



CATHOLIC BISHOPS' CONFERENCE

Human Dignity: What is it?

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This may seem a slightly strange title, as you may think Archbishops ought to have a clear view about what something like “human dignity” is. My reason for choosing it is that I would like to explore with you a problem on which Catholic theologians, philosophers and lawyers all have an important contribution to make. The problem is simply put: the precise meaning of “human dignity” is increasingly being questioned, particularly now in ethics and law. This is no mere academic debate. It matters very much because as you know the notion of human dignity plays a key role especially in international conventions, and in our understanding of the moral life. How in our pluralist society we develop and hold onto a shared understanding of such a key concept can have an immense influence on the quality of moral and social development of people.

My talk is in two parts. What is the problem, and how might the Church's understanding of what human dignity is help us to think it through. I will propose that human dignity means, in Michael Rosen's striking phrase, the inner kernel of transcendental value or worth that persons have simply because they are human and irrespective of whether they or others consider themselves to be thus valued.ⁱ

The idea of “human dignity” has a long history, going back to Cicero. He uses it to mean both the public recognition of a social position or status, and, many would argue, something intrinsic to what it is to be human. The idea of human dignity has had a central place within Catholic theology and philosophy through Augustine and Aquinas. It has featured particularly in reflections and debates about social injustice, in discussion about slavery, and in the articulation of the rights of indigenous peoples by the Salamanca school of Dominicans following the Spanish colonisations in Latin America. In these contexts the recognition of the human dignity of ‘the other’ was the first and fundamental step to moral and spiritual change, and to recognising as injustices the oppression they were suffering. Then in the last century, through reflection on the dignity of work and the rights of the poor, we find Pope Leo XIII in his encyclical *Rerum Novarum*ⁱⁱ in 1891 establishing human dignity as the foundational principle for the development of the modern social doctrine of the Church. Subsequently this has been developed into a corpus of teaching by successive Popes.

Outside the Church context the notion of human rights has also continued to play a part in moral discourse, in particular through the philosophical tradition going back to Kant, for whom dignity resides only in humanity insofar as it is capable of morality.ⁱⁱⁱ In the legal sphere it appears, most notably, in the UN Declaration of Human Rights where Article 1 states: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” Article 1 (1) of the German Basic law, also drafted in 1948, states that “human dignity is inviolable. To respect it and protect it is the duty of all state power”.

In the immediate aftermath of the Second World War, there was a strong desire to articulate a binding set of universal principles on which all could agree, and which would serve as a permanent bulwark against arbitrary action by any state power. This desire was shared by a broad coalition of countries and faiths, and the Catholic Church both wished to and played a significant role alongside others in the discussions which led up to the

ⁱ Michael Rosen, *Dignity: Its History and Meaning*, p.9 (although Rosen does not himself consider this to be convincing).

ⁱⁱ *Rerum Novarum*

ⁱⁱⁱ Kant, *Groundwork of the metaphysics of morals* (Ak. 4:435).

formulation of the Universal Declaration. The use of the term “human dignity” in the Declaration was possible because it seemed to encapsulate an idea of the intrinsic worth and value of every human life which served as a foundation for the legitimacy of human rights, whilst at the same time not making any presuppositions about the ultimate theological or philosophical basis of those rights. Affirming the centrality of ‘human dignity’ was possible from the perspective of both religious faith and secular rationality.

There have of course been many who have questioned the idea of human dignity from a philosophical perspective. Critics of Kant’s philosophy such as Schopenhauer derided the concept. He wrote “The expression, dignity of man, once uttered by Kant, afterward became the shibboleth of all the perplexed and empty headed moralists who concealed behind that imposing expression their lack of any real basis of morals, or, at any rate, of one that had any meaning”^{iv}. Nietzsche took the view that appeals to dignity were delusional: “such phantoms as the dignity of man, the dignity of labour, are the needy products of slavery hiding itself from itself.”^v

Today the widespread contemporary use of human dignity both in law and in ethics is now also under the spotlight, particularly in the areas of law and medical ethics, and the underlying consensus about what human dignity means or requires is increasingly in question.

