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INVENTING HUMAN DIGNITY

Sharon Sliwinski

Are human beings endowed with an inviolable dignity? Or is dignity something that is lost and won? One of the most significant assertions made in the 1948 Universal Declaration of Human Rights (UDHR) is the statement that every individual possesses an inalienable dignity simply by virtue of belonging to the "human family." This idea is presented as self-evident in this foundational document, which is to say it appears as ahistorical and a priori. Here, to be human *is* to possess an inviolable dignity, to be endowed with an unconditional worth affixed to one's very person.

There is both something new and something old about this claim. The idea that every individual person is endowed with inalienable rights, and moreover that this condition is self-evident, has its antecedents in the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and Citizen (1789). Both of these earlier documents described the "sacred rights of man" and characterized them as inalienable although debate raged almost immediately about the political, juridical, and ontological substance of such a statement (Burke [1790] 2009). And while the UDHR modified some of its language, broadening its inclusivity ("Man" became "human," for instance) and its jurisdiction (shifting from a national citizenship to the larger political community of humanity), the idea that these rights were inalienable to the human person remained firmly entrenched.

What is new about the UDHR, however, is its emphasis on human dignity. The term is conspicuously absent from the eighteenth-century political tracts. In the UN Declaration, however, dignity is deployed as if it had always been a central property of the human person, indeed, positioned like a kind of fraternal twin to inalienable rights. The Preamble begins: "Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world … ." Article 1 reasserts this claim: "All human beings are born free and equal in dignity and rights." The word appears twice more in the document, in Articles 22 and 23, each time in reference to economic rights (the right to social security and to an economic existence "worthy of human dignity"). Since the drafting of the UDHR, moreover, the idea of the inherent dignity of the human person has become one of the central pillars of universal human

rights. The term plays a central role in several other United Nations documents, and appears prominently in any number of international and regional agreements and covenants, national constitutions, and legal codes that have been drafted in the last 50 years. Dignity is regularly invoked by official heads of state as a framework for the regulation of social and political life. It is not an exaggeration to say that this concept has come to dominate the horizon of human rights.

All the more surprising, therefore, that dignity has received so little critical scrutiny. The five-volume *Oxford Encyclopaedia of Human Rights*, for instance, contains no separate entry for the term. While dignity has seen wide discussion in religious thought (e.g., in the Catholic literature, the term refers to the idea that every human being bears a likeness to God), it is only relatively recently that it has received direct attention in the literature pertaining to human rights (Bergoffen 2012; Griffin 2008; Kateb 2011; Kretzmer and Klein 2002; Moyn 2014; Rosen 2012; Waldron 2012).

This chapter aims to make a modest contribution to this emerging scholarship on the history and meaning of dignity as it pertains to universal human rights. My goal is to trace how this particular quality came to be affixed to the human person. Admittedly, this involves a bit of sleight of hand. As Raymond Williams (1977) points out, the analysis of social and political change tends to occur in a habitual past tense. This is because such changes usually only become recognizable (at least to scholars) once they have been explicitly articulated in formal institutional terms. In Williams's terms, institutionally fixed documents such as the UN Declaration should properly be understood as *secondary evidence* of an earlier social and cultural change. In other words, the drafters of the UDHR did not bring dignity into prominence. Rather, this document reflects social and cultural changes that have *already* taken place.

Williams introduces the term "structures of feeling" as a way to characterize the fluctuating processes that help give rise to the more concrete institutional statements. He defines a structure of feeling as "a cultural hypothesis" that is less structured than an ideology or worldview (Williams 1977: 132). Subtle changes in the fabric of everyday life affect a shift in our inner image of the human being: new cultural experiences generate new feelings, which in turn give rise to new concepts that eventually become institutionalized. Williams specifically names art and literature as key sites where these structures of feeling can be glimpsed. Following this logic, one should be able to glean the "feeling as thought" that gave rise to the contemporary prevalence of the idea of an inherent human dignity by scanning the aesthetic landscape. And indeed, between the great revolutions of the eighteenth century and the signing of the UDHR, the emergence of one aesthetic medium stands out in particular: the invention of photography in 1839. My proposition here is that the invention of this medium and the rapid explosion in photographic *portraiture* in particular had a great impact on the ascension of the idea of human dignity. The American abolitionist Frederick Douglass will serve as exemplar here, in part because Douglass was particularly adept at mobilizing photography in his quest for social and political justice, but also because the idea of human dignity takes on a less abstract cast for those who had to struggle to acquire it. The former slave's use of photographic portraiture makes evident the way human dignity seems to involve belonging to a shared gaze. To borrow Hannah Arendt's (1958) terms, to be human means

appearing and lending one's regard to the appearance of others—*to see and to be seen to exist*. Photography has served as an important tool in this crucial political exercise.

