The Monist, 2024, **107**, 211–224
https://doi.org/10.1093/monist/onae009
Article

A Relational Theory of Dignity and Human Rights: An Alternative to Autonomy

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ABSTRACT

In this article I draw on resources from the Global South, and particularly the African philosophical tradition, to construct a theory of human rights grounded on dignity that presents a challenge to globally dominant, autonomy-based approaches. Whereas the latter conceive of human rights violations as degradations of our rational nature, the former does so in terms of degradations of our capacity to be party to harmonious or friendly relationships. Although I have in the past presented the basics of this relational approach, in this article I present new argumentation in support of it. I defend it from criticism and also go on the offensive by arguing that understanding the human rights violations of torture and rape to be (roughly) behavior that treats innocent parties in an extremely discordant or unfriendly way is, if not more plausible than standard Kantian understandings, at least a promising alternative to them.

1. INTRODUCING AFRICAN RELATIONALITY

A human rights violation is the treatment of an individual in a way that flouts the value of friendliness, and often is a matter of treating a person in an extremely unfriendly way or with enmity. That is the rough position that I articulate and defend in this article, by drawing on some ideas about dignity and relationality from especially the indigenous African[1] philosophical tradition.

My aim is not to advance a theory of dignity-based human rights that is "for Africans" in relativist fashion. Instead, I appeal to norms and ideals that have been prominent in African thought, but that resonate with some other traditions in the Global South (particularly South American *buen vivir*) and should give those working with any long-standing philosophical framework some pause. There are relational values salient in African philosophies and cultures that I maintain shed light on the nature of dignity and human rights, which are usually deemed to be the best candidates for universally applicable and enforceable moral norms.

There have been some relational normative approaches in the "modern" Western tradition, most influentially in the classic work of Karl Marx (1844) and the recent ethic of care (e.g., Gilligan 1982; Noddings 1984). Both advocates and critics of these approaches have often presented them as alternatives to thinking in terms of human rights and even justice altogether. In

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contrast, in this article I bring out respects in which the African tradition provides one promising way of analyzing these normative categories in relational terms.[2] The claim is not merely that there are human rights pertaining to social relationships (as per Brownlee, Jenkins, and Neal [2022]), but more boldly that human rights as such, even to things such as life and bodily integrity, are plausibly conceived in relational terms pertaining to harmony, communality, and friendliness that have been particularly prominent in African thought.

Although I have presented the basics of this relational approach to dignity and human rights in the past (e.g., Metz 2012, 2014, 2022), in this article I defend it in new ways by pairing it up against globally dominant, autonomy-based approaches. After spelling out the essentials of my conception of human rights grounded on relational dignity (section 2), I reply to a weighty objection to this conception of dignity that adherents to autonomy would naturally make (section 3). According to the relational view, part of what confers a dignity on us is our ability to be treated in certain ways by others, where the Kantian inspired objection amounts to the claim that it is only our sovereignty, roughly our independence and agency, that could sensibly give us a dignity. Having rebutted this criticism and shown that it is not unreasonable to think that our need for others in fact is a partial ground of dignity, I next go on the offensive (section 4). Specifically, I argue that understanding the human rights violations of torture and rape to be behavior that treats innocent parties in an extremely discordant or unfriendly way is, if not more plausible than standard autonomy-based understandings, at least a promising alternative to them. I conclude by pointing out how the relational approach, if indeed demonstrated here to be a credible rival to autonomy-based views, could mean needing to revise judgments about which human rights there are, something to explore in further work (section 5).

2. HUMAN RIGHTS GROUNDED ON RELATIONAL DIGNITY

In this section, I expound the basics of the relational, and specifically harmony-based, approach to dignity (2.1) and human rights grounded on it (2.2) that I have advanced for more than a decade. I lack the space to do much to highlight the African and other non-Western sources of my approach, and must focus on the content of the view as opposed to its pedigree.

2.1. Human dignity as communality

Much of the African tradition accepts the category of dignity, understood here as a superlative noninstrumental value that is characteristic of human beings and gives them a moral importance greater than anything in the animal, vegetable, and mineral kingdoms. Most African philosophers hold that dignity is characteristic of human beings because it is essential to our nature in some way,[3] for instance because we are imbued with a life-force that has come from God (e.g., Wiredu 1990, 244; Magesa 1997, esp. 49–52; Deng 2004) or are a member of a clan, one that potentially includes imperceptible agents such as ancestors (Cobbah 1987; Botman 2000; Bujo 2001, 88).