A pertinent example is provided by Professor Steven Pinker in 2008 who wrote an article called “The stupidity of dignity”^{vi}. He argues the concept is “slippery and ambiguous” and “spawns outright contradictions at every turn”. Criticising the authors of a series of essays on Dignity, he says “we read that slavery and degradation are wrong because they take someone’s dignity away. But we also read that nothing you can do to a person, including enslaving or degrading him, can take his dignity away”. He argues that what we think of as dignity is relative, what we think of as “dignified” or undignified conduct is highly subjective, and that oppressive regimes use the idea of dignity to coerce and impose their view of the good life on others. He thinks the only worthwhile limited use of dignity is in the context of care - we should treat people ‘with dignity’ - but even that, he thinks, is synonymous with treating them with respect for their autonomy.

If then there is dispute about what human dignity means in an ethical and social context, what about the law? It is particularly in the area of care for the vulnerable and the dying that we can see most clearly an emerging development of different conceptions of human dignity and what is required by respect for human dignity. A few years ago now, the Bishops’ Conference of England and Wales intervened in the Dianne Pretty case. This case, as you will recall, raised an extremely important point of law about whether it was possible to ground an argument on the right to choose the timing and manner of death by an appeal to human dignity. The European Court upheld the priority of the right to life, but it also accepted the principle that Article 8 rights to private life were engaged, and that the legal concept of ‘human dignity’ applied not only to the fundamental right to life but also to the quality of life – to what it means to live with dignity.

What is emerging, then, in these different contexts, are profound differences about what it means to be human, and what it means to achieve human flourishing. Rival moral conceptions of freedom, autonomy and the role of the state, the nature of human identity and what makes human life worth living are clearly just beneath the surface. The debate matters because of the great significance vested by these international declarations in the idea of “human dignity” as the overarching principle and foundation of fundamental human rights.

So how might the Catholic understanding of human dignity help?

The theological starting point for the rich development of this teaching is of course the biblical teaching in the book of Genesis. From there we draw out our understanding that all created things have a dignity of their own, but that human dignity is something special because human beings are created in the image and likeness of God. It is this idea which the Church developed in critical dialogue with elements of Greek philosophy as grounding an affirmation in the inherent value of every human life. It is given a new depth with Christian reflection on the incarnation, death and resurrection of Christ who both reveals the full splendour of our human dignity, and through his resurrection, offers us the way through him to the fullness of life with God to which we

iv Schopenhauer, On the basis of morality

v Nietzsche, “The Greek state” in Early Greek Philosophy and other writings

vi Pinker, The Stupidity of Dignity, in The New Republic, May 2008

are all called. As Christians we believe that Revelation does not confer our natural human dignity, but rather discloses it, and offers us a way of entering the richness of what respect for human dignity truly entails. There is in fact an inbuilt dynamic to the idea of human dignity, because it impels us forward and points us towards how to fulfil the moral task of discovering and discerning more deeply what it means to be fully human.

At the same time, the Church also affirms that, as the Compendium of Social Doctrine states, “this dignity, inherent in human life and equal in every person, is perceived and understood first of all by reason.”^{vii} The importance of the recognition of human reason here underpins the Church’s conviction that the value of human dignity can be recognised by everyone and so makes claims upon us all, whatever religious beliefs we may have. Furthermore, because unaided reason can intuit and glimpse the truth about human dignity independently of Revelation, the Church through dialogue and attending to other sources can herself come to a better understanding of Revelation. You will recall this as a key point made by Pope Benedict in his Westminster Hall address about how reason and religion need each other, and the importance of a continuing dialogue between the world of faith and that of reason.^{viii}

So with this in mind, let us look more closely at some of the criticisms of the idea of human dignity. Let us take first of all the argument Pinker makes that within the notion of human dignity there are two incompatible ideas. Either human dignity is inherent in the human person, so no-one can be deprived of their dignity, or alternatively it is not, and only then does it make sense for us to talk as we do about people having their dignity taken away and violated. Is this a real or a false dichotomy?

