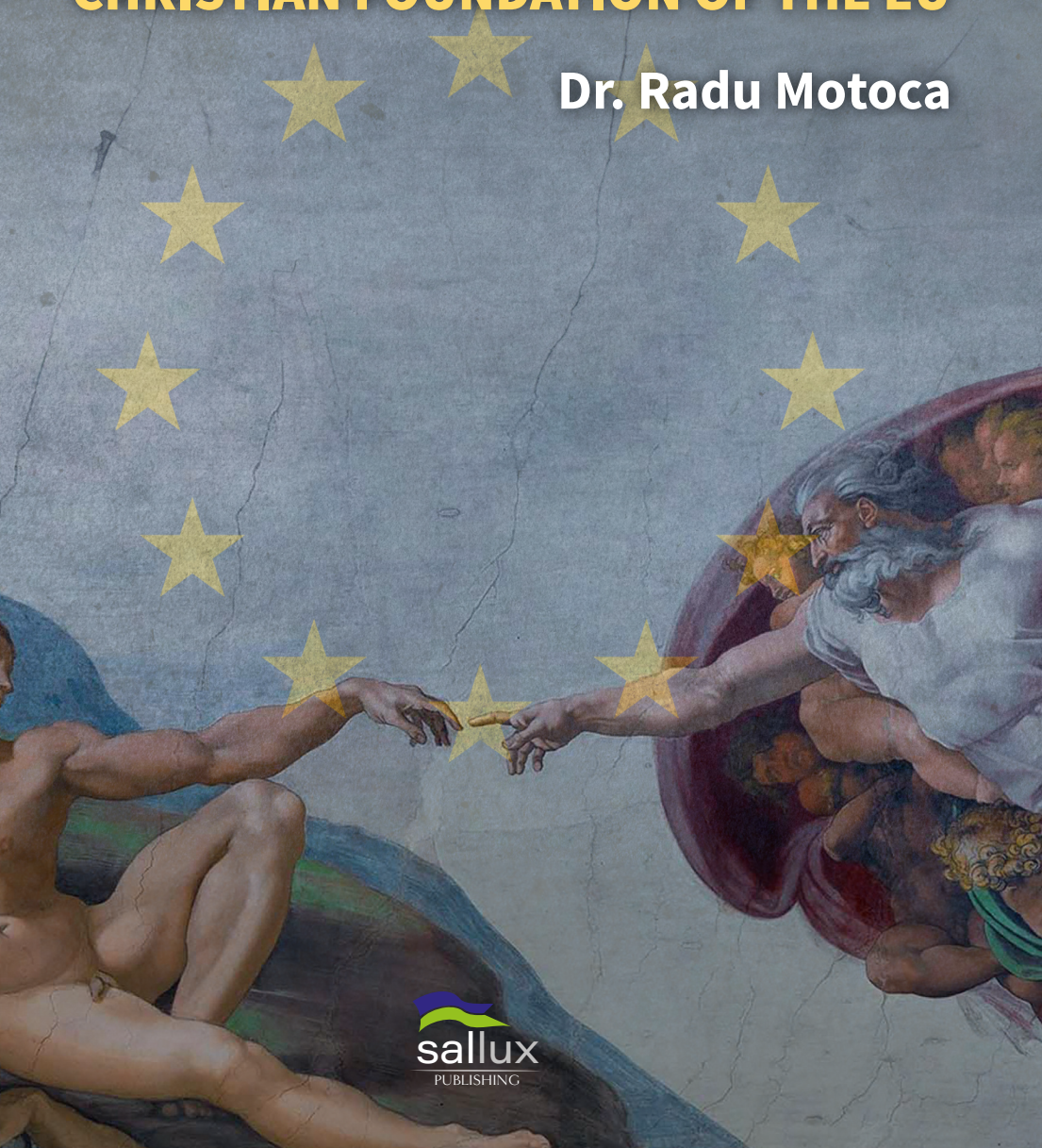


HUMAN DIGNITY

CHRISTIAN FOUNDATION OF THE EU

Dr. Radu Motoca



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Colophon

Human Dignity: Christian foundation of the EU

By Dr. Radu Motoca

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Foreword

“Human dignity is inviolable. It must be respected and protected.”, states Article 1 of the Charter of Fundamental Rights of the European Union.

The current EU is unimaginable without that basis. The notion that every human being is of indefinite worth regardless of background is in many aspects a revolutionary notion that changed history. The very idea that our value is not determined by any external factor or limited by ethnicity but is instead fundamentally inherent to our existence is a historic anomaly if measured against the whole of human history.

That human dignity became seen as the foundation of our legal order and the defining ethos of western culture cannot be seen separately from the Christian faith that has shaped Europe.

God’s incarnation in Christ and sharing our humanity through Him and even the depths of our being, is the foundational idea that made human dignity truly universal.

Moreover, human dignity is the most essential basis for a common future as only by recognizing each others dignity we can overcome polarization and find a way forward on the issues that currently divide us.

This however does not explain what human dignity actually is. How do we define it? What do we mean if we speak about human dignity? Was there a pre-Christian notion of human dignity and what did that entail?

These questions are guiding this publication, written by Dr. Radu Motoca. His tireless efforts over several years has resulted in a unique and much-needed publication that aims to answer ever more urgent questions regarding human dignity.

We thank Dr. Motoca for his great efforts and all those who contributed to the final result that we are very pleased to be able to share with you.

It is our hope that this publication will help build Europe’s future.

Johannes de Jong
Director Sallux | ECPM Foundation

Chapter I: Introduction: towards a definition of human dignity

The first article of the Charter of Fundamental Rights of the European Union, which is entitled ‘Human Dignity’, affirms: ‘Human dignity is inviolable. It must be respected and protected.’ So, at the basis of rights, the European Community places dignity as the fundamental principle of its project. Many remember the words of Robert Schuman, founding father of the European Community, about the European project: ‘We stand in solidarity with one another in preserving peace, in defending against oppression, in fighting against misery, in respecting treaties, in safeguarding justice and human dignity.’ Schuman as well as the other founding fathers, Jean Monnet, Konrad Adenauer, Paul-Henri Spaak, Alcide de Gasperi, Johan Beyen, and Joseph Beck, had a political depth and a social vision in which a Christian inspiration cannot be overlooked. The founders were people involved in social life, they had a vivid memory of the tragedy of the Second World War and the vast majority of them actually were practicing Christians.

De Gasperi created a national party that aspired to bring solidarity to the people, while in Germany the CDU was born to unite Protestants and Catholics in a common social and political project. Everyone was familiar with the papal encyclicals *Rerum Novarum* (1891) and *Quadragesimo anno* (1931), fundamental documents for what is called the social doctrine of the Church. The main themes of the encyclicals were assimilated by all Christian Democratic movements. De Gasperi had introduced them into his political discourse, and Konrad Adenauer had studied them while he was a refugee in a Benedictine monastery to escape the Gestapo.

The Christian inspiration of the European project is emphasized countless times by the founding fathers. In fact, in a speech delivered by De Gasperi on 21 April 1954 at the European Conference in Paris, he states: ‘If with Toynbee I affirm that at the origin of this European civilization lies Christianity, I do not intend by this to introduce any exclusive confessional criterion in the appreciation of our history. I only want to speak of the common European heritage, of that unitary morality that exalts the figure and responsibility of the human person with its ferment of evangelical fraternity, with its cultivation of the law inherited from the ancients, with its cult of beauty refined through the centuries, with its desire for truth and justice sharpened by a thousand years of experience.’

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1.1. The historical context and the problem of consent

The Second World War shook consciences, and in 1948 the United Nations drafted the famous Universal Declaration of Human Rights, in the text of which, already in the Preamble, the inherent dignity of every person is recognized. Much has been written about the history of the drafting of the text, and before the final form each word was weighed and analysed at length. Consensus was not easy, but it was necessary, and the desire for peace and a common basis for dialogue between peoples triumphed. The concept of human dignity thus began to impose itself in many national constitutions written after 1948. Although it was accepted, it continued to be much debated. Some considered it too universal and therefore too vague to be applied in all circumstances, while others considered it too limiting. Even today, the concept is still considered problematic, and it is difficult to find an unambiguous and unanimously accepted definition of it, and it is now subject to various interpretations.

Can we ask where the problem or problems lie? First, there is the problem of its definition and, linked to this, the problem of its application. Human dignity as a *syngtama* contains within itself two indeterminacies: what is dignity? and what is human, humanity? In our work we will try to clarify these aspects in their dual origin, philosophical and religious, which are the two pillars of the European tradition. Only by clarifying the genesis and scope of a concept can we assess its application, in this case its ethical and legal application. Fully grasping dignity means deeply understanding the nature of man, highlighting his fundamental and intangible traits.

At the same time, it must be emphasized that the presence of the notion of human dignity is not equivalent to the presence of the concept as we try to under-

³ It is worth noting in this regard the remark made by the Irish Archbishop Diarmuid Martin in his letter to the Dublin Forum on Europe in 2007, in which he laments the absence of reference to Christian values in the future draft of the European Constitution, quoting Paul-Henri Spaak, an avowed atheist: "For many of the founders, the Christian imprint of the European construction was an indisputable fact".

stand it today. The human dignity present in antiquity or the Renaissance does not yet have a legal status such as it acquires in modern times. In a similar way, the concept of *human* has evolved over time, although it has always been present.

We have new challenges before us, or rather old challenges in new guises, and we are experiencing great changes. Politics must confront them, as these are transformations that have shaken democratic institutions and societies to their core. Legitimate technological advances mark a new era, necessitating important reflection on the repercussions that progress can have on human life. Bioethics is going through a very challenging period, and the boundaries of the human seem more fluid than ever. Hedonism, the earthly desire for immortality and the excesses of liberalism undermines the family as the essential structure of society.

Man is in danger of no longer being an end and a value in himself but a means. Globalization has affected and is affecting the economy and society, just as the lack of work and widespread unemployment are undermining the possibility for people to feel part of a political community. Old political ghosts are returning, and the risk of giving wrong answers to social problems is very high.

The profound demographic changes and the economic crisis which has gripped the West in recent years are making the pension and health system and the entire *welfare* system in general increasingly uncertain. The wave of migration provokes us to rethink our ethical categories and find the balance between blind openness and selfish closure.

The issues of peace and security are increasingly felt and put at risk by the dangerous resurgence of nationalism. The fragility of people absolutely must once again become a central theme for politics so that the rift between those who govern and those who are governed is healed and trust and credibility are restored. All of these aspects outline the great complexity of the current situation and call for a policy that has the right depth to deal with them and that has a very strong theoretical basis to manage a praxis that is effective in guiding these continuous global transformations.

This is why politics needs to make an extraordinary effort to reflect so that it can start afresh from man and his reasons. Exploring the core of human nature and the defining characteristic of dignity offers a potential pathway to reinterpret the most intricate and significant challenges of our time.

Human dignity is a key idea that confers on political action its proper depth and profundity, that gives meaning again, framing it from man, his needs and his

highest aspirations, aimed at changing the world, improving people's living conditions and fostering cultural, social and economic growth.

The most important problem, which stems from the attempt to imbue politics with the concept of dignity, is that of giving it a definition in order to fully understand its value and scope. The definition of human dignity, in fact, is not obvious and, although it is a historically well-studied subject, it does not present itself with determinate characteristics but opens up a very complex semantic and logical field.

The main reason for this difficulty in giving a specific definition to the concept of dignity must be traced back to its being a fundamental trait of the human being and, therefore, something closely connected to understanding the nature of man as such. A deeper philosophical understanding of the concept is very necessary to understand what we are talking about when we speak of dignity.