In contrast to these views, mine is a purely secular approach, and so is less contested for a global audience than views that invoke a religious metaphysics. It furthermore does not ground dignity on membership in a group, and hence does not objectionably exclude certain nonmembers who intuitively have a dignity.[4] In contrast, according to my philosophical reconstruction of certain ideas salient in the African tradition, the moral importance of a being varies according to its *ability to relate communally or harmoniously*, where typical human beings are able to do so to a qualitatively higher degree than anything else on the planet. Specifically, we can be both subjects and objects of a communal/harmonious relationship, whereas animals (for all we can tell) can be merely objects of one, and other things in the natural world, such as plants and rocks, can be neither.[5]

A communal/harmonious relationship involves two logically distinct properties, namely, *sharing a way of life* with others, or sometimes I have said "identifying with" others, and *caring for others'* quality of life, a.k.a. "exhibiting solidarity towards" others. To share a way of life basically means that one enjoys a sense of togetherness with another individual, avoids frustrating her ends, and instead coordinates with her to support the realization of her aims. To care for another's quality of life in the first instance means that one meets her needs, which might be biological, psychological, or social, avoids causing harm, and does these things typically out of sympathy and for her sake.[6]

The combination of sharing a way of life and caring for others' quality of life, or that of identity and solidarity, is at the core of what many of us find appealing about the ways that family members or friends interact.[7] In a healthy family or friendship, people appreciate a common sense of self, engage in joint projects, aim to foster each other's good, and do so for one another's sake. Hence, my interpretation of what a communal/harmonious relationship is, or of what it means to enter into community or harmonize, is more or less equivalent to what many English-speakers mean by "friendliness" or even one broad sense of "love."[8]

By my account of dignity, it is not the fact of loving or being loved that confers it, but instead our *capacity* for both of these ways of relating, as defined above. One way of putting my view is: human persons are capable of being party to a friendly or loving relationship in a way no other being on Earth can. In particular, we can be both subjects and objects of friendliness, whereas it appears that nothing else can. To be able to be a *subject* of a harmonious relationship means that one can harmonize with others (by one's nature and theirs). That is, one in principle could enjoy a sense of togetherness with them, advance their ends, promote their good, and do so out of sympathy and other-regard. To be able to be an *object* of harmonious relationship means that others can harmonize with one (by one's nature and theirs). So, one is the kind of being towards which characteristic human persons in principle could be friendly or loving; others can share a way of life with one and care for one's quality of life. Broadly speaking, humans can be both subjects and objects of a harmonious/communal relationship, many animals can be merely objects of one (giving them a moral status, but not a dignity), and plants and rocks can be neither since they altogether lack intentionality and a (welfarist) good.

To be a subject of harmony, in the way that I understand it, requires one to have the concept of another person as distinct from oneself, with her own goals and interests. To be friendly includes being aware of the other as an other. While there is some evidence that animals such as apes and certain birds can be aware of themselves, it remains unclear that they are aware of others' minds as distinct from theirs. Note that, even if they do have that sort of awareness, it is still the case that their capacities for other-regarding behavior are limited compared to ours. For some examples, it is far from clear that they can restrict their own desire satisfaction to enable another being to achieve its ends, that they can willingly undergo burdens in order to meet others' needs, or that they can imagine what it is like to be others and act consequent to that. Insofar as a limited number of animals can indeed exhibit or approximate these ways of relating, they for that reason plausibly count as "higher" members of the animal kingdom.

One argument in favor of the present relational account of human dignity is that a very large majority of human beings do in fact exhibit the capacity to relate in the relevant ways.[9] Of course, sometimes humans are asleep, intoxicated, enraged, or in some other state that temporarily prevents them from exhibiting positive other-regard. However, these individuals are still "capable" of that in the relevant sense, insofar as they, by their nature, retain the ability. They will wake up, sober up, and calm down, at which point they can resume communing with others and being communed with by them. In contrast, cats, trees, and stones are by their nature quite unable to befriend and be befriended, as these ways of relating have been analyzed above.

2.2. Human rights violations as degradations of communality

Turn now from human dignity to human rights as grounded on them. I take it that, by definition, one can be said to have a "human right" to something insofar as three major conditions obtain. First, all agents have a duty to treat an individual a certain way because of some quality she shares with characteristic human beings. Second, this duty must be fulfilled even if not doing so would result in marginal gains to (perceived) final goods or in somewhat fewer violations of this same duty. Third, the violation of the duty is both specifiable and a weighty wrong, such that legal institutions ought to back it up with force. Although this analysis is not free from controversy, it is a reasonable understanding that is widely shared.

If communal/harmonious relationality constitutes our distinctive and higher nature as human beings that a moral agent must avoid degrading, then a human rights violation consists of a serious degradation of a person's capacity to be a subject and object of that relationality. That, in turn, often takes the form of treating an individual in very discordant or unfriendly ways. Concretely, instead of a sense of togetherness, considering others part of a "we," one acts consequent to an "us against them" attitude, viewing them as separate or other. Instead of coordinating behavior with others so that their projects are realized, there is intense subordination, an active thwarting of their projects and often their ability to pursue projects at all. Instead of one helping others, one severely harms them, doing what substantially reduces their quality of life, particularly their well-being but also perhaps their relational virtue. Instead of acting consequent to feeling good when others flourish and bad when they flounder, one is indifferent to others' well-being and instead acts out of (or at least consistent with) cruelty.