One way of approaching this is to think about what it can mean to have dignity taken away, and why people speak in those terms. In his excellent and chilling account of the moral history of the twentieth Century, the philosopher Jonathan Glover examines the psychology of those behind the holocaust. As he puts it:

“The Nazis convinced themselves there was no dignity there to respect. The removal of this barrier helped make the killings possible. Years later Franz Stangl, the commandant of Treblinka, was asked, “Why, if they were going to kill them anyway, what was the point of all the humiliation, why the cruelty?” His answer was “to condition those who actually had to carry out the policies. To make it possible for them to do what they did.”^{ix}

In other words, the perpetrators had to see their victims as less than human in order to legitimate their actions in their own eyes. Pinker says in the same article I quoted earlier that “one hardly needs the notion of ‘dignity’ to say why it’s wrong to gas six million Jews or to send Russian dissidents to the gulag”. But the moral force of our revulsion for such acts in which human dignity was crushed and violated comes precisely from our awareness that there is something intrinsically valuable in each person which is being crushed and violated. To understand what went on as the systematic denial of intrinsic human dignity in fact seems essential if we are to begin to grasp what happened.

It is helpful to be clear that there are these two meanings or uses of dignity. One (sometimes called “attributed” dignity^x) is about how we treat people – whether we treat them “with dignity”. The other, is the intrinsic human dignity we have just referred to. But Pinker is mistaken to see these two ideas of dignity as exclusive alternatives. One in fact depends on the other: it is possible not to treat people ‘with dignity’, but our judgements about whether doing this matters or not is dependent on the intrinsic dignity we believe them to have.

What then is it, in virtue of which we can say that each person has an intrinsic human dignity? Where does this transcendental value come from? For the Christian and for many of other religions too, the answer of course is from God. But you do not need to be a religious believer to affirm from reflection on experience as a fact about the world that other people matter and make a claim upon us, and that “human dignity” is the idea which best encapsulates the universal truth of that claim, with the moral force that it carries.

vii Compendium n.153

viii Pope Benedict XVI’s address to politicians, diplomats and academics, UK, 2010

ix Jonathan Glover, *Humanity A moral history of the twentieth century*, Yale University Press p.343

x Prof. Daniel Sulmasy categories human dignity into three categories: intrinsic dignity, attributed dignity and inflorescent dignity. Prof. Sulmasy’s hypothesis has recently been elucidated in his 2012 article ‘The varieties of human dignity: a logical and conceptual analysis’ in *Medicine, Healthcare and Philosophy* Volume 1 / 1998 – Volume 15 /2012.

If we reflect on the extraordinary scenes played out last year in the countries of the Middle East we can see this. In Tunisia the slogan was “Dignity, bread and Freedom”. And I was struck by this account from an Egyptian journalist, Nawara Najem, of how the crowds suddenly decided to risk being shot and refuse to be intimidated. She said

“Why did the people not fear death? No one knows. It was not only religion. It was not only poverty. It was not only despair. Perhaps the answer is human dignity. No force, however tyrannical, is able to deprive human beings of this.” (The Guardian, 20 Feb 2011)

In this passionate appeal we can also see, in a different way, the connection between the two distinct senses in which “human dignity” is being used – dignity as inherent worth, and dignity as something we all aspire to, that is a life and a society in which all are treated with dignity. In the Christian understanding, human life is something of intrinsic worth and value, but it is also something we are called to fulfil, to realise in our own lives and to cherish in the lives of others. We hold in tension both what we are, and what we are called to become. In his letter to the Ephesians St Paul writes: “I, therefore, the prisoner of the Lord, entreat you to walk in a manner worthy of the calling with which you have been called” (Eph 4.1). Human dignity carries within it both an absolute value and a promise of hope for a better world. This is why it is so powerful. It has an inbuilt dynamism to it.

Let me turn now to a second objection which concerns this second distinct sense in which we talk about human dignity: what it means to treat people “with dignity”. The argument, made particularly in the context of healthcare, is that what is really meant by appealing to human dignity is no more than respect for personal autonomy.

