norm of existence is not. The norm of existence, as primordial, is internal to historical being and remains unchanged within and across the contingencies of life.¹⁸ The actualities of historical existence may be variable, but the norm is not. The primordial origin governs historical existence. This mode of being can be said to be unsettled insofar as the archonic norm is not identical to the actualities of historical being as experienced. The archonic, in short, names an internally and permanently present (that is, imminent) possibility of historical existence, which is its norm and guide but not always its actuality. Charles Taylor has proposed that modern conceptions of moral order almost always begin with descriptions of reality and that these descriptions only subsequently take on a kind of normative life to the extent that they are used to measure out deviations from “the nature of things.”¹⁹ With the archonic, the distance between the descriptive and the normative is collapsed at the outset. The difference, however, is not lost.

Analytically speaking, debates about the archonic do not simply reactivate the tired polemics of essentialism versus constructivism. More interestingly, they offer insight into one way in which human ontologies and temporalities can be reworked and remobilized as a practice of ethical and political critique—the archonic has been articulated as a practice of critique. Despite differences in self-stylization and purported *telos*, actors in each of these venues formulated human dignity as a description of primordial human being as well as the norm and metric by way of which historical reality should be judged and responded to. Human dignity was advanced as simultaneously immanent to historical existence while also being the norm of historical being. The conspicuous differences between historical existence and the norms of human dignity were thus reimagined. Human dignity was not

thought of as incomplete or in need of further historical development, as though it would one day be actualized at the end of a dialectical or evolutionary series. The difference between historical existence and its norm, rather, was imagined as a matter of violation calling for redress.

Conceived as *archaic*, human dignity is that which is most fundamental and hence most true about human existence. Conceived as *archonic*, human dignity is self-grounding and self-justifying as well. It does not need to appeal to anything other than itself in order to establish its political and moral rectitude. It is the archonic that constitutes the distinctive shift introduced into the conception of dignity in the late modern politics of intrinsic worth. In classical formulations, human dignity was thought of as deriving from some particular feature of human existence—the fact of being a reasonable being, the ability to cultivate godlike capacities, the fact of being created in the image of the divine, and so on. As archonic, human dignity does not need to be explained or defined by reference to anything other than itself—it is not derivative of some positive feature of human capability or status. The answer to the question “what is the source of human dignity?” is simply “human dignity.” This self-reference may be circular, but it has proven to be politically and rhetorically powerful. Take, for example, the notion of dignity in the Universal Declaration on Human Rights. In the declaration human dignity is announced as that feature of political existence which needs to be recognized in order for political goods to be assured. It is not demonstrated, established, argued about, defined, or specified. It is talked about as self-evident and prescriptive: human rights are expressions of dignity’s intrinsic obligations. In the case of Vatican II and the President’s Council, the archonic character of dignity is less conspicuous but no less forceful. For the Council Fathers human dignity is defined in the relation between the human and the divine. However—and this became a primary point of innovation and contention—dignity must nonetheless be conceived as fully imminent and proper to the human—the “supernatural” in the “natural.” For the President’s Council, the archonic is also conceptually in play insofar as human dignity is used to name an unchanging feature of human existence that can be set against the changing norms of scientific practice. In each case, the salience of the archonic for political critique is that when human dignity is said to be at risk of violation this is not because, say, the autonomy of the person has been compromised or God’s creation besmirched. It is because the primordial has passed judgment.

The practical question in each of these venues thus became how to interpret the unchanging norm of archonic dignity within the changing complexes of the modern world. What needs to be known and what needs to be done? On one level, the answer is unambiguous and seemingly uncomplicated: human dignity needs to be protected. If human dignity is intrinsic, inviolable, and under threat, then the

political and ethical stakes consist neither in establishing nor cultivating dignity. They consist in protecting it. This may seem an altogether banal point—protection as a mode of intervention is characteristic of familiar liberal notions about the relation between the individual and the state. But the fact that archonic human dignity entails a specific logic of intervention, and the fact that this logic is a protectionist one, has proven to be absolutely crucial to dignity’s political fortunes.