Analyzing typical human rights violations as extreme unfriendliness or discord is one normative-philosophical interpretation of the descriptive report that "in African societies, immorality is the word or deed which undermines fellowship" (as per Peter Kasenene, a Ugandan theologian who has studied sub-Saharan ethics [1998, 21]). Very unfriendly behavior, i.e., enmity, is a strong candidate for something to count as a negative human rights violation, such plausibly capturing at least the following instances: punishing political speech to prevent a vote, killing a person for the sake of ethnic cleansing, kidnapping for ransom, restricting residence on the basis of race, enslaving people to build a temple, and, as I argue below (section 4), torturing and raping.

In addition, *the lack of friendliness* in the face of another's great need and one's ability to meet it with ease plausibly captures the nature of a positive human rights violation. The failure of wealthy parties, particularly states, to provide water, food, shelter, and healthcare to people when they could do so without much burden is also a weighty degradation of other people's ability to befriend and be befriended. If indeed we have a dignity in virtue of our capacity to relate harmoniously/communally, then it is not enough to avoid discordant behavior; in addition, respect for that capacity means going out of one's way to relate in the relevant ways with others, particularly those in dire circumstances whom we could support at little cost to ourselves. Failing to identify with and exhibit solidarity with others can also be an egregious undermining of the dignity of the capacity for fellowship.

3. QUESTIONING DIGNITY AS SOVEREIGNTY

Before showing that thinking of negative human rights violations as enmity does a better job of capturing them than in terms of autonomy, I first respond to an important objection to my approach. As is well known, of philosophers and related thinkers in the West who believe in human dignity, the most influential view among them of what constitutes it is that it is our capacity for autonomy, rationality, free will, personhood, or related features (examples from the enormous literature over the past 50 years include Nozick [1974]; Richards [1982]; Dworkin

[1985]; Lomasky [1987]; Føllesdal and Maliks [2014]; Hill, Jr. [2014]; and Fagan [2016]). I often call this a "rationalist" or "autonomy-based" approach, where mention of one property is meant to represent a cluster of related properties that have been invoked as grounding our dignity. These approaches also count as "Kantian" in the sense that Immanuel Kant is the most well-known, classic figure to have championed an instance of them (e.g., 1785: Ak. 4: 429–40), where often contemporary adherents to them have invoked his work.[10] In this section I consider how those who accept one of these approaches to dignity, which center on "sovereign" properties such as our independence and agency, would likely criticize my theory, which includes properties of interdependence and patiency. I aim to rebut one significant reason to doubt that the latter features are part of what constitutes our superlative, noninstrumental value warranting respect.

Autonomy, rationality, and the like are typically understood to involve individual *independence*—broadly speaking, a person's ability to be free from certain kinds of determination by nature or society. To have the ability to make autonomous decisions means being able to choose for oneself, while the ability to think and act rationally includes the condition of one's beliefs and choices not being immediately fixed by instinct, conditioning, or the like. What is special about us, from these perspectives, is our ability to be free from external influences of certain kinds and to draw on sources internal to us when living our lives.

In addition, the relevant internal source for these views is our *agency*, our ability to decide in certain ways, say, to select in the light of one's own judgment or considered desires or to act on the basis of one's apprehension of principle. Agency involves our capacity to will, that is, to make a difference to the course of our lives by virtue of critically reflecting on, adopting, and realizing ends.

Finally, these features are often *individualist*, in the sense of making no essential reference to a positive way of relating to other persons or other beings. Although autonomous and rational choice could involve deciding to relate in that manner, doing so is not inherent to these concepts as often construed by recent moral and political philosophers.[11]

Notice that, all together, these three features of independence, agency, and individualism amount to *sovereignty*, basically the ability of an entity to determine what happens to itself through its action. The image of being in control of one's own life sums up much (of course not all[12]) of how "modern" Western ethicists have sought to distinguish human persons as higher than what is found in the animal, vegetable, and mineral kingdoms.

To bring these ideas to bear on my account of dignity, note that it includes one element of sovereignty, specifically, agency. Part of what confers a dignity on us, I hold, is that we have the capacity to be subjects of a harmonious or friendly relationship. That is, we are able to share a way of life with others and care for their quality of life, which is of course a power to act in certain ways. However, my theory otherwise includes conditions that are quite at odds with sovereignty. For one, the relevant ability to act as a subject is not a general one of choosing according to reasoned deliberation, but is a specific, other-regarding one of enjoying a sense of togetherness with others, cooperatively participating with them, doing what will improve their objective quality of life, and being moved by sympathetic altruism. In addition, and of much more controversy, another part of what confers a dignity on us, by my account, is that we can be an object of communal or harmonious relating, which quite flouts a sovereign value system. Here, neither independence nor agency is involved, where there are instead interdependence and patiency. Part of my claim is that dignity inheres in our ability to be befriended, that is, in the fact that others can (roughly) assist us in promoting our projects and well-being.