Clearly there is an important sense in which we can speak of subjective or experienced dignity, and it has a particular force in the debate over euthanasia^{xi}. In Holland a recent study apparently showed that for 63% of those requesting euthanasia it was inspired by a self reported feeling of loss of dignity. Of course such a statistic fails to convey the dreadful dilemmas of some in those situations, together with their families and loved ones. Nor is it clear as to what precisely is meant by this reported state - feeling a burden to others, the lack of a quality of life, or the loss of autonomy. In the US State of Oregon, which legalised physician-assisted suicide 15 years ago under the heading of a ‘Death with Dignity Act’, many of those who resort to ending their lives in this way attribute their decisions to (and I quote from the most recent official report) “loss of autonomy”, “loss of dignity” and “decreasing ability to participate in activities that made life enjoyable”^{xii}. These are distressing and debilitating experiences and not in any way to be minimised. There is then an important use of the term ‘dignity’ as a subjective notion, which is that it matters to each of us to have a sense of our own “dignity”. The argument is then sometimes made that if I am the only person who can decide whether or not my life has any dignity, and if I decide it no longer does, and if I need the help of others to end it, then they have a duty to help me to do so. It seems to be this overly-subjective view of dignity that is implied by the change of name of the main campaign group for the legalisation of euthanasia and assisted suicide from the Voluntary Euthanasia Society to “Dignity in Dying”. But the truth is that I am not the only person who can decide whether or not my life has “dignity” in its fullest sense. We want to take with full seriousness that people might lose a sense of having dignity, but we also consider that it is important to help people to retain or to recover a sense of their own dignity. In both cases, we do so because of their intrinsic dignity.

Against this background it is very interesting and encouraging that a major recent campaign within the health and social care sector to improve the quality of care provided, especially to those with chronic illness or dementia, should be called “Dignity in Care”. The underlying assumption here is that whilst subjective experience is important, it is not the only source of value. Rather, recognition is being given to the fact that our sense of dignity is immensely influenced by the social environment of care, and the wider context of social and cultural values in which we live. What kinds of practice make a difference? Here are some of the things the campaign advocates^{xiii}:

xi I have drawn here on the insightful analysis given by Dr. Carlo Leget in his presentation to the ‘Human Dignity in Bioethics Conference’ at St. Mary’s University College on the 10th September 2011. Audio: <http://extranet.smuc.ac.uk/events-conferences/human-dignity-in-bioethics/Pages/Audio.aspx>

xii <http://public.health.oregon.gov/ProviderPartnerResources/EvaluationResearch/DeathwithDignityAct/Documents/year14.pdf>

xiii Dignity in Care factors at <http://www.scie.org.uk/publications/guides/guide15/factors/index.asp>

- Enabling people to make choices about the way they live and the care they receive.
- Speaking to people respectfully and listening to what they have to say.
- Ensuring that people living with pain have the right help and medication to reduce suffering and improve their quality of life.
- Respecting people's personal space, privacy in personal care and confidentiality of personal information.
- Helping people to keep in contact with family and friends, and to participate in social activities.

What is important is that this approach implies more than simply respect for autonomy, vital as that clearly is. It is an ethic of respect and care for others which can enhance a person's sense of self worth and dignity. It is as if, in another way, human dignity emerges from social relationships. Therefore the experience of loving care can transform the subjective experiences of loss of dignity or of self-respect. If we reflect back on the Christian understanding that for each of us our humanity is found and fulfilled precisely in relationship with others, and fundamentally with God, it should not surprise us that in this vital arena of care of the vulnerable it is in the quality of social relationships that a richer understanding of human dignity is to be found. Indeed for those who have dementia, there is a powerful sense in which their dignity is held by others who care for them. And for those who are wholly incapable of conscious awareness, we can affirm that their human dignity is still upheld by the love shown by others and of course by the unchanging love of God for them which is never withdrawn. But, as I said earlier, you do not need to be a religious believer to affirm from reflection on experience as a fact about the world that other people matter and make a claim upon us, and that "human dignity" is the idea which best encapsulates the universal truth of that claim, with the moral force that it carries.

There is, rightly, great concern in society when cases in which vulnerable people have not been treated with dignity are uncovered. We sense an association between this undermining of dignity and people feeling that they are no more than a burden to others. And conversely when people feel that their lives are meaningful to others, so that they feel respected and worthy, they can have a stronger sense of experienced dignity. This is why it is so vital to place the highest value on the quality of the care provided to the elderly and the dying. At the same time we must recognise the demands made on those offering such care and ensure that they are properly supported.