Though specific and unequivocal, this protectionist logic has been highly generative. Strategies for protecting human dignity have included, among others: interpretive frameworks for monitoring political affairs and diagnosing their limitations, regimes of rights and the institutions needed to act in the name of those rights, emergency health interventions into situations where notions of state sovereignty need to be ignored or reinterpreted, justifications for armed interventions that similarly redefine the limits of sovereignty, and rhetorical devices for reimagining the life sciences and how they fit within existing national and transnational regulatory frameworks. These strategies are heterogeneous in their operational details. But they are similar in that each has been promoted as a means of protecting human dignity. Saba Mahmood has adroitly pointed out that the dominance of seemingly uncomplicated norms often covers over the fact that, in practice, those norms are taken up and embodied in multiple and contested ways.²⁰ If the answer to the question of the problem of modern power is “human dignity must be protected,” it is an answer that admits to seemingly limitless instantiations.

A protectionist logic assures that the archonic can be directly set against characteristically modern modalities of governmental power. It introduces an invariable ethic into an otherwise variable situation. In doing so, it activates and reinforces Georges Canguilhem’s incisive distinction between the norm as ideal and the norm as statistical mean.²¹ The logic of modern governmental power links the two sides of the norm through processes of normalization. Power works to establish norms and in this sense can be said to operate in the name of ideal states. But those ideals are formulated and pursued by reference to existing and desired statistical distributions. Populations are thus normed in a double sense: measured and ameliorated according to a common scale. This means that governmental power is relative and does not need to be comprehensive or total. It needs to do just enough to get the numbers to work. This also means—to recast Ian Hacking’s insight—that power doesn’t need to help or hurt anyone in particular so long as the norms improve.²² Or, to borrow Foucault’s more provocative formulation, modern modalities of power that aim at making some thrive often do so at the price of letting others wither.²³ Archonic human dignity, by contrast, is precisely that aspect of things human that cannot be normalized. It is primordial, unchanging, and inclusive. The form of its demands

may vary as circumstances do, but its obligation is the same: protection. The archonic is orthogonal to the governmental.

This is not to say that dignitarian politics have not been problematic, exclusivist, or violent. It's to say that the logic of the archonic dictates the terms of political and ethical obligation with regard to human dignity. One could put it this way: in view of the governmental, dignity tells us what to do. It's for this reason that situated debates over dignity have almost always turned on the question of what dignity obliges rather than on how it is defined. Of course, as any number of critics has pointed out, in practice this means that a kind of reversal takes place: the particular courses of action that are said to follow from human dignity actually lead it.²⁴ Dignity's critics insist that the term thus has no proper, but only derivative, meanings: it takes on whatever meaning actors want to give it in order to justify their actions. The problem with these critiques, however, is that they fail to appreciate the generative and normative character of the archonic as a delimiting source for the imagination and articulation of possible modes of intervention. They overlook the way in which the notion of protection itself is veridictionally and jurisdictionally determinative. Whatever course of action, it must be brought to articulation in the name of protecting human dignity. This is not merely a matter of rhetorical or semantic adjustment. It is also a matter of ethical and political logic.

The protectionist logic entailed in the archonic—it needs to be underscored—constitutes a distinctive moment in the history of human dignity. Previously, human dignity had almost always been imagined as corresponding to the human ability to cultivate certain capabilities or achieve a certain status—we might think of Pico della Mirandola's famous image of the dignified human climbing from beast to angel. Human dignity in these formulations might be potentially universal, in the sense that any given person might one day cultivate those capabilities or realize that status. But human dignity was not imagined as being a universal and immanent given—a feature of all humans awaiting recognition and protection. The relative novelty of the archonic is no doubt part of dignity's rhetorical force and political success. The difference it introduces, however, has also proven troublesome. What does it mean, pragmatically and institutionally, to make human dignity an object of care if the archonic cuts across familiar modes of exercising power? Dignity, after all, not only can't be normalized; it's really not even an object of governance—it does not need its conduct conducted. What needs to be governed—and governed differently—are those milieus within which human dignity resides. It shouldn't be overlooked that the actors examined in this book talked at length about caring for human dignity but did not actually propose courses of action that would require intervening directly on human dignity. They proposed courses of action, rather,

that consisted in working on and working over those forces that threaten to violate dignity or otherwise keep it from existing as it should.