Now, the objection likely to come from any adherent to an autonomy-based approach is that it is only sovereignty, or at least its elements of independence and agency, that can plausibly confer a dignity on us. My theory suggests that it is our *vulnerability* or *need for others* that partially

gives us a dignity, which will seem counterintuitive to many who are part of Western cultures. In the rest of this section, I say more to motivate this objection, and then reply in a way that I hope readers will deem to soften the blow.

Beyond the fact that only sovereign conditions will seem intuitively dignity-conferring to many moral philosophers and ethicists in the contemporary West, there is also a large swathe of Judeo-Christian-Islamic religious thinkers who will judge similarly. For example, it is often thought by those in the Abrahamic faiths that our sacredness inheres in our having (or being) a soul, where a soul is understood to be a spiritual substance that will outlive the deaths of our bodies and enable us to fulfill God's purpose despite the laws of nature. From this perspective, our lives are not determined by the natural world, and we instead have the unique capacity to intervene in it and indeed transcend it altogether.

For another example, many Abrahamic monotheists hold that we are special because of the purported fact that "God created man in His image" (Genesis 1.27) or we have been "made in God's likeness" (James 3.9). Consider, now, that typical images of God include being an all-powerful agent, a creator, and a judge, which features are ones of independence and agency. Indeed, by the philosophically influential Thomist or more broadly perfect being tradition of Christianity, God is construed as *a se*, subject to and dependent on nothing other than God, with human nature approximating the divine more than anything else on Earth. In respect to Islam, it is widely accepted by Muslims that humans have a dignity for being God's "vice-regents" or "vicegerents" (Qur'an 2.30, 6.165, 38.26), that is, ones who while embodied are to act in the place of, or at least in ways aligned with, the ultimate sovereign.

My strategy to reply is first to show that, upon reflection, it is plausible to think of God's greatness not merely in virtue of sovereign conditions, and then to extend the ideas to the level of human dignity. If God could be the greatest possible being partially because of other-regard, interdependence, and patiency, then we could have a dignity partially because of these properties, so goes my reply.

I address all three elements of sovereignty in turn. First, individualism is not normally associated with God, whose nature is often understood to be such as to create other persons and treat them in a morally perfect way, perhaps qua loving everyone evenhandedly. It might not be analytically inconsistent to conceive of God existing without a physical universe, having elected to remain alone. However, if God is a being who consists of the maximum degree of perfections, and if perfections happen to include creating persons and loving them, then as a substantive matter it follows that God's nature is other-regarding.

Second, although it initially sounds odd to think of God as needing us and so in some sense being weak or not self-sufficient, upon reflection one sees good reason to conceive of God as at least interdependent with us. Most tellingly, among philosophers it is frequently held that God (has or would have) created the universe with a plan in mind, with the exercise of our free choice being essential to its realization. The reason why God created the universe includes the expectation that human (and perhaps other types of) persons will elect to, say, join God in the fight against evil, worship God, or cleanse themselves by accepting God's son as their savior. God might ask, order, and even entice people to fulfill the purpose for which they were created, but it is commonly thought that it is ultimately up to them to decide. If so, then God in a sense needs us to make certain free decisions in order for God's plan to be achieved.

Furthermore, for those who (reasonably) believe that one perfection is to be party to a loving relationship, there is another, distinct ground for thinking of God as needing us in a way. If God's nature is to exhibit and foster love of a relational sort, then God is dependent on finite beings, not merely to love us, but also to be loved by us. One might object that God's nature is merely to love and not to be loved, but intuitively it is better to love and be loved, and so the highest

possible being would surely seek that out. Indeed, according to more than a few, God's first and greatest commandment to us is to love God (Matthew 22.37-38).[13]

Third, and in the wake of the second, it is not unreasonable to conceive of God as a patient of our action. By standard versions of monotheism, we are meant to worship or love God (or of course both), which are obviously ways of us treating God a certain way. To be sure, God is thought to have commanded us to do these things, but, even so, it is worth noticing that, by a very common line, God did not command us merely, or even firstly, to love each other. God is instead to be a patient, where it is often held that God would have emotions such that we are to please God and make God glad, as opposed to the opposites.

In sum, although it is true that God is often conceived as having some sovereign features, particularly independence and agency, those are not the only features routinely ascribed to God (at least by those with a philosophical bent) and specifically in the light of reflection on God's nature qua perfect being or being with the highest compossible perfections. Now, if the highest possible being would need us to help realize its plan for the universe as well as to love and please it, then it is in fact not a stretch to think that we have a dignity partially in virtue of us being able to have our aims realized by others and to be cared for by them.