Theme and variations

Apart from its place in the history of religious thought, philosophers have discerned at least three distinct uses of the concept of dignity, each of which has left its vestige in the present (Agamben 1999; Rosen 2012; Waldron 2012). Perhaps the oldest usage comes from Cicero's influential *De officiis* (*On Duties*), in which the Roman politician uses *dignitas* to refer to the rank and public authority associated with a position of power. In ancient Rome, dignitas was understood to be something distinct from its bearer. This sense of the term still remains with us today. As Virginia Woolf points out in "Three Guineas," the process by which dignity is attributed to an official is plainly visible in the ornate customs and vestments worn by monarchy, priests, and "the educated man in his public capacity" ([1938] 1993: 134). The colourful robes on display at every university commencement ceremony are designed for one purpose: to advertise the dignity of their bearer. Woolf manages to lay bare this gap by offering a wry comparison to the way butter is packaged in the grocery store (137). In this sense, dignity can be understood as an effect of a *dispositif* (or device) that elevates some people over others.

Although this ancient idea of dignitas was already in transition throughout the Roman period, it was the German philosopher Immanuel Kant who decisively shifted our sense of this idea from an elevated status of a few persons in a particular society to a feature of human beings in general. Kant rightly sits at the centre of any historical account of dignity. In *Groundwork for the Metaphysics of Morals* ([1785] 1993), written in the shadow of the French Revolution, the philosopher, like Cicero, defined dignity as a matter of value. But unlike Cicero, Kant made a strong distinction between values that are exchangeable and value that is inherent:

> In the kingdom of ends everything either has a price or a dignity. Whatever has a price can be replaced by something else as its equivalent; on the other hand, whatever is raised above all price and therefore admits of no equivalent, has a dignity. … Now, morality is the condition under which alone a rational being can be an end in himself, for only thereby can he be a legislating member in the kingdom of ends. Hence morality, and humanity, insofar as it is capable of morality, alone has dignity.
>
> ([1785] 1993: 4041)

Here dignity is defined as "inner" and "unconditional" and belonging to morality alone. It is Kant's decisive influence that shifted our view of this term to include the assumption that dignity implies *human* dignity. Because humans alone are capable of morality, the philosopher reasons, we possess dignity. Kant made an exception of humanity, and with this shift, he effectively tied the idea of dignity to the uniqueness of our species. This definition of the term as an inner human value remains

particularly influential today, providing the basis for the moral law that anchors contemporary human rights discourse.

A third variation of dignity emerges from aesthetics. In his essay "On Grace and Dignity," written at the end of the eighteenth century, Friedrich Schiller defined dignity as a specific expression of virtue, namely, "the mastery of mind over its sentiments" ([1793] 1988: 376). Today we might call this a capacity to exercise a sense of restraint against one's appetite. But Schiller had a very specific example in mind: for the polymath, dignity was the particular expression of "*calm in suffering*" ([1793] 1988: 376). This definition was directly influenced by Winckelmann's evocative description of the Laocoön Group, the ancient Greek sculpture that depicts the Trojan priest and his two sons being strangled to death by serpents (the snakes were sent by the goddess Athena as punishment for Laocoön's attempts to warn the Trojans against the infamous horse). The massive sculpture is often cited as the ideal of expressiveness in the history of art for good reason: every part of the priest's body is tense with exertion; indeed, all three figures emit a vivid sense of pain in their gestures and expressions. But for Winckelmann and for Schiller after him Laocoön's features also betray a concerted attempt to stifle this outburst. He manages to keep his countenance despite his agony, and this in itself "proves the existence and influence of a force which is independent of suffering" ([1793] 1988: 376). For Schiller, the ability to keep one's composure is the very definition of dignity, and, moreover, demonstrates "man's moral freedom." Laocoön's great dignity resides in his expressive capacity to bear his suffering with noble restraint. This composure, in turn, offers evidence of human agency, albeit as an experience of *negative* freedom a capacity *not* to be prisoner to one's fate or sensual inclinations.

Pictures and progress?