This social dimension of human dignity, which arises from our nature as social beings, helps to explain why we lose something extremely important if we try and reduce the value of human dignity to simply respect for personal autonomy, and equate treating people 'with dignity' to merely showing them respect in this limited sense. There is also a further point to note about the idea of "respect". Respect for others is of course important but it is socially conditioned. We easily think of respect in terms of those who earn or deserve it and of those who do not. In this sense we can earn respect. But we cannot earn human dignity. So respect cannot be a substitute for human dignity because a person's intrinsic human dignity is the very reason we want to treat them with respect. Moreover the moral imperative arising from the recognition of that dignity pushes us beyond the boundaries of our immediate concern, and impels us to respond to the needs of the other.

Upholding and transmitting the universal claim to the dignity of all necessarily affects the whole culture of the health and social care sector, and in turn influences the way people see themselves, whether or not they imagine themselves to be a burden on others. Where the intrinsic human dignity of everyone is acknowledged as a fundamental value within a culture and society, it shapes and frames the cultural setting in which social care is carried out. A society in which there is a strong sense that people matter has a bulwark against the temptation to devalue particular groups or people, such as those suffering from acute dementia or the elderly.

I would like finally and briefly to turn to a third objection to the idea of intrinsic human dignity: that it is used as a coercive straitjacket to impose a particular view of human life and social practice. The argument here is that human dignity is an instrument of oppression not liberation. It is true that there are some oppressive political regimes which have co-opted the language of human dignity to restrict individual freedom (the constitutions of former East Germany and of Cuba are examples). But as I noted at the outset, "human dignity" occupies a central place in the post-war UN declarations precisely to reconstruct the role of the state so that it neither denies to its citizens their fundamental rights, nor evades its responsibility to sustain the necessary social institutions in order to secure the human dignity of all. As such the idea of intrinsic human dignity as the

foundation of rights represents and expresses a deep universal conviction about human life and the proper limits of any state power. Human dignity can be and must remain an effective rallying cry for the protection of fundamental human rights.

But if this is to be so, constant invigilation and respectful dialogue are required, so that the insights and experience of all contribute to sustaining and developing a shared understanding of what human dignity means and what it requires. In the Catholic context we can see this development in action at the Second Vatican Council when a deeper appreciation of human dignity led the Church to a new recognition of the vital importance of religious freedom. The Declaration on Religious Liberty states: “the right to religious freedom has its foundation in the very dignity of the human person as this dignity is known through the revealed word of God and by reason itself”^{xiv}. Of course, the Church learns from the development of ideas about human dignity elsewhere and the Church also has something vital to contribute through the intellectual tradition of Catholic philosophy and theology, and in particular the development of Catholic social teaching, in offering the world a vision of how the development of societies can best uphold and respect that dignity.

To contribute to this dialogue I am delighted that the Bishops’ Conference of England and Wales, together with Oxford University, the British Academy, Queens University Belfast and the Pontifical Academy of Sciences in Rome are jointly sponsoring a high level inter-disciplinary academic conference in Oxford starting tomorrow, on the theme of “understanding human dignity”. My hope is that the discussion and subsequent book will advance precisely this shared understanding especially among the judges, legal academics, philosophers and theologians taking part. The Conference will cover a range of current issues that I have not mentioned in this talk where human dignity is a key consideration, and it will be doing so at a fundamental level.

In closing I would like to make one final point. In thinking about human dignity we can easily find ourselves focussing on what needs to be protected or safeguarded. But as I noted there is a deeper richness in the idea, something profoundly creative and emancipatory, and also an openness to a common understanding which we may not yet have grasped. The protestors in the Arab spring uprisings last year seized on the idea of human dignity precisely because it offered a promise of a new future. Indeed it does. As Christians, we believe that the idea of human dignity- as all truth must- also carries with it the latent power and potential of the Gospel. Through dialogue and engagement with others, as Christians it is our role both to bring the light of that truth to a world in need of healing and hope, and also to seek with and through the insights of others a deeper understanding of where that truth may yet be leading us.

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xiv Vatican Council Declaration of Religious freedom, n.2