My claim that part of what plausibly gives us a dignity is our capacity to be an object of identity and solidarity on the part of others is one way of fleshing out some of Desmond Tutu's suggestive remarks, grounded on the southern African worldview of *ubuntu*, which means humanness in the Nguni languages there. In a number of his theological reflections over the years, the influential theologian from South Africa made comments such as these:

> We are different so that we can know our need of one another, for no one is ultimately self-sufficient. The completely self-sufficient person would be subhuman. (1999, 214).

> (W)e are really made for this delicate network of interdependence . . . so this, the completely self-sufficient person, is in fact subhuman . . . . *Ubuntu* says not "you are human because you think," but "you are human because you participate in relationship." (2013)

There is a less interesting and a more interesting way to interpret Tutu's comments. The less interesting way is to say that we could not survive and mature into adults without having been socialized. That is an empirical banality, which treats our ability to be helped by others as a mere means to a distinct end of our own biological, psychological, and social development. What is not a banality, in contrast, is to maintain that our ability to be helped is something to value as an end, something that partially confers a dignity on us for enabling us to be party to reciprocal relationships of harmony or friendliness/love. It is an implication of Tutu's remarks (or at least the way I read them) and my conception of dignity that a being that did not need others would be less important from a moral point of view than one that did.

Consider how this African-inspired perspective flips the autonomy-based approaches to dignity on their head. In that tradition, one is to help a person because she has a dignity (cf. Kant 1785: Ak. 4: 430), while the alternative that I propose is this: a person has a dignity (roughly) because she can help and also be helped. By the latter approach, our vulnerability is part of what makes us special—for it is what enables us to be party to mutual cooperation and aid, i.e., *to come closer to others*, the key image to rival sovereignty. A large reason why adherents to the ethic of care in the West have often eschewed appeal to notions of dignity[14] is that they have supposed that it is tied to autonomy and more generally concepts of independence and agency. The African philosophical tradition would have us question this premise that has been shared between friends of autonomy and many of their feminist/care ethicist critics.

4. HUMAN RIGHTS VIOLATIONS AS ENMITY

The aim of the previous section was largely negative, in the sense of trying to counter a major objection that would be apposite for adherents to autonomy-based approaches to make to my conception of dignity. In this section I defend my account of dignity more positively, by showing that it makes sense of two intuitive human rights at least as well as, if not better than, autonomy-based accounts of it. I focus on the rights not to be tortured and not to be raped, and argue that a relational-dignity-based analysis of them is not merely plausible, but also provides some reason to doubt autonomy-based rivals. Friends of autonomy are unlikely to be convinced, but that is not the point, which is rather to demonstrate that thinking of negative human rights violations as extremely unfriendly ways of relating is not to be dismissed as inferior relative to an appeal to autonomy or similar property and that there is a real need for critical cross-cultural philosophical dialogue about the nature of human rights.

Some of the following arguments will be found persuasive probably only if one accepts this principle about how to pick between competing dignity-based theories of human rights: there is more reason to favor one theory over a rival, the more that what is thought to confer dignity on us does the explanatory work. For example, if one suggests that we have a dignity in virtue of having a soul, i.e., an immortal, spiritual substance that has come from God, then it should be this feature that does the lion's share of the labor in accounting for which rights we have, what counts as their violation, which violations are more serious than others, and so on. It would be a *pro tanto* weakness to appeal to facts about, say, our body, in accounting for human rights, if that were not taken to be what constitutes our dignity, relative to a theory according to which it is something bodily that helps to constitute our dignity.[15]

My claim is not that literally all facets of human rights must be grounded on what is posited as giving us a superlative, final value, and it is also not that failure to so ground them is necessarily the kiss of death for a theory. It is that it is a substantial strike against a dignity-based theory of human rights if, in crucial cases, it must appeal to some property other than what gives us a dignity to entail and explain the existence of rights with a certain content or strength. My application of this principle involves the claim that autonomy (or rationality or a similar property) is inadequate to account for the contours of two key human rights we intuitively have. Basically, I argue that considerations of people's good, both welfarist and perfectionist, appear essential to make sense of rights not to be tortured or raped, where such considerations are central to my dignity-based relational theory but not a standard autonomy-based one.

To begin to see why autonomy (or a related feature) is an insufficient explanatory variable, consider the right not to be tortured, where I set aside contested cases (such as one in which torturing a person is necessary and sufficient to prevent the torture of some other people for which he is culpable) and instead focus on accounting for uncontested ones. The initially tempting suggestion from the friend of autonomy is that torture undermines the victim's highly ranked end not to be tortured. If autonomy centrally includes the ability to set ends and pursue them, then it is plausibly degrading to retard the exercise of that ability in the form of frustrating another's higher-order end. The victim may not have expressly adopted the goal of not being tortured in the past, but you can be sure that he has done so now, upon being tortured. Plus, one might point out that we human beings characteristically do care about our animal nature and have set care for our bodies as a highly ranked end (as per Korsgaard [2004]).