This may all sound perfectly obvious—particularly when considered decades after the fact. Anyone who has been involved even peripherally with human rights and humanitarianism, or who has read statements by the Vatican’s Congregation for the Doctrine of the Faith on the affairs of the modern world, or who has followed the now decades-long debates concerning the moral status of the embryo knows that human dignity is almost always talked about as that which is under threat and needs to be protected. As a number of commentators have pointed out, universal conceptions of humanity are often defined by way of perceived violations: the positive features of the human are reverse engineered (as it were) from conceptions of breakdown and suffering.²⁵ In this sense, the correlation between human dignity conceived as archonic and the seeming reasonableness of a protectionist mode of intervention might appear unremarkable. It does not follow, however, that this correlation is unimportant. The question and challenge is to figure out what one ought to make of such a seemingly unremarkable fact. In what ways is this situation actually quite specific? What kind of shifts has it introduced relative to prior ways of reasoning? And how might reproblematising this seemingly evident fact—the archonic character of human dignity and the need to protect it—open up significant new insights about the ethical and political topology of our current situation?

POWER: THE ARCHONIC, THE PASTORATE, AND THE SALVATIONAL

If the archonic implies protection as a norm of power, the analytic question is this: what forms of practice have been put forward as appropriate to that norm? In each of the three cases examined in this book, the principal actors looked to human dignity to do both critical, that is delimiting, as well as productive work: they advanced dignity as a constraint on what they took to be dangerous excesses of power but also, and often at the same time, took dignity as a warrant and justification for the invention of new modes and forms through which power might be exercised differently. In each case, the key actors advanced dignity as a critical outside to the dominant order of targeted modern domains—life in and of the state, life under the presumption of secularism, and the life of science. It was a critical outside because it constituted a reality more basic and permanent than each of those domains. The U.S. President’s Council on Bioethics, for example, defined human dignity in terms of the enduring way in which humans strive to overcome limitations; the aim of bioethical power is thus not to aid humans in that striving per se but to discern where and whether the biomedical sciences undermine it. At the same time, actors in these venues also conceived of human dignity as a point of internal limitation: certain activities and

practices in modern domains were framed as following from and dependent on human dignity. At the United Nations, for example, political goods such as justice and peace were said to depend on the recognition of human dignity. These actors, in short, sought something more, something different, from existing power relations. They articulated that difference in terms of external and internal limits designed to reorder domains of contemporary life to meet the demands of human dignity.

The challenge of establishing the capacities and practices needed to contribute directly to that reordering was institutionally unprecedented. Institutional efforts had been made in relation to other universal notions. Experiments with constituting the means to act in relation to cognate terms such as the “human person,” “mankind,” or the “human creature” had been tried out in the institutional antecedents to all three venues. Human dignity, articulated in archonic terms, had not. For example, in the case of Vatican II the constitutional documents concerning human dignity were replete with formulations from medieval and early Christian theology. Despite the use of these sources, and notwithstanding of the performance of theological continuity, the fact remains that no ecclesial body had previously instituted human dignity as the basis for a pastoral relation to the modern world.

The turn to human dignity and the attempt to institute practices and capacities adequate to its protection ultimately reactivated and reconfigured the seemingly intractable problem that Michel Foucault named “pastoral power.”²⁶ In its classical forms, pastoral power was defined by a double obligation, which, though conceptually straightforward, required complex institutional arrangements to put into practice. The pastor was obliged to take care of all the members of the flock, as a whole, while also taking care of each member of the flock individually—*omnes et singulatim*, as the Latin phrase has it. Foucault coined the term pastoral power in order to distinguish what he took to be a defining aspect of the relation between reason and power in the West: the creation of political technologies of individualization, that is, techniques and procedures by way of which individuals could be marked out as individuals in such a way that they could subsequently be governed in a more or less continuous fashion.²⁷ Foucault used the term pastoral power to track points of connection and transmutation between the emerging politics of the modern state and those of the ecclesial late Middle Ages.²⁸ With the development of the modern state, Foucault speculated, the pastoral problem of individualization characterized by the Christian care for the soul did not so much go away as it shifted locations, objectives, and techniques. The transition from the late Middle Ages to modernity, he provocatively suggested, is not typified by the shift from the church to the state. It is typified, rather, by a shift in the venues within which and through which the figure of the minister conducts his work.