1.2. The boundaries of the concept of dignity: a secular or Christian concept?

Equally important is the history of the concept in the theological and particularly Christian sphere. Christianity is the basis of our culture not only in general but particularly in the moral sphere. It affected or revitalized important insights stemming from other (classical etc.) roots, e.g. the ideas of democracy and its underlying freedom of speech. The transition from morality to ethics must take into account the genesis of its concepts. Indeed, as will be seen in this work, the scope of the conception of man as *Imago Dei* is immense. From Christian reflection on the question of human dignity, one can see and understand the seriousness of the public positions of Christian politicians.

In fact, human dignity offers itself as the most intimate and essential character of the constitution of a human being, hence the difficulties in giving a specific definition of it and the task of preserving its precious value within a description that keeps open the richness of the potential that this concept expresses. The realization of dignity through political action therefore implies a profound reflection on man, his fundamental constituent traits and his way of being in relation to others. Is any political system compatible with the recognition of respect for human dignity? Such reflection is inescapable for anyone who wants to deal with the life of a political community, which is based on the centrality of the human being and which has as its goal his material and spiritual growth.

The difficulty of delving into such an important topic is made evident by the

problematic definition of human dignity. It is rather, an open task to enter into play, a challenge that calls politics back to the height of its basic mission, to the deepest reasons for its action, to the unique task that truly makes it a science of man, constantly evolving in the same way as the changes that contingent and cultural situations bring about in living together.

In order to approximate the semantic and value content gathered in the idea of dignity, it is necessary to distinguish between terms that belong to the same conceptual family, such as respect, honour, value and price.

In this sense, it is very useful to carry out a reconnaissance of the history of the concept of dignity, to reconstruct the foundations of its meaning and then analyze the way in which, from philosophical reflection on man, this idea has become the backbone of entire value systems and, therefore, the very principle of law, to then enter into political action as such, as the essence of an action responsible for the well-being and development of a civilization.

1.3. Dignity as a value for the community: solidarity and friendship between people

The concept of human dignity holds a unique position, residing in an intermediary realm. It serves as a bridge between the individual and the collective, representing something inherent to each person while also signifying a universal quality shared by all humanity. Thus, human dignity serves as the foundation for unity amidst diversity, forming the cornerstone of every political community.

Profoundly affecting the relationship between human beings, dignity is the foundation of civil coexistence, which is based on friendship between people. The bond of friendship is the one that best reflects the human relationships that are at stake in political action.

Effectively bringing the issue of dignity closer to the theme of friendship as an essential source of human relations was the famous work by Thomas De Koninck, *De la dignité humaine*⁴, in which he philosophically investigates the constitutive structure of man, his essential way of being, and identifies, in the recognition of the other and respect for his dignity, the basis of every possible coexistence.

Picking up on Aristotelian teaching, De Koninck conceives of the friend as 'another self' and extends the consideration of friendship to any human relationship based

⁴ Thomas De Koninck, *De la dignité humaine*, Paris PUF, 1995, in particular, p. 203 ff.

on the acceptance of the differences of others and the bonds that can be established between human beings on the basis of this acceptance. In order for friendship, and therefore dignity, to be the principles around which to build harmonious coexistence, it is necessary to avoid reducing real existences to an abstract being, recognizing their peculiarities, highlighting their needs and understanding their aspirations.

Only if politics possesses a clear awareness of human dignity can it direct its daily practice and its long-term elaboration towards the realization of acts capable of fostering peaceful and happy coexistence between people. Politics must be aware of and defend the special dignity of each human being because it is never a relative value but always an absolute value, i.e. essential for the existence and maintenance of the entire community.

The intimate connection between politics and friendship⁵ stems from the inherent essence of humanity, where solidarity among individuals, rooted in mutual understanding and acknowledgment, finds its highest expression in the concept of dignity. This sense of dignity, derived directly from the essence of each person, forms the foundation for mutual recognition, which in turn fosters friendship as the cohesive force in human relations. Friendship, thus, becomes the cornerstone of civil coexistence and serves as the fundamental basis for all political interactions, shaping the very essence of political discourse and action.

In this sense, the peculiar work of politics must consist in nurturing and preserving friendship between men, and every political community presupposes friendship, respect and dignity as the shared basis for embarking on a common path of growth. Friendship, which corresponds to respect for dignity in the recognition of the other's being, is therefore a pivotal element of the entire society and is the value ground on which politics must authentically build its praxis and ideology. From reciprocity, induced by the understanding of each person's dignity, springs that 'civic friendship' that binds the human community into a single set of relations and that must always be the ultimate goal of those who perform governmental roles.

Precisely by reflecting on the theme of dignity and its connection with friendship, we can say, in the words of Eric Weil, that "the word friendship should regain its specific moral and political sense, which it has lost in the modern world in favor of a private and sentimental meaning."⁶

⁵ Aristotle said, 'political work consists above all, in a general way, in generating friendship.' (*Eudemian Ethics*, VII, 1, 1234 b 22-23)

⁶ Cf. Eric Weil, *Philosophie politique*, 3 ed. Paris Vrin, 1971, pp. 245 ff.

Dignity cannot be priced or equated with anything because it signifies an openness to the core of an individual - humanity itself. It should never be viewed as an object with attributes, but rather as a subject inherently possessing dignity as a fundamental trait of being human.

Dignity is not reducible to a value assigned by someone to someone else since what belongs to someone's being can never be added or subtracted as if it were an extrinsic element. Dignity is therefore not equivalent to respect since the latter may or may not be accorded depending on the circumstances. Dignity, rather, is the source of respect because, being the characteristic trait of man's essence, it is the basic reason why respect is due - always - to every individual and every community.

Dignity is the right to respect, the essential trait that raises the level of discourse from the individual to the community and from the individual to the human being as such. The idea of man as a mere object is irreconcilable with human dignity. If dignity manifests itself as the right to respect, then respect for dignity must consist of respect and, therefore, the protection of the right to respect that is proper to every individual. In this sense, respect, called into question with dignity, has a twofold value: it is an objective respect of a right to respect, which concerns the human being as such, and, on the other hand, it is a subjective respect, since it must be referred to an individual person each time.

From the union of these two forms of respect, objective and subjective, derives the character of the inviolability of human dignity and its being the principle underlying the very constitution of the political community as a moment of transition from the 'I' to the 'we' and as a consciousness of mutual recognition between men.

The inviolable character of dignity does not only imply that it *must* not be violated, but also and above all that it *cannot* be violated, because it is a trait that cannot be assigned but belongs in an essential way to the human being. In this sense, man's mode of being, the way human nature is constituted, means that dignity persists as an essential trait even in its absence, even where it is ignored or violated. Indeed, no one can ever deprive another individual of the right to respect. Nevertheless, it can and does happen that in certain specific historical circumstances, or in different social, economic or cultural situations, this right is disregarded.

However, precisely because the right to respect is, in its essence, inviolable - as this work seeks to highlight - it becomes the duty of all political authorities to

ensure that this right is observed and, with it, that human dignity is protected, whenever attempts are made to annihilate its power, disrupting the strength of its original and inseparable bond with the nature of man as such.

1.4. Conclusions

In Chapter I, we explored the foundational concept of human dignity, a principle deeply embedded in the European Union's Charter of Fundamental Rights. We traced its roots back to the aftermath of World War II, a period marked by a global acknowledgment of the importance of human dignity, culminating in the adoption of the Universal Declaration of Human Rights in 1948.

Throughout the chapter, we delved into the secular and Christian foundations of human dignity, acknowledging Christianity's significant influence on Western morality and politics. Figures like Robert Schuman and Konrad Adenauer were highlighted for grounding their vision of Europe in Christian values, underscoring the enduring impact of religious perspectives on political discourse.

Moreover, we examined the complexities surrounding the definition and application of human dignity, recognizing its pivotal role in shaping political ideologies and fostering solidarity within communities. The chapter emphasized the intrinsic link between dignity and respect, stressing the duty of political authorities to safeguard and uphold the inviolable nature of human dignity.

As we transition into Chapter II, we continue our exploration of human dignity, this time through a historical-conceptual lens. By tracing the genealogy of the concept, we aim to gain a deeper understanding of its pertinent features, applications, and potential developments.

Chapter II: The difficult birth of an idea: A historical-conceptual reconstruction

Understanding the concept of dignity requires tracing its genealogy to grasp its relevant features, areas of application, and potential developments. This historical exploration reveals a landscape marked by contradictions and diverse lines of thought. However, these varying perspectives converge to create a rich semantic area—an expansive realm of meaning—that necessitates further reflection in contemporary debates.

Exploring the historical evolution of dignity unveils its multifaceted nature and significance in shaping ethical and political discourse. By delving into its origins, we gain valuable insights into the complexity and richness of this fundamental concept.

The idea of the dignity of man is, today, *something we think about*, but it rarely manages to be something we think about as such. The greatest risk is to take for granted a subject that is instead fundamental to the understanding of the present and the direction of action in the future. No *philosophy of (political) praxis* is possible without a prior awareness of dignity and its essential bearing. Among other things, the lack of in-depth discussion on the subject of dignity corresponds to the state of degradation that very often prevails in behaviours and choices.

In general, human dignity means the specific condition of the human being in relation to nature and the kind of treatment that man should be given as a result of this position in the world. Dignity therefore does not derive from pure empirical observation but is a normative qualification whereby man is a value in himself and, on that basis, deserves respect. Dignity is not a descriptive concept: to say that every human being has dignity is not the same as saying that every human being has certain biological qualities common to his or her species but is rather an ascriptive concept in that it expresses a positive value judgement.

The historical development of the concept of human dignity can be categorized into three main lines of inquiry:

1. Exploring the essence of the concept: This line of reflection delves into the fundamental nature of human dignity, seeking to understand its core principles

and significance.

2. Examining the scope of the concept: Here, attention is given to the various contexts and domains in which the concept of dignity applies, including its relevance in legal, ethical, and philosophical discussions.

3. Understanding the interpersonal impact of the concept: This line of inquiry focuses on how the concept of dignity influences social and political relationships between individuals, shaping interactions and defining the dynamics of society. By examining these three dimensions, we gain a comprehensive understanding of the concept of human dignity and its implications across different spheres of human existence.

2.1. The roots and aspects of the concept of dignity: Hinduism, Confucianism, Islam, Buddhism

The excellence associated with the concept of dignity can have two roots: an ontological one, i.e. deriving from the very essence of man, and a social one, i.e. stemming from a position of superiority of man linked to birth, power, wealth, virtue or merit⁷.

We can say that dignity has a dual face:⁸ it can be about what man is by nature or by creation; or it can be about what man becomes through his own actions and the social recognition given to it.

This concept of dignity is also present in other cultures, for example in the thought of Confucius (551-479 B.C.), for whom every man is destined to mature himself through attention and care of the ren, that is, of his humanity, understood as the only dimension capable of acquiring dignity and respect in the eyes of others. According to Confucianism, however, man can also lose this dignity if he acts immorally or against the law. Still missing from this perspective is the idea of an inalienable dignity, i.e. given together with man's being as such. In India, the Laws of Manu (2nd century B.C. - 2nd century A.D.), one of the oldest treatises on law in Hinduism, states, 'Children, the elderly, the poor and the sick must be regarded as the lords of the atmosphere'. The same respect for the needy is found at the heart of Jewish and Christian tradition.⁹ The Koran, in turn, men-

tions the duty to help orphans, the poor, homeless travellers or those in bondage. In Buddhism, we find the central category of compassion, a fundamental ideal for members of the community.