These three strands of dignity – dignity as status, dignity as intrinsic value, and dignity as the ability to keep one's composure in the face of suffering – come together in a particular way in the era of photography. But it must be emphasized that this medium wrought a seismic transformation across almost all levels of human endeavor. The first official form of photographic technology, the daguerreotype, exploded onto the world stage in 1839. This relatively simple silver-coated copper plate changed the very grounds of the production and circulation of human knowledge. The technology inaugurated a distinct species of vision, but it also had a transformative effect on behavior: "man's way of seeing began to change," the French poet and philosopher Paul Valéry wrote on the centenary of photography's birth, "and even his way of living felt the repercussions of the novelty which immediately passed from the laboratory into everyday use, creating new needs and hitherto unimagined customs" ([1939] 1980: 193–94). The German scholar, Walter Benjamin ([1936] 2008), provides one of the most eloquent and radical accounts of the medium's social and political effects – including the ways in which photography's inherent reproducibility alters the human sensorium.

One of the "hitherto unimagined customs" which quickly became habitual was the photographic rendering of one's visage: "Now everyone had his portrait done,"

Valéry goes on to say, "a luxury once reserved for the privileged few" ([1939] 1980: 193–94). It is hard to overestimate the psychological, social, and political significance of this democratizing experience. Much of this has to do with photography's special signifying capacity, its so-called indexical relationship to its referent. As Roland Barthes described, photography is a representational system that can achieve "*the impossible science of the unique being*" (1981: 71). The fact that photography serves as a special kind of envoy of the self is readily evident in today's biopolitical world that systematically uses passports, ID cards, and facial recognition technologies as a means to control populations. As Allan Sekula warned, photography quickly proved itself to be "a double system of representation" capable of functioning both "honorifically and repressively" (1986: 6). But in the early days, the capacity to possess and disseminate such an image of one's self – no matter one's station – transformed the very grounds of what it meant to be a person. A photographic portrait advertised the presence of an individual personality, but it also conferred a new status upon the self. The rapid expansion of photographic portraiture can be credited with inaugurating an entirely new politics of the face, extending this particular assemblage of power to new groups of people. As a result, the traditional visual codes of status were thrown into crisis. In response to photography's democratizing effect, for instance, the Paris salons became flooded anew with painted portraits. The bourgeois citizen suddenly felt a renewed passion to "have himself done" ("*il se fait faire*"), as if clinging to the old aesthetic forms could restore traditional class privileges (*dignités*) – or at least provide a means to distinguish oneself from the teeming masses who were rushing to the photography studios (cf. Zemel 1997).

The accession of the photographic portrait occurred virtually overnight. By 1853 some 86 daguerreotype studios had opened in New York City. Thirty-seven of these could be found on Broadway alone, including Mathew Brady's famous Daguerrean Miniature studio and gallery, which, by 1858, employed 26 operators. Part of the appeal of this technology was the singularity of the daguerreotype. This early process did not generate multiple copies like later photographic technologies; the daguerrean plate only produced one, mirror-like image, a direct positive, making these objects unique and therefore precious. Their singularity, moreover, multiplied the unique presence of the sitter.

One of the early daguerreotype enthusiasts was the American social reformer, writer, and politician, Frederick Douglass. After escaping from slavery, Douglass became one of the leaders of the abolitionist movement, regularly dazzling audiences with his oratorical skills. Much of Douglass's life was spent waging war on slavery. His weapons were both textual and pictorial. In 1845 – just a few years after the invention of photography – he published the first of his three autobiographies, *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself*. The book has been widely acknowledged as one of the most influential texts in the American antislavery movement and many of his subsequent speeches are hailed as among the greatest oratory ever given.

Less discussed is Douglass's *visual* politics. The frontispiece of *Narrative* includes an engraving of the author that was likely derived from a daguerreotype. Each of Douglass's books included such an image. Indeed, he was one of the most photographed men of his time, sitting for over 160 portraits over the course of his long

life. In many of these images, Douglass can be observed adopting the familiar conventions of the statesman, presenting himself as a subject in possession of a heroic, contemplative gaze. As several scholars have shown, this enormous catalogue of pictures offers plenty of evidence that Douglass was self-reflexively engaged in constructing the parameters of his own image-making (Bernier 2012; Hill 2012; Stauffer 2001; Wexler 2012). He consciously pushed the dominant modes of black representation, refusing the typical terms of abjection and disempowerment in favour of highly crafted signs of distinction: Douglass's fine clothes are often prominently displayed, but he also consciously adopts a *dignified expression*, in the sense that Friedrich Schiller understood this term. Douglass encourages us to read the physiognomy of his face alongside the graphic narrative of his suffering in bondage, which is to say he intended his portraits to serve as a concomitant *visual claim* for his inclusion in the political community of humanity. Or to be precise: Douglass's visual politics not only demand inclusion in the "human family" (to use the terms of the Universal Declaration), a claiming of his supposedly inalienable rights as a human being, but, more specifically, the reformer used photography as a means to assert his *human dignity*. Douglass taught us that *the face* is a particularly potent site to make political claims.