However, this rationale has difficulty explaining why torture is a human rights violation and a serious one at that. Consider someone whose highest-order end is intuitively something trivial, perhaps making everything in his vicinity as pink as he can get it, using only permissible means. Pink is the reason for which he gets out of bed in the morning and is the hill on which he is willing to die. Now imagine that I follow him with the aim of frustrating his pinkish aims. I place my

body between him and surfaces that have not yet been pinked, and I try to take his paint away. Where I have failed to prevent something from being pinked, I scrub off the pink or cover it up with another color, orange. The point of the case is this: although I am acting wrongly, I am not engaging in a human rights violation, or at least not one nearly as serious as torture. However, I am frustrating another person's highest-order end, which means that the present rationale cannot wholly account for the nature of the right not to be tortured.

Next, then, consider the idea that torture is a serious human rights violation, not because it frustrates the victim's end, but because it prevents the victim from adopting the end of the torturer or from choosing whether to figure into the torturer's end-pursuit. This sort of rationale is inspired by Onora O'Neill's (1985), Christine Korsgaard's (1986), and Thomas Hill, Jr.'s (2002) sympathetic and powerful analyses of Kant's prescription that we act only in ways in which others remain able to share our ends (1785: Ak. 4: 429–30). When someone is tortured, he is in the process prevented from choosing to act in the way that the torturer does, and it is this impairment of willing that is degrading, by the present autonomy-based rationale.

The trouble with this reasoning is that there do not appear to be degrees to which one has an *inability* to share another's end. There are degrees of an ability to adopt another person's goal as one's own, but not degrees of an inability to do so, where we need degrees of degradation qua imposed inability in order to capture human rights violations as something much worse than more everyday wrongness. To illustrate, consider the classic case of the false promise on which Kant and his proponents focus. If I tell you that I will pay back money you are lending me but have no intention of doing so, then you cannot choose whether to further my end (Korsgaard's central approach), or you have no ability to dissent from the way you are being treated (O'Neill's), since my maxim is obscured from you. It is of course wrong to make a false promise for money, but it is not a human rights violation. Yet in this case I am indeed treating you in such a way that you *cannot* adopt my end or choose whether and how to figure into my end-pursuit, meaning these considerations do not fully capture what makes torture a human rights violation.

For a third rationale suggested by the autonomy-centric literature, one might claim that torture is a serious human rights violation, not because it frustrates the victim's end or prevents the victim from sharing the torturer's end, but rather because it impairs the victim's ability to adopt ends as such. Whereas the first two rationales focus on *particular* ends, either the victim's or the offender's that torture stunts, the present one focuses on the capacity to set ends *in general*. It is inspired by John Rawls's (1988) revealing point that the absence of pain is a primary good, i.e., something enabling one to adopt and pursue a wide array of conceptions of what is good in life. When in severe pain, one's field of choice is restricted—all one's attention is unavoidably focused on the pain, hence degrading one's autonomy. One could also add the likely loss of self-esteem (in Rawls's terms, "self-respect") down the road, which would also impair one's general ability to set and pursue ends. Note that such a rationale sensibly explains why torture is worse than frustrating the end of pinkness or making false promises for money, and so is particularly promising.

However, this Rawlsian argument also has a difficult time explaining why one who tortures commits an egregious human rights violation. To make the case, imagine that I slip you a mickey, that is, I, unbeknownst to you, put a drug into your drink that makes you fall asleep, and suppose I do so not infrequently. I am again doing wrong, but not something on the level of torturing you even though I am preventing your ability to adopt ends as such from functioning at all while asleep and also from functioning well while you are awake. It is therefore not *that* treatment that can capture why torture is so disrespectful.[16]

There are additional strategies open to the Kantian, but not, it seems, ones that appeal to autonomy or similar features thought to ground our dignity. Some will suggest that internal

restrictions on willing, roughly that involve the mind or body, are worse than external ones, pertaining to property (on which see Nussbaum [2011, 31]). Others might say that it is because we associate the body so closely with the capacity for autonomy, which it houses, that torture counts as such a grave assault "on one's person."[17] The slipping-a-mickey case tells against both suggestions, which moreover do not abide by the principle advanced at the start of this section, viz., that it should be autonomy that does the explanatory work in respect of human rights. If the friend of autonomy has to go reaching for non-autonomy-based considerations to make sense of why torture is a serious human rights violation and of why, e.g., frustrating the end of making everything pink is not, it is a weakness of her theory.