2.2. Dignity in the Greek world, in Stoicism and in Roman law

We observe that from the earliest themes, moral laws accord special attention to the needy as a sign of respect for their humanity, despite their difficulty in fully expressing themselves or being in full possession of their capacities. Man's nobility is revealed above all when he finds himself in a borderline situation, deprived of his attributes. Think in this sense of the words of old Oedipus, abandoned, blind and dressed in rags: 'It is when I am no longer anything that I truly become a man.'¹⁰ Greek tragedy is found at the beginning of Western culture and has influenced our society to this day and remains a source of inspiration and moral reflection.

Take in this sense for example Antigone, another famous Sophoclean tragedy analysed by many authors for its ethical provocation.¹¹ Antigone refuses to leave the body of her deceased brother Polynices prey to the dogs. She puts her life at risk because she cannot leave the body of her brother, accused of treason, without the ritual of burial. For Antigone, her brother belongs to humanity and as such is entitled to burial in the name of the 'The immortal unrecorded laws of God.'¹² As Thomas de Koninck notes, 'Antigone's decision is ethical because it takes the form of a commitment: I declare that my brother's corpse deserves all the honours due to a human being and it is my duty - because I am his sister and our parents are no longer here - to act accordingly, even at the price of my life.'¹³ The universal echo aroused by this ethical commitment, De Koninck continues, implies that even the corpse of a person, even if condemned, has the right to the sacred rite of burial. Even the 'remains' of a man are worthy of respect, and, despite the loss of public dignity, it still retains human dignity as a natural endowment.

The distinction between natural endowment and social recognition has subsequently characterized the history of human dignity, ever since this concept acquired philosophical relevance in Roman culture. Dignity becomes, then, *natural*

7 From the co-presence of this double root comes the division, proposed by Hofmann, between an 'endowment theory' and a 'performance theory' of dignity. On this subject, read H. Hofmann, *Die versprochene Menschenwürde*, in "Archiv des öffentlichen Rechts" 118 (1993), pp. 353-377.

8 Cf. P. Becchi, *Il principio dignità umana*, Morcelliana, Brescia 2009, pp. 7-24.

9 Cf. 1R 21; 1s 58:6-10; Deut 15:1-15; 24:10-15; 26:12; Pr 14:21; 17:5; 22:22-23; 23:10-11; Mt 5:3-12; Lk 6:20-26; 10:29-37; Mk 12:41-44; Mt 25:31-46.

10 SOPHOCLES, *Oedipus in Colonus*, v. 393.

11 The analysis of Antigone can be found in the work of many authors. It is sufficient to recall Hegel, Kierkegaard, Heidegger or Ricoeur.

12 SOPHOCLES, *Antigone*, v. 454.

13 DE KONINCK, Thomas, "Dignité de la personne et primauté du bien commun" in *Laval théologique et philosophique*, 70, 1, 2014 p. 18.

endowment and social performance, man's central position in the world and man's conquered role in public life, an intrinsic ontological trait and an achieved value.

The theme of dignity is already present in Stoicism: all men, partakers of the universal *logos*, possess dignity as a virtue, regardless of social class and gender. From this assumption derives the possibility for all to seek wisdom through indifference - *apathy* - towards useless passions. Taking up the thought of Stoicism, Marcus Tullius Cicero (106-43 B.C.) first analysed the dual significance of the concept of *dignitas humana*:

'We must realize also that we are invested by Nature with two characters, as it were. One of these is universal, arising from the fact of our being all alike endowed with reason and with that superiority which lifts us above the brute. From this excellence all morality and propriety are derived, and upon it depends the rational method of ascertaining our duty. The other, on the other hand, is that which nature has assigned to each one of us. For just as great differences dwell in bodies [...] so too in the forms of dignity and beauty and so too in souls even greater differences appear.'¹⁴

The key aspect is Cicero's distinction between two types of dignity, which may or may not belong to man. One is an individually *differentiated* dignity, deriving from the different qualities, endowments, performances or choices of individuals; the other is a dignity *common* to all men and *equal* for all, deriving from the common participation of all men in the *logos*, in reason. The righteous conduct, virtue, of which the Latin philosopher speaks has as its foundation human dignity and is what determines justice and the manner of acting towards men, respecting their dignity:

'We should, therefore, in our dealings with people, show what I may almost call reverence toward all men—not only toward the men who are the best, but toward others as well. For indifference to public opinion implies not merely self-sufficiency, but even total lack of principle. There is, too, a difference between justice and considerateness in one's relations to one's fellow-men. It is the function of justice not to do wrong to one's fellow-men, of considerateness, not to wound their feelings; and in this the essence of propriety is best seen.'¹⁵

Dignity, in the universalistic sense, is linked in man to rationality, regarded as a characteristic aspect of the human being as such compared to animals. It must be specified, however, that the universality spoken of by Cicero and the Stoics, who

decisively influenced Roman law, was a limited universality. This is due to the very structure of Roman society and ancient societies in general¹⁶.

In Roman law, the concept of the person had a different meaning than it does today; it did not refer to the individual but to the person seen as a social role. Justice in Roman as well as Greek thought does not start from the person but from nature. The natural order of things is just, and justice is the immanent balance of things. Practicing justice means repairing the social order seen as natural.¹⁷

In this sense, man is also part of the natural order and, by virtue of this, has rights. The principle of justice operates in the same sense in Aristotle: justice means integrating a good into its original place. Aristotle insists, on the other hand, on the concept of dignity in its social sense, i.e. the positions occupied by people in the leadership of the city. In his *Nicomachean Ethics*,¹⁸ the Greek philosopher makes geometric equality¹⁹ the criterion for the distribution of justice, and the dignities he speaks of refer both to social position and social status within the City and the role they play in the pursuit of the common good. The common good assumes that certain people are more involved in its realization. The more important the position within the social organization, the more its dignity is justified.

An important aspect must be emphasized regarding the original meaning of the notion of person, which differs from that of human being – person originally referring instead to the social role. It therefore also differs from the contemporary sense, which under the influence of Christian theology and subsequent cultural movements (e.g. Romanticism, Personalism) has received a deeper meaning. In antiquity, as we know from Boethius (475-526), *persona* comes from the Greek *prosopon*, the mask that actors wore during theatrical performances, the actors thus embodying a social role.²⁰ The person is the one who acts, who plays a social role. As we shall see later, the concept of person takes on a decisive meaning for philosophical and legal culture under the influence of Christian theology.

¹⁶ In ancient Rome, the concept of dignity was often limited by social status and legal distinctions. For example, slaves were denied recognition of their inherent dignity despite possessing rational faculties. Similarly, women faced constraints due to patriarchal norms and legal limitations, hindering their full expression of dignity.

¹⁷ Cicero defines *justice* (as *axia* in Aristotle): 'Justice is a habit of the mind which attributes its proper dignity to everything, preserving a due regard to the general welfare.' Cicero, *De Inventione*, II, 53.

¹⁸ Aristotle, *Nicomachean Ethics*, Book V, Chapter 3.

¹⁹ This concept suggests that justice is achieved when goods or resources are distributed fairly and proportionally, much like how geometric shapes are divided equally.

²⁰ Boethius, *Contra Eutychen et Nestorium*, III.

¹⁴ Cicero, *De officiis*, book I, 107.

¹⁵ Id. I, 99.

2.3. Absolute and relative dignity

The *particularistic* meaning of the idea of dignity derives from man's role in the public sphere and his *position* within the social hierarchy, achieved through actions aimed at the common good. This is what, for example, the philosopher Montesquieu (1689-1755) theorizes in the *Dictionnaire de la langue française*, defining dignity as the sign of a man's aristocratic origin and the eminence of a function held in the state or church.

In its ontological and universalistic meaning, dignity is *absolute*, insofar as it is not possible to increase or decrease it; on the other hand, in its social and particularistic meaning, dignity is *relative*, and it is possible to gain or lose it.

The idea of *relative dignity* has been deepened and, from an acquired value, we have moved on to identify the concept with high public office as such, irrespective of the person who obtains it, up to the title linked to the class to which one belongs, to arrive, today, at identifying dignity in whatever behaviour a man engages in with a view to the cultural and concrete development of his community.

Much more complex is the articulation of the concept of *absolute dignity* which, from *Christianity* onwards, has been the subject of multiple interpretations, being linked to the universalistic dimension of man. Christianity amplifies the ontological character of human dignity, translating the Old Testament conception of man, made in the image of God, into the condition of man's excellence in relation to nature. Already according to the Old Testament tradition, at least from the period of the Babylonian exile (587-538 BCE), every human being receives a visible trace of creation from God, and it is this trace that gives every man an essential right to respect. Man is the image of God, as recorded in the biblical account in *Genesis*:

'God created man in his own image; in the image of God he created him: male and female he created them. God blessed them and God said to them, "Be fruitful and multiply, fill the earth and subdue it, have dominion over the fish of the sea and over the birds of the air and over every living thing that crawls on the earth."'”²¹

²¹ *Genesis* 1:27f.

2.4. The dignity of human being as an image of God or as a rational being?

Christianity, as we shall see more clearly in the next chapter, then derived from this passage of the Bible - think for example of the theoretical elaboration of Ambrose of Milan (339-397 A.D.) in *De dignitate conditionis humanae* - the doctrine of the intangibility of human dignity. Unlike for Cicero, human dignity in Christianity is based not on the common participation of men in reason, but on their common relationship with God. It is this relationship that grants every man his dignity, regardless of his social conditions or merits.

Man's likeness to God identifies his dignity, as a perennial condition of human beings, as a quality to be respected as a fundamental and invariant *endowment* of man. This is a *static* interpretation of the concept of dignity since it is completely independent of the purposes of human action. According to this notion, every human being inherently carries a *sacredness* that demands the utmost reverence simply by virtue of their existence. This inherent quality imbues human life with a sense of sanctity, revealing a profound connection between our finite existence and the transcendent source from which it arises.

Of an entirely different kind is the interpretation arising from the same original assumption of dignity as linked to human rationality, offered by Renaissance thought and indicated in the 1486 work *De hominis dignitate*, by Giovanni Pico della Mirandola (1463-1494). Emerging from here, for the first time in a clear-cut manner, is the idea of *homo faber*, or man as the builder and architect of his own destiny:

"We have made you neither celestial nor terrestrial, neither mortal nor immortal, so that as a free, extraordinary moulder and sculptor of yourself, you may fashion yourself from yourself in the form that you have chosen. You may degenerate into the lower beings, which are brutes; you may regenerate yourself, according to your decision, into the higher beings, which are divine"²².

This conception of the human also acts retroactively on the concept of dignity, dispelling its ontological character and instead exalting the idea that dignity is a *value* specific to man. Dignity is thus linked to the extent to which man, through his actions, succeeds in enhancing his social prestige, and becomes a value to

²² Cf. G. Pico della Mirandola, *Oratio de hominis dignitate* (1486), a cura di E. Garin, Edizioni della Normale, Pisa, 2012, in P.C. Bori, *Pluralità delle vie. Alle origini del discorso sulla dignità umana di Pico della Mirandola*, Milan 2000.

be won over others. In the definition of the human, the character of finiteness, which characterized the ontological meaning of dignity, is replaced with the idea that the essence of man is a becoming to be fulfilled, an open and free reality to be shaped and perfected.