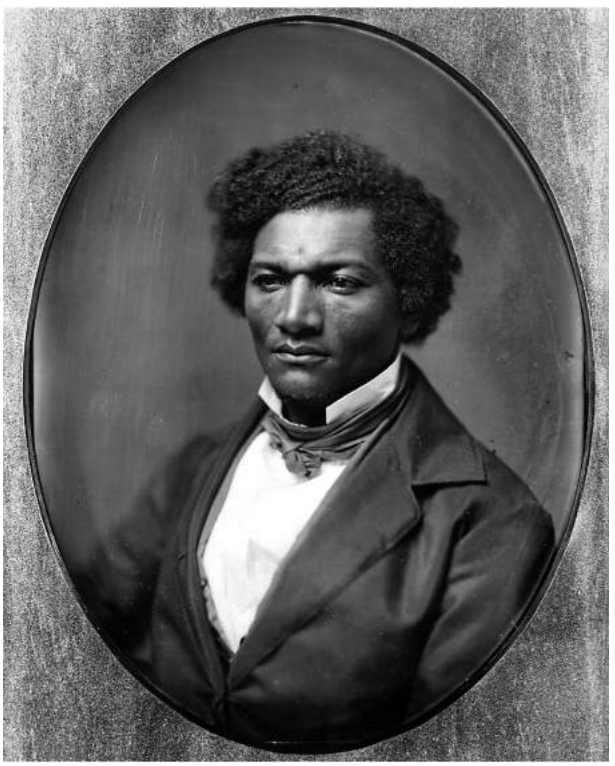

Figure 15.1 Unknown photographer. Frederick Douglass (c. 1841–45). Full-plate daguerreotype. Onondaga Historical Association, 321 Montgomery Street, Syracuse, NY 13202.

The delicacy of this claim is perhaps best evidenced in his early portraits. The earliest known photograph of Frederick Douglass is a daguerreotype from the early 1840s, taken when he was about 26 years old (Fig. 15.1). The image was developed on a whole plate (approximately 16.5 × 21.5 cm), which was unusual for the time, and speaks to Douglass's early commitment to the medium. Most daguerreotype plates from this period were made on half or quarter plates – smaller and significantly cheaper. A whole plate would have been a considerable expense for this former slave. Apart from this material evidence, what makes the portrait significant is the fact it was produced shortly before the publication of Douglass's *Narrative*. The autobiography became an immediate bestseller in 1845, but because it revealed the author's identity, and because Douglass was still subject to arrest under the Fugitive Slave Act, he was forced to flee to Britain to avoid the threat of southern bounty hunters. During this period, Quaker abolitionists raised money to finally purchase his freedom from his former master, Thomas Auld.

Shortly after his return to the United States in 1847, Douglass visited Samuel J. Miller's studio in Akron, Ohio, where he had another portrait taken (Fig. 15.2). Relatively little is known about the production of either image, although the

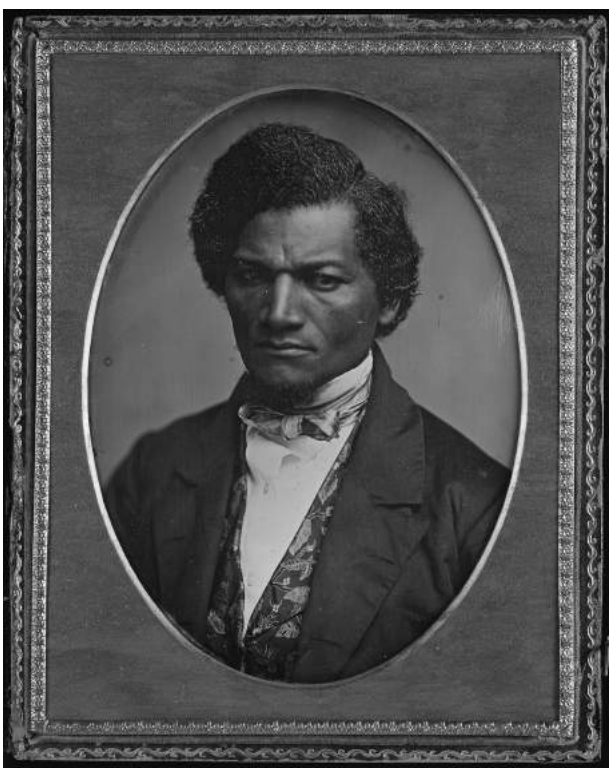

Figure 15.2 Samuel J. Miller, American (1822–1888), Frederick Douglass, 1847/52, Cased half-plate daguerreotype, 14 x 10.6 cm (5½" × 4⅛", plate) Major Acquisitions Endowment 1996.433. The Art Institute of Chicago.