Consider, by comparison, how thinking of a negative human rights violation in terms of extreme unfriendliness more easily accounts for the gravity of torture and specifically by appealing to what is taken to constitute our dignity. According to my account, we have a dignity by virtue of being able to be friendly toward others and to be treated in friendly ways by them. Both relational capacities are severely stunted by torture, which is arguably what makes it such a terrible wrong. For one, torture is an extraordinarily unfriendly act, one of enmity, as defined above. It is done out of a sense of otherness, it completely subordinates, it harms to an extreme degree, and is done out of cruelty, not even mere indifference with respect to the other's good. For another, the specific nature of the harm involved concerns not merely the victim's well-being, but also her own perfectionist capacity to relate in a friendly way. As is well known, those subjected to torture and similar kinds of trauma can expect to have serious difficulty trusting others. Roughly, the quantity and quality of harm involved plausibly differentiate torturing from frustrating pink ends, making a false promise for money, or slipping a mickey.

Parallel points apply to the right not to be raped. One might appeal to the above end-frustrating rationales to try to capture the wrongness of rape, but autonomy-based reflections in the context of debate about rape often use somewhat different concepts, namely, those of the absence of consent, the presence of power, and the treatment of a person merely as an object (representative are Calhoun [1997] and Hampton [1999]). About them many readers will, with me, find attractive a point that Pamela Foa made more than 40 years ago: "If there is an additional wrongness to rape [beyond other assaults—ed.], it must be that more is wrong than the mere treatment of a person by another person without proper regard for her personhood" (1981, 202). In other words, it is not merely a restriction on autonomy, an impairment of rationality, or the like that can make sense of what makes rape a human rights violation and a serious one. Stealing someone's car and making off with her pink paint are done without her consent, while kidnapping a person for a period and slipping a mickey are exercises of power and could well reinforce the ways in which women generally have been "kept," thereby capturing the more societal-historical elements of rape's wrongness. Furthermore, all are ways of treating someone's autonomy merely as a means. Yet, rape is much worse.

The key question is what might be constitutive of a person's dignity that rape degrades and to a degree much greater than stealing a car or kidnapping, which, while wrong, are not as wrong as raping to feel pleasure or be in control. Considerations of autonomy seem to provide an incomplete answer, failing to explain on their own what makes rape so disrespectful.

In contrast, one reasonable suggestion about what else is involved is that rape degrades a person's relational dignity of the sort that is at home in the African philosophical tradition. The same relational description of torture's wrongness applies to rape. Rape is degrading of a person's ability to be treated in a friendly way, for it is to treat someone with enmity (who is innocent for not having acted comparably): it is done out of a sense of otherness, completely subordinates, harms to an extreme degree, and is often a matter of cruelty, not even mere indifference with respect to the other's good. And, again, the specific nature of the harm involved concerns not merely the victim's physical and emotional well-being, but also her own capacity to be friendly

or to relate harmoniously. As is well known, those subjected to rape and similar kinds of sexual assault can expect to have difficulty being romantically intimate, one of the most intense ways of harmonizing/communing with another as a subject. In short, the body, sexuality, and loving relationships are indeed central to an explanation of why rape is such a serious wrong, just like many feminists have said, and this point is something the relational conception of dignity captures better than a rational conception of it.

In sum, it is not easy for autonomy-based approaches to account fully for the degradingness of inflicting conditions such as physical pain, emotional distress, fear of intimacy, and impaired sexual functioning (as well as related matters such as bodily disfigurement and familial destruction, not discussed here). These do of course involve a lack of free choice—or, by my approach, include subordination instead of cooperation—but, when they are part of serious human rights violations, a substantial reduction of well-being and excellence is plausibly involved, too. When others impair our good in extreme ways, they are more plausibly disrespecting a dignified capacity to be both a subject and object of friendly relationship than a dignified capacity for autonomy or some other sovereign property.

5. CONCLUSION: EXTENDING THE ANALYSIS

In this article I have addressed how to understand torture and rape as seriously degrading and hence as human rights violations, where these are two uncontroversial cases, in the sense of being relatively uncontested among contemporary moral and political philosophers. I have sought to show that, if dignity inheres in our relational nature, an approach inspired by the African tradition, then we can account for the nature and strength of the human rights not to be tortured or raped in a way that rivals characteristically "modern" Western appeals to our rational nature. I briefly conclude by noting how future work might usefully address some controversial cases, ones in which interlocutors would likely disagree about whether there are indeed human rights of certain kinds.

For one example, note that many prominent African political philosophers have maintained that the only just form of democracy is one that is unanimitarian, requiring consensus among representative legislators, as opposed to majoritarian (Wiredu 1996, 172–90; Bujo 1997, 158–68; Gyekye 1997, 124–40). Might our relational nature entail a human right to have one's interests figure into every major political decision that is made, which would be a richer harmonization between citizens than merely selecting decision-makers once every few years?

For a second controversy that merits consideration, consider the potential human right not to be executed as a state punishment. Friends of autonomy tend to be divided on the matter, with some maintaining that the death penalty can be proportionate to the misuse of one's capacity for choice and hence a just retribution, but others contending that it would treat the offender's inherent capacity for autonomy as unequal in worth. Now, if what is special about us is our ability to relate harmoniously or on friendly terms, might that not normally require punishing in ways expected to foster reconciliation[18] and hence firmly rule out the death penalty?