The same view of man is also to be found in the thought of Francis Bacon (1561-1626), for whom human dignity is connected to the ability of the man of science to foster mankind's progress towards a happy life.²³ Man can exercise dominion over nature through the progress of science: the more he increases his knowledge of the world, the more he increases man's dignity and his superiority in the hierarchy of nature. This conception reduces any room for transcendence and immanizes the power associated with dignity, which is thus only linked to the power of man and his actions in the world. Dignity is thus no longer considered either as a trait belonging per se to human nature or as the expression of man's original bond with transcendence. This signification is also very evident in the thought of Thomas Hobbes (1588-1679), for whom dignity is a value, a price, indicating a man's public prestige, recognized through the conferring of titles and honours by the state.²⁴ The value of every man, the extent of his dignity, is represented by what others recognize in him. Dignity is therefore not an absolute endowment, but a value subject to the judgement of society, a variable price.

In the Scottish Enlightenment, and in particular in the empiricist thought of David Hume (1711-1776), the theme of *sympathy* emerges as central as a prerequisite for the social recognition of human dignity, connected more generally to the set of virtues that man can acquire or lose:

'But on the whole, it seems to me, that though it is always allowed that there are virtues of many different kinds, yet, when a man is called virtuous, or is denominated a man of virtue, we chiefly regard his social qualities, which are, indeed, the most valuable. It is, at the same time, certain that any remarkable defect in courage, temperance, economy, industry, understanding, dignity of mind would bereave even a very good-natured, honest man of this honourable appellation.'²⁵

In this context, dignity, which is linked to the recognition by others of a certain type of action, is gathered together in the set of virtues and may be lacking or excelling in man, being one of his possible social qualities. Sympathy acts in

the process of recognizing dignity because feelings of gratitude can arise in the minds of the judges from certain actions.

With respect to the deepening of this dichotomy between absolute and relative dignity, a completely original interpretation of the idea of dignity is offered by Samuel von Pufendorf (1632-1694), who does not refer to reason or some other natural human quality to explain dignity, nor does he refer to Christianity, nor does he identify dignity with a socially recognized value. Pufendorf, for the first time, fundamentally links the idea of dignity to the concept of freedom as a distinctive trait of the essence of man. What gives a human being dignity is the idea of his moral freedom.²⁶ Dignity is a pertinent trait of man because he is the only being capable of setting limits to his actions and respecting established laws. Since man is a moral agent, man is entitled to dignity.

Therefore, for Pufendorf, rationality is not enough to motivate the exception represented by man. This, on the other hand, is what is still maintained by Blaise Pascal (1623-1662), for whom the entire dignity of man must be traced back to thought²⁷ as an essential trait of the human being. For Pufendorf, this trait is not sufficient, since only man's belonging to a dimension superior to that of natural entities, i.e. morality, makes him worthy of respect. Indeed, the essence of man is the freedom to act within morality: from this supersensible dimension, Pufendorf derives the existence of human dignity.

This interpretation of dignity preludes the conception elaborated in the Enlightenment by Immanuel Kant (1724-1804), starting from the distinction between the realm of nature and the realm of ends. Picking up Pufendorf's idea, for Kant too, man's dignity derives not from his belonging to the realm of nature, but from his belonging to the realm of ends, that is, from his constituting himself as a being capable of acting morally according to the rules of universal reason. Man is a worthy being because he is the bearer of an unconditional moral imperative.

And it is practical reason that recommends to man, according to Kant, respect for his own and other people's dignity, as stated in the second formula of the categorical imperative:

'Now I say: man, and generally any rational being *exists* as an end in himself and

23 See F. Bacon, *Novum Organum* (1620), Book I, Aphorism No. 129.

24 On this subject, see T. Hobbes, *Leviathan* (1651), pp. 84-85, in particular, Book I, Chap. X, entitled *Of Power, Worth, Dignity, Honour, and Worthiness*.

25 D. Hume, *Enquires concerning human understanding and concerning the principles of morals* (1751).

26 Cf. S. Pufendorf, *De iure naturae et gentium, libri octo* (1672), in particular I,1,5. An important interpretation of the text is offered by Hans Welzel, *Die Naturrechtslehre Samuel Pufendorfs* (1958).

27 See B. Pascal, *Pensées* (1669: 'man is manifestly born to think; herein lies all his dignity and all his worth'.

not merely as a means to be arbitrarily used by this or that will; in all his actions, whether they concern himself or other rational beings, he must be always regarded at the same time as an end. All objects of the inclinations have only a conditional worth, for if the inclinations and the wants founded on them did not exist, then their object would be without value. But the inclinations themselves being sources of want, are so far from having an absolute worth for which they should be desired, that on the contrary it must be the universal wish of every rational being to be wholly free from them. Thus the worth of any object which is to be acquired by our action is always conditional. Beings whose existence depends not on our will but on nature's, have nevertheless, if they are irrational beings, only a relative value as means, and are therefore called things; rational beings, on the contrary, are called persons, because their very nature points them out as ends in themselves, that is, as something which must not be used merely as a means, and so far therefore restricts freedom of action (and is an object of respect). These, therefore, are not merely subjective ends whose existence has a worth for us as an effect of our action, but objective ends, that is, things whose existence is an end in itself: an end moreover for which no other can be substituted, which they should subserve merely as means, for otherwise nothing whatever would possess absolute worth; but if all worth were conditioned and therefore contingent, then there would be no supreme practical principle of reason whatever.

If then there is a supreme practical principle or, in respect of the human will, a categorical imperative, it must be one which, being drawn from the conception of that which is necessarily an end for every one because it is an end in itself, constitutes an objective principle of will and can therefore serve as a universal practical law. The foundation of this principle is: rational nature exists as an end in itself. Man necessarily conceives his own existence as being so: so far then this is a subjective principle of human actions. But every other rational being regards its existence similarly, just on the same rational principle that holds for me: so that it is at the same time an objective principle, from which, as a supreme practical law, all laws of the will must be capable of being deduced. Accordingly, the practical imperative will be as follows: So, act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as means only.²⁸

This imperative states that every man, or rather, every rational being, being an end in itself, possesses a value that is not relative, like that of a *price*, but intrinsic, that is, its own specific dignity. Kant does not speak of the individual, but of

humanity in one's own person and in the person of others. It is therefore not a question of actions that can simply refer to the whole of all men, but of actions that refer to the *humanity* present in the individual human being.

In essence, the dignity of a rational being consists in the fact that it does not obey any law that is not instituted by itself. Human dignity already begins to appear - as it will later - almost as a synonym for the *right of self-determination*. Morality enables individuals to exercise legislative autonomy, which forms the basis of human dignity and humanity.

The dignity of man consists in treating him as an *end* and never just as a means. It is moral reason, with its categorical imperatives, that demands that humanity, both in one's own person and in the person of others, always also be treated as an end and never only as a means: the dignity of man is based on this foundation. This Kantian approach is very important because its categorical imperative has been recognized as the most successful philosophical formulation of human dignity, subsequently forming the basis of its legal elaboration. Simultaneously, in alignment with Kant's perspective, dignity becomes intrinsically tied to the concept of person, detached from the external notion of dignity associated with one's status or position. Anchored to the individual, dignity is an inherent aspect of human existence, existing solely by virtue of one's being.

Slightly anticipating this formulation by Kant, Cesare Beccaria (1738-1794) had also argued the importance of never reducing the person to a mere instrument or object, implicitly connecting the question of freedom with the dignity of man: 'There is no freedom whenever laws allow man to cease to be a person and become a thing in certain circumstances.'²⁹

Man's life has value irrespective of the actions performed. Therein lies his dignity, a principle that the state must always respect. Human dignity is affected when the concrete human being is reduced to an object and is reduced to being a replaceable quantity. Indeed, the non-reduction of the human being to an object coincides with the possibility of separating man from the action he has performed. On this separation, which is indispensable for human dignity to be recognized in any case, the Reformed theology of Martin Luther (1483-1546) had developed, well beforehand, the distinction between person and work. Such a distinction allows an attitude of respect even for the dignity of persons who have been guilty of serious offences since it is based on the idea of loving the sinner and hating the

28 I. Kant, *Grundlegung zur Metaphysik der Sitten* (1785); tr. en., *Groundwork of the Metaphysics of Morals*, edited by Mary Gregor, Cambridge, 1998, p. 78.

29 C. Beccaria, *Dei delitti e delle pene* (1764), edited by F. Venturi, Turin 1965, p. 50, tr. en. *On Crimes and Punishments*

sin and keeps the agent separate from the deed done.³⁰

2.5. The dignity of forgiveness and respect for the person in the legal context

From the space for reflection created by this distinction, it is also possible to formulate the idea of forgiveness, which is closely connected to safeguarding respect for the dignity of individuals: even in forgiveness, in fact, the relationship with another human being is considered more important than what he or she has done. Thus, dignity reveals its intrinsicity to human nature as such. Similarly, Friedrich Schiller (1759-1805) emphasizes the intrinsic value of the person as the essence and source of all dignity and free emancipation from needs:

‘Dignity alone is his guarantee, that it was not desire which compelled the object of his passion toward him, rather, that it was freedom which chose him – that he is not desired as a thing, rather esteemed highly as a person.’³¹

Freedom of spirit consists in being able to dominate instincts through moral strength, and dignity is precisely the highest manifestation of this freedom of spirit in the phenomenon.³² In this way, Schiller erects an imposing monument to dignity, describing it as an expression of high feeling. Dignity, as a mark of moral greatness, sets itself apart from other principles by its intrinsic connection to every human being. Moreover, it represents a fundamental responsibility that each individual must fulfill, enabling personal growth and maturity.

As Kant makes clear, with dignity the inestimability of human value comes into play:

‘In the kingdom of ends everything has either a price or a dignity. What has a price can be replaced by something else as its equivalent, what on the other hand is raised above all price and therefore admits of no equivalent has a dignity.

³⁰ This is also expressed in the work of the contemporary jurist Marco Ruotolo, who introduces the distinction between static dignity, linked to man’s mere existence, and dynamic dignity, deriving from the actions performed by the individual. (See M. Ruotolo, *Dignity and Prison*, Naples 2014).

³¹ F. Schiller, *Über Anmut und Würde* (1793), in *Werke in drei Bänden*, vol. II, München 1966, pp. 382-424, in particular p. 417. Tr. english *On Grace And Dignity*, p.379

³² See also F. Schiller’s epigram, *Würde des Menschen*, in *Sämtliche Werke*, p. 248: ‘I ask no more of you than this. Give him to eat, to dwell, cover his nakedness, and dignity will come of itself’. The same idea resonates in Bertolt Brecht’s words in *The Threepenny Opera*: ‘First comes eating, and then comes morality’.

What is related to general human inclinations and needs has a market price, that which, even without presupposing a need, conforms with a certain taste, that is, with a delight in the mere purposeless play of our mental powers, has a fancy price but that which constitutes the condition under which alone something can be an end in itself has not merely a relative worth, that is, a price, but an inner worth, that is, dignity.³³

Dignity indicates the irreplaceability of the person, who is not exchangeable like an object and therefore does not have a market price, but an irreplaceable intrinsic value. Dignity is to be distinguished from *price*, which is demanded and paid for something as an expression of its valuation. Unlike *price*, in fact, dignity is not a value attributed or assigned to a person, but a *value* that the person carries within him or herself and whose recognition is demanded by others. *Relative value*, or *price*, is something that those concerned may or may not recognise; on the other hand, *absolute value*, or *dignity*, is something that belongs to man’s very constitution, as it is perennially linked to the simple fact of existence. Dignity therefore demands respect, but it is not this recognition that generates it.

Towards the end of the 18th century, thanks precisely to this elaboration by Kant, the concept of dignity began to become central in the *legal sphere* as well and, even if it is not directly present in the treatises on the rights of man and the citizen, it nonetheless represents a constant reference point for reflection in order to approach a possible definition of the essence of man as a legal subject.