concerted way in which Douglass pursued images of himself is itself telling. Although still a young man, he already appears every inch the fearsome speaker who was once described as stalking the podium to and fro like a "Numidian lion" (Westerbeck 1999: 147). In this latter portrait, spectators are invited to meet the gaze of a man who has finally attained his freedom, although "invited" might be the wrong word. One can easily feel challenged, indeed, locked into place by the steely directness of the sitter's gaze. Each eye seems to communicate its own separate soliloquy and the overall effect is almost sculptural, as if Douglass were consciously attempting to transform his physiognomy into a work of art (Bernier 2012: 292). Indeed, echoing Schiller's argument about the Laocoön Group, this mid-century daguerreotype can perhaps be read as *the* signal advertisement for the way the dignity of the human person – that value that admits no equivalent – came to be claimed photographically. The portrait stands as one of the decisive artefacts in the invention of human dignity.

Douglass was also verbally eloquent on the powers of photography. In one of his oft-delivered lectures called "Pictures and Progress," he praised "the great father of our modern pictures," Louis Daguerre, for "the multitude, variety, perfection and cheapness" of his pictures ([1861] 1985: 453). Speaking at the outbreak of the American Civil War, Douglass emphasized the social and political possibilities of this technology:

> Men of all conditions may see themselves as others see them … . The humbled servant girl whose income is but a few shillings per week may now possess a more perfect likeness of herself than noble ladies and court royalty.
> ([1861] 1985: 453)

Possessing a photographic "likeness" is a powerful means to fashion a self, Douglass seems to say, a device by which one can stand on equal footing with royalty. But the democratizing effect of the medium was not the only reason Douglass championed photography. He also sought to explicitly define the human being in aesthetic terms, arguing that the affinity for pictures was what distinguished the human species from others:

> It is worthy of remark to begin with that of all the animal world man alone has a passion for pictures … . The rule I believe is without an exception and may be safely commended to the Nott and Glidden who are just now puzzled with the question as to whether the African slave should be treated as a man or an ox.
> (Douglass [1861] 1985: 459)

This attempt to extend aesthetic sensitivity to all human persons had a political purpose. As the reference to Nott and Glidden suggests, the reformer wanted to enlist photography as a means to counter the most appalling pseudoscience of the day, namely, polygenesis. Nott and Glidden had published *Types of Mankind* (1854) a decade earlier, which promoted the idea that each race had separate biological origins. Douglass opposed the physiognomic arguments with his own brand of visual politics. His lecture offers a formal rebuttal to the racist discourse, while

simultaneously retaining photography as a technology of emancipation. In this respect, he can rightly be listed among the earliest advocates for a visual declaration of human rights, a lineage that continues through W. E. B. Du Bois's "American Negro Exhibit" at the 1900 Paris Exposition, August Sander's *Citizens of the 20th Century*, and Edward Steichen's *The Family of Man* (Azoulay 2013; Smith 2004).

A caveat in lieu of a conclusion

With the daguerreotype, Frederick Douglass saw a concrete means to promote the idea of a common human condition. Exploiting the politics of the face, he firmly situated human dignity as an aesthetic encounter, as a property of a shared gaze. It must be pointed out, however, that photography has just as faithfully served those who have sought to *sunder* dignity from the human person. Throughout the twentieth century, totalitarian regimes have systematically filled their archives with portraits of their victims: Stalin's prisoners were carefully photographed at the Lubyanka Building – the police headquarters in Moscow – just prior to their liquidation. Similar studios were set up in Nazi Germany, the S-21 prison in Cambodia, and the ESMA naval school in Argentina. In Rwanda, the *génocidaires* relied upon government-issued ID cards to conduct their gruesome work. The photographic artefacts of this history of political violence could easily be used to testify to the fatal consequences of presuming that human dignity is an innate value. The medium is at its most dangerous when it makes its users forget the vicariousness of its functioning. Photography undoubtedly aided in the invention of human dignity, but it has also served as a tool to destroy this ideal. In our own twenty-first-century political battles, we would do well to remember Frederick Douglass's insistence that human freedom always requires struggle, that dignity is not given, but must be fought for and won.

Further reading

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Wallace, M. O. and Smith, S. M. (eds.) (2012) *Pictures and Progress: Early Photography and the Making of African American Identity*, Durham, NC: Duke University Press. (This collection explores how, during the nineteenth and early twentieth centuries, prominent African American intellectuals and activists employed photography in their quest for social and political justice.)

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