Pastoral power, in short, helps analytically specify key shifts attendant to the

obligation of caring “for all and for each one.” Several shifts in particular are pertinent to human dignity. First, the problem of pastoral power was given global dimensions: the obligation to care, institutionally and directly, for all of humanity and for each individual human. The technocrats of human dignity were faced with the task of turning a pastoral obligation into a global practice. This was particularly problematic insofar as human dignity was not only a norm of critical judgment for the denunciation of power but a term of operational reorientation implying a new possibility of universal care. The fact that such a universal obligation might be unfeasible as a practice, and the fact that attempts to incorporate this universal norm would inevitably result in exclusion and selection, is, on one level, beside the point. The key factor here is that the combination of the archonic with the logic of pastoral power put these technocrats and these institutions in a posture of absolute responsibility not only for the good—the salvation—of humanity but also for the salvation of each and every individual human. The flipside of the ability to lay claim to the primordial nature of human dignity as a critical intervention into, say, the rights of sovereignty was that any and all violations of human dignity became potential sites of institutional responsibility and scandal.

A second related shift concerned institutional form. Neither the United Nations, nor the Vatican, nor federal commissions were operationally suited to the demands of pastoral power in any fashion parallel to previous instantiations. The medieval church’s ability to individualize and govern the soul, for example, or the modern state’s ability to individualize and govern the population required the capacity to intervene in the quotidian affairs of everyday life. That capacity allowed these institutions to carry out a kind of direct and sustained cultivational work on individuals and collectives. The classic model is the monastery in which the individual monk could be permanently directed through daily routines by a spiritual director. Modern institutions like the hospital, the school, or even the plan of the city comparably served to give institutional form to norms of social order, operating on the presumption that these norms and forms would allow individuals to embody an otherwise inaccessible form of life.²⁹ The extension of institutions into the quotidian affairs of daily life, in other words, facilitated the work of governance. Human dignity as archonic, however, did not seem to require such sustained intervention. It seemed to require recognition and protection. The archonic thus brought with it the need for new institutional models.

The difficulties implied in the reconfiguration of pastoral power were not only matters of institutional reach and form. They also concerned the complexity of the pastoral object itself. Human dignity is a hybrid object that presumes to draw together the two sides of pastoral power—individual humans and the whole of humanity—into a unified object of care. The problem of pastoral power gets inverted.

Conceptually, and in a nonlinear fashion, human dignity requires pastoral practices that move from consolidation back toward individualization. Dignity requires technologies that bring to visibility humanity in each individual. Only in that way can humanity be individualized. In all three venues, humanity was diagnosed as fragmented in the modern world. In a speech to the UN General Assembly in 1965, Pope Paul VI expressed this by proposing that the United Nations and the Vatican share a common pastoral mission: to bring about the reality of humanity through the politics of unification.³⁰ In the speech, Paul VI acknowledged dignity's double status—that it is both a predicate of humanity and its goal. Dignity does not require the creation of humanity—as though humanity did not yet exist. It requires, rather, doing away with those things in the world that prevent historical humanity from existing according to its own inner norm. Humanity—to use the older theological formula—is both “already and not yet.” What was new here is that the work of actualizing humanity is made the mutual objective of political institutions and not just, say, the hope of the church in view of divine grace.³¹

Foucault proposed that in order to understand pastoral power (at least in its traditional forms) the observer must make sense of “the force and complexity of the moral ties binding the shepherd to each member of his flock.”³² The central feature of these moral ties is that the salvation of the pastor is bound up (for better or worse) with the salvation of the flock—a “salvational exchange,” as Foucault called it. In this light, one might speculate that part of the difficulty with institutionalizing the care of human dignity over the past fifty years has been that the actors involved were faced with the challenge of inventing new and distinctive “moral ties” with their imagined flocks and doing so in a fashion that admits of some form of salvational interdependence.³³ One could further speculate that this is why over the past fifty years so many actors have found it useful to think about the demands of human dignity in terms of emergency intervention. On one level, the universal pastoral obligations implied by human dignity might seem to involve a salvational exchange whose scope and character is simply not feasible. On that level, the politics of human dignity, in the end, would be primarily critical and never really productive. On another level, that very infeasibility may be part of why human dignity gets cast as archonic in the first place. After all, with the archonic, daily governance of human dignity is neither the demand nor expectation—protection is. Emergency intervention, in the end, might not only be the appropriate response to dignity, that is, intervening when human dignity has been violated. But it might also be a kind of ethicopolitical triage by way of which those who are responsible for “all and for each one” are able to turn a universal pastoral obligation into a seemingly feasible course of action.

The need to establish a relationship of salvational exchange means that actors in

each of these venues had to consider human dignity not only as an object but as an objective of care. How they proposed to do this is a question that orients this book.