One thinks in this regard of the *Virginia Declaration of Rights* of 12 June 1776, in which allusion is made to rights inherent to man’s membership in society; or the *US Declaration of Independence* of 4 July 1776, in which reference is made to all men possessing *inalienable rights*; or the *Constitution of Pennsylvania* of 28 September 1776, in which reference is made to *natural rights*; or finally the *Déclaration des droits de l’homme et du citoyen* of 26 August 1789, in which reference is made to man’s *natural and imprescriptible rights* (*droits naturels et imprescriptibles*). There is no direct reference to the concept of dignity in these documents, although the profound impact that reflection on the essence of man had in the conception of these legal texts is clear.

In the first half of the 19th century, dignity still does not become a thematic object as such, despite the fact that it underlies many of the moral analyses in the philosophy of Georg Wilhelm Friedrich Hegel (1770-1831) and is implicitly connected to the sphere of legal thought:

³³ I. Kant, *Groundwork of the Metaphysics of Morals*, p. 84.

‘The commandment of right is therefore: be a person and respect others as persons.’³⁴

The reference to the idea of dignity gradually takes shape from the bed of *respect*, which then explicitly becomes part of legal culture from the second half of the twentieth century, maturing together with a renewed reflection on the essence of man, connected to the realization that emerged from the end of the two world wars and the spread of a conception of human existence marked by a trait of ineliminable fragility. Dignity must, however, be distinguished from *respect*. In fact, respect is not identical with dignity but with the *recognition* of one’s own *dignity* or that of others and with action based on this recognition. Dignity is to be distinguished from respect in a substantial way, but it is something that demands and claims respect. Dignity dwells in every person. Therefore, every person deserves respect.

The centrality of the theme of respect, so closely linked to human dignity, is already very evident in Greek philosophy, particularly in the ethics of Democritus (460 BC - 370 BC), for whom the utmost respect for oneself and others is the prerequisite for correct action. Thus, also in the Protagoras, Plato (427 BC - 348 BC) places this value at the very origin of human society, referring to it as a gift from Zeus aimed at making men live in harmony according to bonds of benevolence.³⁵ Conceived in this way, respect, as behaviour resulting from the recognition of one’s own and others’ dignity, and justice are considered two pillars on which the entire ‘political art’, i.e. the technique of living together, rests.

In Aristotle (384 BC - 322 BC), on the other hand, in the Nicomachean Ethics, respect is considered not as a value, but as a fundamental emotion.³⁶ Along the same lines, Kant also understands respect not as a virtue but as a special feeling, as the only true moral feeling, as the real motive for all conscious moral action. Respect always refers to persons and never to things and is proper to a finite rational being, since it presupposes a counteraction by reason against instincts. The *sentiment of respect* is thus inseparable from dignity. From these analyses, the idea has prevailed, as a general definition of respect, that it should be understood as a commitment to recognize in other men, or in oneself, a dignity that one

has a duty to safeguard and protect. The contemporary writer Tahar Ben Jelloun, along the same lines, identifies a close link between life, respect and dignity: ‘each face is a symbol of life. And all life deserves respect. It is by treating others with dignity that one earns respect for oneself.’

From the second half of the 20th century, the idea of dignity began its transformation from a moral principle into a real *duty* with legal relevance. The centrality of the concept of dignity goes hand in hand with the recovery of the idea of *humanitas* weakened by the political action of Nazism. The new global order imposes a new and profound reflection on the human being and the legal protection of the person, recovering dignity as an absolute and unconditional principle. In this regard, Hannah Arendt’s (1906-1975) reflections on the transition of dignity from a moral principle to a legal right-duty appear fundamental (and she deserves a long quote here):

‘We became aware of the existence of a right to have rights (and that means to live in a framework where one is judged by one’s actions and opinions) and a right to belong to some kind of organized community, only when millions of people emerged who had lost and could not regain these rights because of the new global political situation. The trouble is that this calamity arose not from any lack of civilization, backwardness, or mere tyranny, but, on the contrary, that it could not be repaired, because there was no longer any “uncivilized” spot on earth, because whether we like it or not we have really started to live in One World. Only with a completely organized humanity could the loss of home and political status become identical with expulsion from humanity altogether. Before this, what we must call a “human right” today would have been thought of as a general characteristic of the human condition which no tyrant could take away. Its loss entails the loss of the relevance of speech (and man, since Aristotle, has been defined as a being commanding the power of speech and thought), and the loss of all human relationship (and man, again since Aristotle, has been thought of as the “political animal”, that is one who by definition lives in a community), the loss, in other words, of some of the most essential characteristics of human life. This was to a certain extent the plight of slaves, whom Aristotle therefore did not count among human beings. Slavery’s fundamental offense against human rights was not that it took liberty away (which can happen in many other situations), but that it excluded a certain category of people even from the possibility of fighting for freedom—a fight possible under tyranny, and even under the desperate conditions of modern terror (but not under any conditions of concentration-camp life). Slavery’s crime against humanity did not begin when one people defeated and enslaved its enemies (though of course this was bad enough), but when slavery became an institution in which some men were “born” free and oth-

³⁴ G.W.F. Hegel, *Grundlinien der Philosophie des Rechts* (1820), tr. en. *Elements of the Philosophy of Right*, ed. by A.W. Wood, trans. by H.B. Nisbett, Cambridge, 1991, par. 36

³⁵ Cf. Plato, *Protagoras* 322 c: ‘Zeus, fearing that our entire race would become extinct, sent Hermes to bring among men mutual respect and justice so that they would be the ordering principles of cities and create bonds of goodwill among citizens.’

³⁶ Cf. Aristotle, *Nicomachean Ethics*, II, 7, 1108a 32.

ers slave, when it was forgotten that it was man who had deprived his fellow-men of freedom, and when the sanction for the crime was attributed to nature. Yet in the light of recent events, it is possible to say that even slaves still belonged to some sort of human community; their labour was needed, used, and exploited, and this kept them within the pale of humanity. To be a slave was after all to have a distinctive character, a place in society—more than the abstract nakedness of being human and nothing but human. Not the loss of specific rights, then, but the loss of a community willing and able to guarantee any rights whatsoever, has been the calamity which has befallen ever-increasing numbers of people. Man, it turns out, can lose all so-called Rights of Man without losing his essential quality as man, his human dignity. Only the loss of a polity itself expels him from humanity.³⁷

Dignity coincides with the right to have rights,³⁸ which must be legally guaranteed since it is the basic principle for the very existence of a political community. Without community, man runs the risk of losing his inherent foundation based on dignity as the universal source of law. Dignity in general is, therefore, the right to respect and, specifically, human dignity is the right, linked to man's existence, to be respected as a man. The fact that human dignity is conceived of as a right makes it possible to distinguish dignity from purely subjective demands asserted by human beings out of a desire to possess or attain something. Such a right makes dignity something that can no longer be dismissed as an arbitrary and groundless demand and turns it into a legitimate demand that can also generate certain behaviour based on respect. What an individual is entitled to, he is owed. Therefore, such a right demands, from others and its holder, recognition and respect. By equating human dignity with a right, the very status of the concept of dignity thus finds a new possible foundation.

In many documents drafted in the mid-20th century, the reference to the question of human dignity and its reformulation in terms of law appears explicitly. Examples include: the Charter of the United Nations (1945), in which dignity is linked to fundamental human rights and the value of the person; the Universal Declaration of Human Rights (1948), which recognises the dignity inherent in belonging to the human family; the Grundgesetz of the Federal Republic of Germany (1949),³⁹ which

37 H. Arendt, *The origin of totalitarianism*, Cleveland 1951, p. 297.

38 This definition was given, in line with Hannah Arendt's thought, by Christoph Enders, *Die Menschenwürde in der Verfassungsordnung*, Tübingen 1997, p. 392.

39 An interesting analysis of legal documents in which explicit reference is made to the principle of dignity is offered by the work of J. Knox, M. Broberg (eds.), *Dignity, Ethics and Law*, Copenhagen 1999.

places the principle of dignity as the cornerstone of the entire legal system.

In the German Constitution of 1949, dignity is understood as an objective legal norm to which no limitations can be applied. As stated in Article 1: 'The dignity of the human being is inviolable. To respect and protect it is the duty of every state power.' Placed immediately after the Preamble, at the beginning of the Constitution, human dignity, together with freedom of faith, conscience and religion, has an absolute character, to the extent that it cannot be limited by other rights. The State is always obliged to respect and protect dignity, and, through the so-called guarantee of eternity, Article 79 declares inadmissible any amendment of the Constitution that touches the fundamental principles expressed in Article 1.

Human dignity is, therefore, intangible, and the obligation of the state is to respect and protect it. All fundamental rights derive from the cardinal principle of human dignity. This principle is absolute, immutable and not subject to constitutional revision. The constitutional jurist Horst Dreier,⁴⁰ in his commentary on the German Constitution, argues that the inviolability and inevitability of human dignity dictates that this absolute principle must be distinguished from fundamental rights, the validity of which can, on the other hand, be delimited by a corresponding law. The moral principle of dignity is thus transformed, obtaining a normative positivity, and is linked to developments in natural law along the lines of the philosophical-legal tradition of natural law.

In this way, dignity as a moral principle, universally valid and pre-existing every right, is placed as the cornerstone of the entire German legal system, becoming a true *legal norm*, with fundamental scope.

The essence of dignity corresponds to the trait most proper to a human being, that is, to his never being a means and always an end in himself and, as such, becomes the very source of law and the basis for the constitution of the political community. For this reason, treating humanity as an object and not as an end in itself no longer entails just the transgression of a moral imperative, but the direct violation of the legal order. Dignity should therefore not only refer to the individual but to humanity in general, since it is an essential endowment connected to the ontological constitution of man.

The Italian Constitution of 1 January 1948 also contains direct references to dignity, although in this case the concept takes on a special significance.⁴¹ The Italian

40 See H. Dreier, *Grundgesetz. Kommentar*, 3 vols., Tübingen 1996.

41 For an interpretation of the idea of dignity in the text of the 1948 Constitution, see the work of

Republic is founded on work. From this legal framework derives a conception of dignity closely linked to the social dimension. The concept of dignity is present: in Article 3 with the recognition of the equal social dignity of all citizens; in Article 36 with the worker's right to be paid a wage that ensures a free and dignified existence for him/herself and his/her family; and in Article 41 with the support for private economic activity, provided that it is carried out in a manner that does not harm security, freedom or human dignity.

Before the law, all citizens are equal, but the state substantiates this equality by committing itself to recognizing the equal dignity of all citizens, understood not as a given starting point, but as a fundamental goal to be achieved. The state is therefore committed to removing the obstacles that prevent everyone from full self-realization within the political community. Also important is the link established by law between *dignity and work*, not only in the sense that work must be carried out under dignified conditions, but also in the sense that work must be able to guarantee dignified living conditions for the person performing it and for his or her family. Work is the basis for citizens to see their personality fulfilled and, with it, their dignity realized. The individual's right to work corresponds to the idea of an overall spiritual and material growth of the community. Dignity is thus not only a principle to be defended, but, being closely linked to concrete living conditions, it becomes above all a *value that the state must promote*, since, working on the individual, it constitutes the very lever of the development of society as a whole.

Compared to the German Constitution of 1949, in which a defensive idea of human dignity prevails, in the Italian Constitution of 1948, a conception of dignity can be traced that is aimed at promoting its development in view of a more general progress of the community. In more recent times, Germany also seems to have reworked the concept of dignity, considering the idea of its protection more proactive, while in Italy, the deepening of the concept of human dignity is taking place within a very controversial debate on the issue of respect for individual life even in extremely difficult conditions, and, very recently, it is also finding its way into the legal sphere, with reference to specific issues.