For a third, when it comes to positive or socioeconomic human rights, might the state have a duty to provide us means that would be particularly useful for creating and sustaining harmonious or friendly relationships? Consider what an elderly African woman once said to me upon being interviewed about *ubuntu* and poverty: "The main problem with being poor is that I do not have anything to give away." Her explanation of the undesirability, and presumably injustice, of poverty does not appeal to sovereign properties such as her inability to make choices or to obtain whatever she might want. Instead, she notes that poverty stunts her relational virtue, her ability to care for others.

It appears that if dignity inheres in our relational nature, certain rights probably obtain that do not if it inheres in sovereign conditions such as our autonomy or rationality. I submit that there is fascinating cross-cultural work to be done by philosophers on the nature of human rights as grounded on human dignity.[19]

NOTES

1. By "African" I mean properties that have been salient in (not essential to) the sub-Saharan region in ways that differentiate it from many other locales. It picks out features that have been prominent over a wide array of space and for a long amount of time in that part of the continent, features that might be neither everywhere in Africa nor solely there. For more on what geographical labels mean, see Metz (2022, 7–12).
2. For a sister view in the care tradition, see Miller (2017).
3. One exception is Ikuenobe (2016).
4. For another African interpretation of dignity that similarly avoids these problems, see Molefe (2022).
5. The next several paragraphs borrow ideas and sometimes phrasings from Metz (2022, 90–113).
6. These are refinements and specifications of construals of the nature of community and harmony found in a variety of texts by African thinkers, including Gbadegesin (1991, 65); Mokgoro (1998, 17); Tutu (1999, 35); Gyekye (2004, 16); Iroegbu (2005, 442); and Nkondo (2007, 91).
7. It is also what plausibly underlies a number of recurrent (not universal, not unique) practices amongst indigenous African peoples, such as seeking reconciliation consequent to conflict, making political decisions by consensus, and collective harvesting (on which see Metz [2022, 123–36]).
8. Cf. the discussion in Velleman (1999, 353).
9. Some human beings, such as late-term foetuses and those born with severe mental disabilities, lack the capacity to be a subject of communal relationship and hence lack a dignity by my account, although I can grant them a high moral status insofar as we are greatly able to commune with them as an object. Whether that implication is a reason to reject my account is not relevant to adjudicating between it and autonomy-based approaches, which face the same problem, and so I set the issue aside. See instead Metz (2022, 158–65).
10. Note that I do not address Kant's views themselves in this article, instead critically discussing contemporary thinkers inspired by them.
11. One might think that Kant's own conception of what gives us a dignity does not fit this description, since he says for instance that "humanity insofar as it is capable of morality . . . is that which alone has dignity" (1785, Ak. 4: 435; see also 1797, Ak. 6: 434–35). However, for Kant the concept of morality in fact is individualist, in the sense that, even if there were a single agent in the world, there would still be duties, namely, to oneself to maintain, develop, and realize one's capacity to pursue purposes (1785, Ak. 4: 421–23, 429–30; 1797, Ak. 6: 417–47). Moral obligation for Kant does not *essentially* include reference to other persons. In any event, I am not targeting Kant's writings so much as those of a broad array of contemporary philosophers (some cited above), who rarely restrict our dignity to our capacity for moral reason.
12. There are those who hold the (speciesist) view that being a member of *Homo sapiens* is what gives us a dignity, where not all members have the conditions of sovereignty.
13. For less influential themes of God's interdependence with us, consider that, for Huston Smith, an influential process theologian, "without us God would not be God" or we do "our part to make God God" (2000, 256, 259), while Robert Nozick suggests that, for God to acquire a meaningful life, God would make limited persons such as us with whom to forge a relationship (1981, 588–90).
14. Or even moral status, on which see Miller in Metz and Miller (2016, 7, 8).
15. Cf. the distinction (in, e.g., Fitzpatrick [2013]) between respecting the rational nature in a person and respecting a person if she has a rational nature. I am suggesting, in effect, that the former is more appropriate for an autonomy-based account of dignity.
16. Christian Barry has suggested combining all three of the previous rationales, such that torture counts as a human rights violation insofar as it frustrates the end of the one tortured *and* makes it impossible for the one tortured to share the torturer's end *and* impairs the victim's ability to set ends in general. However, I submit that the slipping-a-mickey case tells against the combination of all three.
17. A suggestion from Lucy Allais in conversation, if I have understood her correctly.
18. Of a sort that requires burdensome kinds of victim compensation and offender rehabilitation to be imposed on those guilty of serious crimes.

19. This essay has benefited from written comments from Kirk Lougheed and from oral comments received at several talks over the years, with particularly thoughtful input having come from Lucy Allais, Christian Barry, and Thomas Pogge.

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