ETHICS: ARCHONIC MODES OF EXISTENCE

The formulation and use of human dignity over the past number of decades constitutes a fundamental reproblematicization of human worth. That reproblematicization has consisted of an attempt to bring into being a different relationship among truth speaking, the exercise of power, and possible modes of existence. That work of ontological innovation remains unsettled and riddled with conceptual inconsistencies and practical blockages. In view of these inconsistencies and blockages Ruth Macklin—expressing a sentiment shared by other philosophers—notoriously concluded that “dignity is a useless concept.”³⁴ Unlike the posture taken by Macklin and other critics, this book does not seek to denounce human dignity—or rectify it. It seeks, rather, to make sense of how these inconsistencies and blockages have become defining characteristics.

This book seeks, in other words, to make human dignity into an object of the anthropology of ethics—taking the term ethics in its broad etymological sense of the study of character, habits, and dispositions in their connections to customs. In this sense, the analysis in this book is consonant with the third aspect of the general project of the history of thought, sketched above—the study of “potential modes of existence for possible subjects.” This includes inquiry into the discursive and normative matrices through which an individual is encouraged to constitute a relation to her- or himself as a particular kind of subject. It also includes inquiry into the forms of possible political resistance and ethical practice through which an individual might attempt to rethink and rework that relation. With regard to human dignity, the ethical question is this: how did specialists working in key venues create the conceptual and pragmatic means by which a different way of existing might become possible, a way of existing consistent with the protection of human dignity? The twist and difficulty in answering this question is that for proponents, human dignity is always already given. The anthropological question, then, is how that given became the reference point for a possible form of life.

Much has been made of the fact that over the past three decades anthropologists and philosophers alike have paid increased attention to what is sometimes referred to as “virtue ethics,” sometimes “Aristotelian ethics,” sometimes, using Foucault’s coinage, “the techniques and technologies of the self.”³⁵ Foucault’s own intensive focus on techniques and technologies characteristic of the Antique world, and his elaboration of analytic tools for thinking about subjectivation, has had the posi-

tive effect of opening up a substantial and varied body of work on contemporary domains in which practices of ethical *autopoiesis*, self-making, play a vital role in establishing and testing the social and political order of things.³⁶ This emphasis on ethics as self-formation, however, has had other less salubrious effects, as James Faubion has pointed out.³⁷ Principally, it has encouraged anthropologists as well as virtue ethicists to overlook the simple but crucial fact that for many Antique thinkers, Aristotle in particular, the ethical was not only about self-formation and transformation; it was also about maintaining the stability of the *polis*. If a key dimension of the ethical is the free cultivation and exercise of virtue, another is that the ethical helps ensure the homeostasis of political life. Ethics, we should recall, derives from *ethos*.

In this view, as Faubion has insisted, the dynamic and homeostatic dimensions of ethics are not so much opposed as mutually constitutive. Saba Mahmood has made a similar point in her critique of dominant conceptions of agency.³⁸ The notion of agency presupposed by much of critical political theory is often characterized by the individual's ability to resist dominant norms. Actors who do not resist are not truly agents. Mahmood points out, however, that for individuals in many ethical and religious traditions the question of agency is not so much how to resist norms or even how to invent new ones. The question, rather, is how to embody them. Debates and struggles over that question suggest that life lived in relation to dominant norms can facilitate agency as much as diminish it. Anthropologically speaking, the lesson learned is that sufficient accounts of possible forms of existence require giving as much attention to aspects of ethical relations that are stable and self-reproducing, such as the dominant norms of tradition, as to aspects marked by invention and self-making—to say nothing of the complicated relations between them.

In an effort to name and pin down analytically the stable and self-reproductive dimension of ethics, Faubion has proposed the term “themitical.” Faubion derives the term from the Greek *themitos*, meaning that which is “allowed by the laws of the gods and of men, righteous.”³⁹ Despite the inevitable difficulties of relying on a neologism, Faubion's term is warranted by the fact that it calls to mind and names the need for a more careful characterization of this somewhat overlooked dimension of ethics. Likewise the term facilitates more systematic investigation of the discursive practices, material conditions, and power relations that have allowed those dimensions to stabilize. Using Faubion's term, it is fair to say that human dignity has become themitical. It has achieved sufficiently widespread stability in its modes and forms of operation to have become easily reproduced and reused in and across disparate domains of contemporary life and most all quarters the world. This book provides what might be thought of as an attempt to sketch out the basic elements of human dignity in its themitical dimensions.