In France, in the middle of the century, the debate surrounding human dignity is linked to the name of Gabriel Marcel (1889-1973),⁴² at the height of the existentialist current. In Germany, on the other hand, the late 1960s witnessed an interesting debate on the subject of dignity between the philosopher Ernst Bloch

(1885-1977), the jurist Werner Maihofer (1918-2009) and the sociologist Niklas Luhmann (1927-1998). In the wake of natural law thinking, both Bloch and Maihofer⁴³ consider human dignity as emancipation from needs and link its concrete implementation in society to the principle of solidarity between people, which can be achieved by moving beyond the previous reduction of social relations to economic mechanisms. The welfare state, in order to protect man's dignity, must attend to the fulfilment of his concrete needs. Luhmann⁴⁴ contrasts the absolute idea of dignity, which he defines as static, with a dynamic idea of dignity connected to its social aspect, as a value that can be acquired or lost in the interaction between men.

2.6. Human dignity as a dynamic concept of a human in relationships with fellow people and in respect of his right to freedom of expression

Viewed through this lens, dignity is not an inherent trait linked to the essence of man, but rather emerges from the fluidity of human self-perception shaped by interactions with others. A diminished self-perception corresponds to the potential erosion of dignity for an individual. Dignity therefore has a dynamic value since it derives from the movement of *self-representation* that man makes with regard to himself, starting with communication with others. Within this process, man becomes aware of himself and is formed in his humanity. The concept of representation thus becomes central to the very possibility of achieving a dynamic definition of dignity.

In the 1970s, the theme of dignity became linked in the international debate to a new theory of justice based on the idea of a well-ordered society as analysed by the American philosopher John Rawls (1921-2002).⁴⁵ From the end of the 1980s and lasting throughout the 1990s, an interesting debate on the subject of dignity resumed in Germany, with two philosophers of law, Ulfrid Neuman and Hasso Hofmann, as protagonists. For Neumann,⁴⁶ it is necessary for dignity not to become a burden and not to exercise a kind of tyranny, monopolizing any discussion on difficult and controversial topics, linked to people's ethical sensitivity.

43 Cf. E. Bloch, *Naturrecht und menschliche Würde*, Frankfurt a.M. 1961; and W. Maihofer, *Rechtsstaat und menschliche Würde*, Frankfurt a.M. 1968.

44 See N. Luhmann, *Grundrechte als Institution. Ein Beitrag zur politischen Soziologie*, Berlin 1965.

45 Cf. J. Rawls, *A theory of Justice*, Harvard University Press, 1971.

46 U. Neumann, *Die Tyrannei der Würde. Argumentations-theoretische Erwägungen zum Menschenwürdeprinzip*, in 'Archiv für Rechts- und Sozialphilosophie' 84 (1988), pp. 153-166.

F. Politi, *Social Rights and Human Dignity in the Republican Constitution*, Turin 2011.

42 G. MARCEL, *La dignité humaine et ses assises existentielles*, Paris 1964.

Hofmann⁴⁷ believes, on the other hand, that both the interpretation of dignity as a natural human endowment and the interpretation of dignity as a result of human actions or performance are outdated. Dignity must be connected to social recognition, that is, to the relationship between men within a community. The debate on the subject of dignity in Germany led to a deepening of the concept and its specific appearance in Kurt Seelmann's Handbook of Philosophy of Law,⁴⁸ where it is recognized as a legal principle.

In the twentieth century, the philosophical and legal debate in the United States makes use of the contribution of the thinking of Martha Nussbaum and Ronald Dworkin (1931-2013). For the American philosopher Nussbaum,⁴⁹ dignity should not be connected to man conceived in the abstract but to the individual understood in terms of his concrete needs: in fact, the non-fulfilment of basic needs entails an obvious form of violation of human dignity. In this way, Nussbaum seeks to give depth to the concept of dignity, linking it decisively to that of social justice. Human dignity is lacking not only when basic needs are not met but also when people are prevented from freely expressing their potential. This is why the state, if it wants to respect the value of dignity, must strive to allow the potential contained in every human being to flourish. In particular, the question of dignity is to be referred to all those categories of people - children, the elderly, the disabled - who are unable to assert their abilities on their own and who need the intervention and support of the state to emancipate themselves.

According to Dworkin,⁵⁰ on the other hand, the concept of dignity is closely linked to the individual, even before belonging to a society. The dignity of the individual is based on two principles: 1. every human life has its own particular objective value; 2. every person is responsible for the success of his or her life. It is important to hold these two principles together so that the foundations of the concept of dignity are firmly established and each individual feels the issue of dignity, i.e. the duty to realize the intrinsic value that each person represents, to be essential and authentic form of self-respect.

47 H. Hofmann, *Die versprochene Menschenwürde*, in „Archiv des öffentlichen Rechts“ 118 (1993).

48 See K. Seelmann, *Rechtphilosophie*, München 2004, pp. 212-228.

49 For an analysis of Martha Nussbaum's thought on the subject of dignity see: M. Nussbaum, *Social Justice and Human Dignity. From individuals to people*, tr. it. E. Greblo, Bologna 2013.

50 Cf. R. Dworkin, *Is democracy possible here?* Princeton University Press, 2006.

2.7. The “decent society” that respects the dignity of the individual and the equality of people

The theme of dignity in relation to society is also central to the current debate in the reflections of the Israeli philosopher Avishai Margalit,⁵¹ who replaces Rawls' idea of the just society with the expression decent society, meaning a society that does not humiliate people and protects everyone's respect at an institutional level, advocating a policy of dignity. There is, in fact, an important link between dignity and self-respect, or rather, dignity coincides precisely with the representation of self-respect, and the humiliation of a man occurs precisely when self-respect is prevented and taken away from him, harming his image.

The issue of respect remains, however, strongly linked to recognition by others and thus to social interaction, as the French philosopher Paul Ricoeur (1913-2005)⁵² has repeatedly emphasized. It remains as the American sociologist Richard Sennett⁵³ puts it, that dignity can never be separated from the society in which it must find concrete realization and, therefore, from criteria of equity and social justice, from the importance of work and coexistence in the modern urbanized world.

The violation of dignity is a problem of recognition since it coincides with an injury to the image that the individual wants to give others of himself: it is a mechanism of intrusion into the intimate and absolute process of *self-representation* of the person. Dignity is identified with the right to respect for the image of himself that the individual wants to make public and also with the right to protection from any kind of violation of that most intimate and personal sphere, which each individual legitimately wants to keep private. What the individual does not hand over about himself to public opinion must not be known and must be allowed to remain in the sphere of his personal intimacy. Therefore, respect for and protection of an individual's intimacy belong to the respect for and protection of his dignity.

Conceived in this way, as also emphasized from an ethical and legal point of view by Sergio Nizer,⁵⁴ dignity enters fully into the dimension of privacy, also in relation to the development of new information technologies, becoming a dis-

51 A. Margalit, *The decent society*, Cambridge (Massachusetts) 1996.

52 See in this regard P. Ricoeur, *Parcours de la reconnaissance*, Paris, 2004.

53 Compare R. Sennett, *Respect in a world of inequality*, London 2003.

54 See S. Nizer, *Le nuove dimensioni della privacy: dal diritto alla riservatezza alla protezione dei dati personali*, Padua 2006.

tinctive element to ground the inviolability of that essential core of the person and of private life, which must be protected from any external interference. In this way, the theme of human dignity and its protection is extended to all forms of discrediting the person, no longer only to explicitly violent behaviour, such as torture and the persistence of ill-treatment in situations of degradation and lack of freedom, but also in reference to violations of the intimacy of the individual sphere through revelations of information, dissemination of confidential or false data and images related to the life of the individual, in order to distort his public image.

This extension of the concept of dignity entails a new deepening of it in the legal sphere as well in order to achieve forms of protection not only from direct discrimination but also from indirect and less explicit violence and humiliation. Such a protection of dignity connected to *privacy* must also, legally, always be harmonized with general *security* requirements aimed at ensuring the safety of individuals and the community. It is clear, therefore, that in the contemporary international debate, the concept of dignity has taken on a broader richness of meaning, enriching itself with new aspects linked to scientific progress and the changes of globalization, generating specific areas of analysis and research.

The current debate has also focused on an idea of dignity no longer connected to man understood in an abstract sense but linked to the *concreteness of the existence* of individuals, entering into the specificity of their differences in gender, religion, age, physical and mental conditions and socio-cultural contexts of belonging. Dignity thus has come into play in reshaping the character of formal equality between men, starting from their specific differences, recognizing the diversity of interests and needs.

Formal equality, which is universally recognized as valid, must in fact be substantiated, as the philosopher and jurist Norberto Bobbio (1909-2004)⁵⁵ has repeatedly pointed out, in the definition of specific rights linked to the recognition and enhancement of diversity (woman-man, child-adult, adult-old, healthy-sick, etc.). The exclusion of human beings from participation in equal rights within a society, for example, on the basis of their ethnicity, or gender, or political opinion, is a concrete offence against human dignity. The same author identifies three aspects of the human being: man as a personal being (person); man as a social being (socius); man as a natural being (individual). To these three aspects correspond three concepts of human dignity: the dignity of the person, social dignity and

⁵⁵ On this topic, read N. Bobbio, *L'età dei diritti*, Torino, 1992.

human dignity as autonomy.⁵⁶

This evolution of the concept of dignity is attested in the numerous documents drawn up by the UN regarding the defence and development of human rights, from the 1950s to the present day, and, as Stefano Rodotà (1933-2017)⁵⁷ points out, the theme of human dignity has become central to the debate on the affirmation of the rights of minorities and the excluded, as well as the protection of the various stages of life, from the embryo to the terminally ill. An interesting debate has also developed concerning the protection of the dignity of future generations through social, economic and environmental analyses.

More and more, in the contemporary debate, dignity is associated with the *concrete individual* and enters into specific areas of application, linking itself to specific needs and no longer to the issue of defining the human being in the abstract.

In almost all the charters of rights drawn up since the end of the 20th century, the principle of dignity appears as the essential preamble to every legal articulation.

A perfect synthesis of this important cultural evolution is the *Charter of Fundamental Rights of the European Union*, drawn up in Nice in December 2000 and brought into force in 2009 with the *Lisbon Treaty*, in which the concept of dignity does not refer to man in general, but to each individual in the specificity of his or her living conditions. There is, therefore, a shift from the more general consideration of the person to that of the individual, from whose dignity the recognition of different and specific rights must flow. In this way, the principle of dignity no longer represents the abstract protection of the person generically understood but the protection and support of each individual in his diversity from others and, therefore, in his uniqueness.

While insisting on the individual character of dignity, the social value of this concept and the dimension of solidarity that it opens up, fostering the formation of a community based on relationships of mutual aid, must not be lost. Moreover, for the first time, in the *Charter*, the principle of dignity appears as an autonomous foundation even from the other values, to which it is generally connected, such as equality and freedom: with respect to these values, human dignity assumes the role of a founding principle and the cornerstone of the entire international legal system.

⁵⁶ Cf. N. BOBBIO, *Introduzione alla filosofia del diritto*, Torino, 1948, p. 146 cit. in B. MALVESTITI, "Criteri di non bilanciabilità della dignità umana" in M. COSSUTTA (ed.), *Diritti fondamentali e diritti sociali*, pp. 113-133.

⁵⁷ See S. Rodotà, *Il diritto di avere diritti*, Roma-Bari 2012.

Entering into the merits of the individual in its concreteness, the *Charter* also sanctions dignity as a theoretical basis of reference for any biotechnological application on man deriving from scientific progress. Through this reference, the *Charter* thus takes up the protection of human dignity contained in the *Oviedo Convention* of 1997, whereby the Council of Europe undertakes to protect the dignity and identity of human beings and to guarantee each individual his integrity and freedom in the face of the applications of medicine and biology. These themes, always connected to the idea of human dignity, have also been taken up by many documents drawn up by UNESCO since the beginning of 2000.

In fact, with the emergence of crucial bio-ethical issues, the way in which the subject of dignity is approached has increasingly pushed the contemporary debate - and the reflections of Jürgen Habermas⁵⁸ and Leon Kass⁵⁹ are an important testimony to this - to re-address the problem of the very concept of humanity in the face of the risks associated with situations of genetic manipulation, cloning, eugenics, prenatal selection, etc.

Rethinking the *human* can therefore mean developing a specific concept of dignity - this is the case with 'speciesism' - or extending the concept of dignity to every living being. This second position was chosen by the 1999 *Swiss Constitution*, which emphasizes the 'dignity of creatures' in general, as beings endowed with life, and the protection of their genetic heritage.

From this point of view, human dignity continues to appear as a controversial concept. Some thinkers, in fact, believe that it is risky and ethically incorrect to assign man a special position in nature and to link the subject of dignity to this privileged role. This is the case of the Austral-American philosopher Peter Singer⁶⁰, who criticises the theory of 'speciesism', i.e. the idea that connects dignity to man's specific role in nature. Other thinkers, e.g. Franz Joseph Wetz,⁶¹ believe, partly along the same lines as Singer, that it is unfounded to consider human dignity as inviolable and essential and opt, rather, to understand dignity as an ethical category, implying a commitment to human respect.

On the other hand, there is also, as Robert Spaemann argues,⁶² the idea that dig-

58 Compare J. Habermas, *Die Zukunft der menschlichen Natur. Auf dem Weg zu einer liberalen Eugenik?* (2001); tr. en. *The Future of the Human Nature*, Cambridge, 2003.

59 See L. Kass, *Life, liberty and defence of dignity. The challenge for bioethics*, San Francisco (California): Encounter Books 2002.

60 See P. Singer, *Practical Ethics*, Cambridge 1993.

61 Cf. F. J. Wetz, *Illusion Menschenwürde. Aufstieg und Fall eines Grundwerts*, Stuttgart 2005.

62 Cf. R. Spaemann, *Über den Begriff der Menschenwürde*, in *Menschenrechte und Menschenwürde*.

nity is a specific character of man with respect to nature, and that in respecting it, the immeasurable character of man in relation to other species and the sacred value of human dignity must nevertheless be preserved. The philosopher of religion Rudolf Otto (1869-1937),⁶³ who summarized the *conditio humana* as the feeling of belonging to an origin, from which man never ceases to come, insisted on the sacredness of existence. In this regard, Rudolf Otto speaks of 'creaturely feeling' as a distinguishing trait of the human being.

As Karl Jaspers (1883-1969)⁶⁴ also argued, dignity, for man, is never lost, because it is an integral part of his divine nature and remains regardless of suffering and even death. There may be no respect, but the inviolable character of dignity as the essential core of man always remains, defining his ontological sacredness. The theme of the sacred, as Martin Heidegger (1889-1976) had already emphasised in the mid-20th century, links man's being to his transcendence and dignity to the relationship between actual existence and the ontological origin of existence. Hence, man is not yet a subject in the full sense, but a place open to the happening of Being:

'man is that much more than the animal rationale than he is less so in relationship to man understood in terms of subjectivity. Man loses nothing in this "less"; rather, he gains in that he attains the truth of Being. He gains the essential poverty of the shepherd, whose dignity consists in being called by Being itself into the preservation of Being's truth.'⁶⁵

2.8 Transcendence and alterity

Man's dignity consists in maintaining an indissoluble relationship with the transcendence from which he originates, that is, with the truth of Being. This transcendence can coincide, as it does in the thought of Emmanuel Lévinas (1905-1995)⁶⁶ with otherness, as being of the other. In this sense, dignity recalls the essential responsibility of taking the life of the other under one's own protection: from the face of the other, even before any discourse takes place, springs forth,

Historische Voraussetzungen - säkulare Gestalt - christliches Verständnis, edited by E.W. Böckenförde - R. Spaemann, Stuttgart 1987.

63 Read R. Otto, *Das Heilige. Über das Irrationale in der Idee des Göttlichen und sein Verhältnis zum Rationalen* (1917), München 2004.

64 See K. Jaspers, *Der philosophische Glaube angesichts der Offenbarung*, München 1962.

65 M. Heidegger, *Brief über den "Humanismus"* (1946); tr. eng *Basic Writings*, edited by David Farrell Krell, 1964,

66 Cf. E. Lévinas, *Die Bedeutung und der Sinn* (1964), in *Humanismus des anderen Menschen*, Hamburg 1989, pp. 40 ff.

without words, the request to take care of his or her existence, unconditionally.

In much of the current debate, moreover, this philosophical link between essence and existence as the foundation of human dignity has been reinterpreted in a religious key, reopening the more general theme of the role of religion in society. This is evident in the philosophical considerations of Jürgen Habermas and in his dialogue with Joseph Ratzinger, which was dedicated to the link between faith and knowledge as a prerequisite for rethinking the very essence of man and his dignity.⁶⁷ From this perspective, the interpretation of the theme of human dignity is closely linked to the idea of man's creation in the image and likeness of God, an idea from which the duty to respect and equality would derive. Human dignity thus becomes a transcendent dignitas, perennially linked to the sacredness of its origin.

From the subject of the sacred to the problem of protecting the image of man as a legacy of the face of divinity, in a different form, the current debate has shifted to the issue of protecting the image of each man within society. In this sense, all those cases in which an injury to man's image in certain activities, such as the so-called 'throwing of the dwarf' in theatrical performances⁶⁸ or the use of pornography, have been regarded as undignified, considered as emblematic examples of an absolute absence of respect and, therefore, deprivation of recognition of the dignity and humanity of the person.

Moreover, the need to focus attention on the issue of dignity has also increased in contemporary debate as a result of uncertainty and doubts about the *moral evaluations* of individual important cases linked to existential choices. This situation has made it even more evident that the need for dignity is also a fundamental litmus test for considering certain proposals of social organization or political systems as acceptable or not. Indeed, the ideologies, regimes or political parties that have made possible and endorsed the failure to respect the principle of dig-

67 See J. Habermas, *Vorpolitische moralische Grundlagen eines freiheitlichen Staates* (2004); tr. it. edited by M. Nicoletti, *I fondamenti morali prepolitici dello Stato liberale*, in J. Ratzinger - J. Habermas, *Etica, religione e Stato liberale*, Brescia 2005, pp. 21-40. On the concept of dignity see also: J. Habermas, *Das Konzept der Menschenwürde und die realistische Utopie der Menschenrechte* (2010), in *Zur Verfassung Europas. Ein Essay*, Frankfurt a.M. 2011, pp. 13-38 in J. Habermas, *Questa Europa è in crisi*, Roma-Bari 2012, pp. 3-32.

68 In this regard, reference can be made to the ruling of the Neustadt Administrative Court on Weinstrasse, in *Neue Zeitschrift für Verwaltungsrecht* 1943, p. 98 ff. The court described the practice of throwing dwarfed individuals into the air at fairs as incompatible with their human dignity and banned the practice. An important element of this ruling is that this decision was made despite the consent of the individuals concerned, who had made themselves available willingly and for a fee. Despite their willingness, the court ruled that their consent did not, in fact, eliminate the violation of human dignity.

nity have always proved ruinous to themselves and to the history of the human race.

The ethical dimension of human dignity does not conflict with the legal determinations that protect its existence: both aspects must interpenetrate. In fact, a free society has an interest in the legal regulation of any conduct that violates dignity, and, at the same time, a society that is mature from the human point of view has an interest in specifying the norms designed to punish conduct that damages dignity in a manner that is not arbitrary but based on deep and widespread ethical reflection. For this, it is necessary to start from the idea that every human being is destined to be a *subject* of dignity and a *recipient* of dignity. This dual role, which well emphasizes man's belonging to a social community, makes it clear that disregarding the dignity of others always implies disregarding one's own. In fact, dignity is not only inviolable, it is also *indivisible*: one's own dignity and that of others always form an original and indissoluble unity. One's own dignity is always trampled upon when one offends the dignity of others. This is also why, as the Polish sociologist Zygmunt Bauman (1925-2017) well noted in his analysis of 'liquid modernity', human dignity is closely linked to the attainment of *happiness*: 'happiness is the challenge of present humanity, for its future dignity.'

We can say, therefore, that a society that did not recognize and take into account the differences arising from respect for the dignity of each individual would, in the long run, destroy the basis of its existence.

2.9. Conclusions

As we have seen in antiquity, with its cosmos-centric view, human beings are considered to have value insofar as they have mastery (mastery of the passions, of their possessions or social group). They have received this superior position in the cosmos from Nature, and man is called to respond to this calling and to behave according to nature. The virtuous man is the one who acts according to the natural order.

Later, under the influence of Christianity, in a theological view, human beings are considered to have fundamental value because they are created in the Image and Likeness of God and, consequently, reflect the Creator from whom all things receive their being and value. In the same view, the value and importance of human beings is highlighted by the Incarnation of the Son of God and the redemption of humanity through his death and Resurrection. The fundamental value of human beings, therefore, does not consist in their rationality or social function but in their likeness to God and their relationship with Him, which is made possible by

the likeness itself. Likeness to God defines human dignity in a certain way. The virtuous man is the one who respects and honours the fact that he is a child of God and a brother to others.

In the modern period, the emphasis is placed on reason, autonomy and freedom, and consequently human beings have dignity through reason, or, in Kantian terms, because they are able to understand the maxims of their actions. Virtuous acts in this perspective are those whose maxim is universalizable according to the categorical imperative. Following right reason would make the person virtuous and lead to justice. Reason as a guarantee of dignity obviously poses the problem of human beings who have a defect of reason or are unable to use it.

In the post-modern period, on the other hand, analyses of the concept of dignity emphasize community living and the organization of society. After the experience of the ideological use of 'reason' by those who had power and decided who was reasonable and who was not (as in communism, nazism and fascism), today a single point of view is avoided. Virtue depends on its function in society, its usefulness in community life, while the state is understood as a product of political decisions. What matters is social virtue and much less or not at all how one acts in private life as long as these actions do not affect the lives of others. Whereas for the ancients Nature was omnipresent, it is now Society and political life that are omnipresent. Laws are the set of rules that society gives itself through political mechanisms, and individual wellbeing must be the aim of the transformation and improvement of society. Human dignity must be recognized as a foundation beyond any ideology, and the recognition by society through the legal and political apparatus is the guarantee of human dignity. Recognition in this case is essential, but it is not clear whether dignity exists outside of recognition by society. Rather, recognition is the consequence of dignity but cannot be its cause.

We have seen in this chapter that human dignity as a value of human beings is present as a notion in various historical periods and has been enunciated and analysed by many authors. We have also seen that, despite the common elements, it is conditioned by different traits of human beings: human nature, relationship with God, reason, freedom, respect or recognition in society. These different approaches result from the fact that all these views understand man differently and from different points of view. All views agree that they refer to the human but differ in their definition of the human and therefore see the origin of human dignity differently.