It is also fair to say that human dignity has become the stabilizing element of an institutionalized *apparatus*, taking the term apparatus in the technical sense indicated by Dreyfus and Rabinow.⁴⁰ First, dignity has become a tool, a device with a set of delimited purposes: it has a diagnostic purpose, used in specifying the pathologies of power; it has a critical purpose, announcing a feature of intrinsic worth in order to cast those pathologies of power as contingent and merely derivative; and it has an anchoring purpose, programmatically holding together the elements of a counterpolitics that can be mobilized against those pathologies. Second, and in connection to its anchoring purpose, human dignity has become an apparatus in the sense of a distributed system or structure with an integrative and coordinative function. In the name of human dignity disparate elements—from discourses to institutions, experts, laws, political statements, and ethical norms, to rationales for military action, ecclesial offices, and justifications for scientific work—have been drawn into a flexible but coherent and durable constellation. In this way human dignity has also become a grid of intelligibility. It allows one to isolate this disparate range of elements as aspects of a single apparatus and thereby clarify its significance.

To say that human dignity has become stable and reproducible in its modes and forms of operation is not to suggest that it has become either homogenous or static. One of the defining characteristics of human dignity is that the meanings and practices attached to it are often widely divergent, if not contradictory. A conspicuous feature of human dignity today, one that has made it a target of criticism, is its lack of conceptual coherence and practical uniformity. This lack, however, means that to whatever extent human dignity has become stable and reproducible, it has also and simultaneously become a site of reinvention and elaboration. This reinvention and elaboration is currently serving to transform the archonic logic of human dignity, even leading in some instances to disorder and breakdown. Moreover, as I will show in relation to bioethics, the extension of the politics of human dignity into domains where the vitality of human biological existence is at stake—sites of “vital politics,” as they’ve been called—has accelerated dignitarian politics toward such breakdown. To state briefly a point that will need further elaboration: the attempt to connect the human dignity to governance of the biopolitical body has effectively undone the archonic settlement. It has undone it insofar as it has required the actors involved to specify the material dimensions and limits of dignity. The need to connect dignity to specific interventions into human biological life throws into question the presumption of dignity’s self-evidence.

Transformations in the archonic logic of dignity have complicated efforts to act in its name. But it is worth underscoring that, far from stemming the use of the term, these transformations and complications have opened up new ethical and political possibilities. Increasingly, the politics of human dignity are imbricated

into other political and ethical discourses and not just mobilized against them. One might think, for example, of the efforts over the last two decades to connect UN frameworks for human rights to international frameworks for climate change and biodiversity. It seems worth thinking about whether such reconceptualizations and remobilizations of dignity will ultimately bring into being new figures of truth and new regimes of ethical and political practice. After all, the turn to human dignity itself was a means by which concerned actors addressed previous breakdowns in formerly stable ethical and political situations.

I stress this last point in part to situate the work I have undertaken in this book. I have not set out to characterize how human dignity became thematical, *per se*, nor how it became settled as part of an institutionalized apparatus. Nor have I devoted particular energy to unearthing sources of absolute originality, as though the notion of human dignity as figured over the past half-century is utterly novel and disconnected from older humanisms. Indeed, as I will explore in the next chapter, conceptions of human dignity elaborated over the past few decades have consistently relied on new as well as old arguments and institutional arrangements. Human dignity in the postwar period, however distinctive, is not an achievement of sheer invention. Working between the analytic poles of autopoiesis and the thematical, I have set out to specify institutional situations in which theologians, humanitarians, and ethicists reimagined the notion of human dignity and tried to define it in such a way that it could be turned into a practice. In this sense, I have turned my attention to the formal efforts to specify the meaning and obligations of human dignity, efforts that established the initial programmatic elements according to which dignity has subsequently been taken up, elaborated, adapted, and extended into other domains. These elements are programmatic in the sense that they have constituted “reasoned prescriptions” in relation to which other institutions and specialists have been able to advance their work.⁴¹ With the case of bioethics, I have also turned my attention to how these programmatic formulations are beginning to break apart and to how institutionalized forms and practices are again being reimagined. It is clear that neither the early programmatic formulations nor more recent critical developments have produced venues or specialists fully adequate to the ambitious visions for the politics of human dignity that originally inspired them. Nevertheless, they have provided the basic materials through which human dignity has been rationalized and made a major feature of the contemporary political landscape.