The general definition: 'Human dignity is the fundamental value of a human being' is as has already been noted, merely formal without saying anything about

its content. Just as the statement 'life must be protected' says nothing about the essence of life. We said that when faced with the question of human dignity we are dealing with an anthropological question, and so it is!

Man belongs to nature through his physical structure and the reason and the affection inscribes this nature in society, through language, thus configuring him as a person. His openness to transcendence makes him capable of coming into contact with the Absolute or with values that go beyond mere material existence, and in this sense, man is an embodied spirit. Man is a social being, and it is in society that he expresses all his dimensions: natural, rational and spiritual. None of these dimensions alone can account for the richness of life.

Dignity, connected to freedom contributes to realization of the greatness of man and his destiny, insofar as it transcends the finiteness of existence. This is what emerges from the words of Martin Luther King (1929-1968): 'We know that man was made for the stars, created for immortality, born for eternity.'⁶⁹ This great perspective assigns to man dignity and the right to respect.

The preservation of dignity and its promotion as a value have, in fact, always been accompanied over the centuries by what the contemporary theologian Wilfried Härle⁷⁰ has defined as the human being's capacity to think big. It is precisely to this capacity, a peculiar trait of the essence of man, that should be entrusted the custody of that concordance between different interests which is the basis of living together. That this is not a given, but a task to be achieved, is attested to by the fact that, in many current systems, respect for human dignity is not experienced as the norm but rather emerges from time to time as a social and political achievement to be obtained, protected and promoted.

Chapter II of our exploration into human dignity offers a rich tapestry of historical insights and conceptual analyses, shedding light on the multifaceted nature of this fundamental principle. Moving through ancient Greek thought, Stoicism, and Roman law, we observed the evolution of dignity from a natural endowment to a socially recognized value, emphasizing the interplay between individual traits and societal roles. We explored the dichotomy between absolute and relative dignity, recognizing its ontological foundation alongside its contextual expression within social norms.

Delving into interpretations of human dignity, we encountered religious conceptions of likeness to God, philosophical notions of rationality and moral freedom, and legal frameworks grounded in Kantian philosophy. These perspectives un-

⁶⁹ M. L. King, *The Measure of a Man* (1959), Minneapolis, 2011, p. 18.

⁷⁰ See W. Härle, *Würde. Gross vom Menschen denken*, Diederichs Verlag, München 2010.

derscored the intrinsic worth of every individual and the imperative to respect their dignity as a fundamental right.

Our analysis extended to the dynamic nature of dignity within interpersonal relationships and the realm of freedom of expression, highlighting its role in shaping self-representation and fostering self-awareness. We concluded with reflections on the importance of dignity in constructing a “decent society” that upholds individual rights and promotes equality, recognizing the need to respect diversity and protect personal integrity.

Transitioning from the rich exploration of human dignity in Chapter II, we now delve into Chapter III, which focuses on the Christian perspective of human dignity. This chapter takes us into the heart of theological and ethical considerations regarding the essence of humanity and its significance within Christian teachings.

Chapter III:

Human dignity: the basis and fundamental value of the Christian vision of society

3.1. Human dignity: an anthropological problem

The authors who worked on the drafting of the Universal Declaration of Human Rights elaborated the concepts used, in this regard, in universal moral terms without any explicit reference to religion in order to achieve a worldwide consensus.⁷¹ However, religions, by their very nature, claim a universal worldview that includes all people, and, religions have historically formed the moral foundations of societies. For monotheistic religions, for example, there is one God for all men. In the Judeo-Christian tradition, moral principles are found in the Ten Commandments, and human dignity is found in the idea of the *Imago Dei* presented in the biblical account of creation.

As we saw in the previous chapter, the concept of human dignity can be philosophically grounded in various ways, even to the point of becoming a legal concept, although its clarity is not obvious. Indeed, in the expression ‘human dignity’, dignity can be defined in various ways, but what is problematic is the use of the adjective ‘human’. The reason for this difficulty results from the meaning that different currents of thought give to the concept of human, of humanity.

Human dignity almost always comes into play to redress or avoid an injustice, and it is at those particular moments of ethical choices that the concept of the human person reveals its strength or weakness. In this sense, we can say that the problem of human dignity is also an anthropological problem.

What vision of the human do we have in our minds, what ‘man’ are we referring to when we speak of the dignity of man? According to the Christian tradition, dignity is not only an attribute of the person but is, above all, a ‘relationship’, an attribute that manifests itself in the way we relate to our neighbour in order to consider him as a man, beyond all appearances, no matter how much he may not seem to be a man. Rober Spaemann, a philosopher who reflected at length on the question of human dignity and its contemporary provocations, an author

⁷¹ Cf. H. STACY, ‘International Human Rights in a Fragmenting World’, in A. SAJO (ed.) *Human Rights with Modesty: The Problem of Universalism*, Brill/Nijhof, 2004.

who often went against the tide and was a critic of philosophical fashions, said:

‘ “What is a human being”? is a different kind of question from “What is a chaffinch?”. We answer the latter question by listing the characteristics by which we normally identify certain birds as chaffinches. But someone who asks what makes a human being a human being isn’t really interested in classifying objects. Rather, to the extent he is enquiring after the humanum, “the essence of being human”, he takes part in the ongoing historical process of human self-understanding, as well as survival in the face of various new challenges.’⁷²

The inordinate use of the concept of human dignity and the criticism of the same concept due to its lack of clarity oblige Christians and the Christian churches to take a stand. Let us immediately say once again that for the Christian tradition, man has an inalienable value since he is created in the image and likeness of God. Being *Imago Dei*, he enjoys ontological dignity. The kind of dignity contemplated by the Christian tradition comes to enrich and give substance to the concept of human dignity. In fact, we see in the current debate certain philosophical positions that are incompatible with the Christian anthropological vision, nullifying the content of this dignity when a person no longer manifests reason, memory, the capacity for linguistic communication, or plans for the future,⁷³ these elements being, in fact, the basic traits of the human person according to an anthropology, say, of the Kantian type.

Obviously, the concept of human dignity only becomes efficient when articulated in a legal key, otherwise it remains at the level of good intentions. The ethical and moral standards that underlie every legal code have a long history. In the Western world, the decisive contribution comes from the Greek philosophical tradition, elaborated and enriched in a legal context by the Romans. Roman legal reflection introduces a fundamental change in the way man and the subject of law are conceived in relation to political power. The citizen stands, perhaps, as the holder of his own rights within the community (*civis sui iuris*). The Roman citizen is the holder of his own rights vis-à-vis power, rights that are not granted but recognised. Rome conceived of itself neither as a nation nor as a state, but always within the framework of the City, and its importance lies in having extended the sharing of the particular framework of citizenship to the point of making it common to the entire empire, uniting it under the same legal status: *urbs et orbis*. Unlike the City of the Stoics, which remained a moral concept underpinned

⁷² R. SPAEMANN, *Nature and Reason. Essays in Anthropology*, Edusc, 2016, p. 17.

⁷³ Particularly in the case of Peter Singer. Cf. P. SINGER, *Practical Ethics*, Cambridge University Press, 1993.

by the figure of the Wise Man and the fusion with the cosmos, and which had no political impact, the universal citizenship proposed by Rome (*civitas universa*), became effective. Through Roman law, the philosophical concept acquires a status and condition that is linked neither to *jus solis* (system of right founded on relationships to soil) nor to *jus sanguis* (system of right founded on blood relations). However, only free citizens and especially *patres familias* benefited from this quality, and not everyone was a participant⁷⁴.

Christianity introduces the concept of universal salvation, marking a departure from the idea of salvation being exclusive to certain races or cultures. As articulated by Paul’s words, ‘In Christ there is no longer Jew or Greek, slave or free man, neither man nor woman, but all are sons of God and all are one in Jesus Christ.’⁷⁵

For Christian thought, the concept of human dignity has a transcendent foundation, a foundation necessary to ensure its universality. Indeed, for the Judeo-Christian tradition, man has a particular and essential ontological characteristic: he was created in the image and likeness of God. According to the creation account, man was created in the image and likeness of the Creator (Gen 1:26-28). This fundamental trait, which characterizes man’s essence, cannot be taken away by any contingent circumstance, neither by his behaviour, however bad it may be, nor by his level of consciousness or health, nor even less by his social status, ethnic origin, etc.

The Christian foundation of human dignity has obviously been marked by different interpretations and reflections over the centuries. Without going into theological details, human dignity has been founded on a biblical and patristic scheme. Created in the image and likeness of God, the human person is endowed with an inalienable dignity. Even if the image has deteriorated due to sin, it is restored through the salvation brought by Christ. The patristic tradition insists that even though the image may be deteriorated, it is never erased, not even in the most corrupt person. Christianity establishes a particularly fruitful and dynamic way of thinking about everything that concerns human rights and is the basis for the development and recognition of these rights.

Evidently, the concept of human dignity is not expressed in the Bible in these terms and is not an explicit theme of theology. However, it is implicit in theology and particularly in theological anthropology, divine filiation (being sons and

⁷⁴ Cf. Ralph W. MATHISEN, “*Peregrini, Barbari, and Cives Romani*: Concepts of Citizenship and the Legal Identity of Barbarians in the Later Roman Empire”, in *The American Historical Review*, Vol.111, No. 4, 2006, pp. 1011-1040.

⁷⁵ Gal. 3:28.

daughters of God) being an implicit presupposition of all theological reflection. Dignity is a gift from the Creator who calls man to live in accordance with the Image of God. This anthropological trait of the human person, who receives and shares in divine dignity, becomes an element of great strength from an ethical point of view. It implies, on man's side, a responsibility and a response to this vocation, a response that is only possible through man's continuous cooperation with grace. God assists and guides the human beings on their path to full realization.

In fact, in Holy Scripture God begins a dialogue with the first human person, asking: 'Where are you?' (Gen 3:9). This gesture constitutes the entry into dialogue after original sin; this question is a continuous question, a question that man is called upon to answer at all times. Where does man stand in the face of injustice? Where does he stand in the face of the responsibility towards creation assigned to him by God? This question includes in itself the question who are you? And what do you do? And also, a question asking, why a situation is as it is and not otherwise? As Psalm 8:7 states: 'You have given him power over the works of your hands, you have laid everything under his feet.' In fact, in the same psalm we find a description of man according to God's plan. To the psalmist's question 'What is man?' he replies: 'You have made him little less than the angels, with glory and honour you have crowned him.' As Eberhard Schockenhoff insightfully observes, the novelty in the biblical discourse differentiates it from the view of other peoples at that time: 'An important difference in the biblical discourse of man in the image of God compared to Egyptian royal theology consists precisely in the fact that it is no longer the sovereign, the exceptional man who stands out, but every man, even the poorest and weakest, who is created in the image of God.'⁷⁶ Psalm 8 is to be understood as 'a counterpoint to the humiliation of men' in the context of the Babylonian exile that led to the destruction of the temple and the annihilation of the state.⁷⁷

The implicit concept of human dignity, which the Bible sets in motion at the beginning of the history of Israel, the chosen people, is embedded in the first bodies of legislation in the Pentateuch, the first 5 books of the Hebrew Bible. It leads to the recognition and foregrounding the rights of the excluded, the weak: migrants, orphans, widows, slaves and workers. One thinks of the command-

ment 'You shall love your neighbour as yourself' in Leviticus 19:18. It is always about defending the worker against the master, the poor against the rich and the weak against the strong. The messages of the prophets of Israel also have a strong ethical component. One can understand from their messages the call for dignity, i.e. better conduct, loyalty, the permanent search for what is right and the recognition of the rights of the weakest.

In the Gospels, we have the famous parable of the Good Samaritan (Luke 10: 25-37) where, besides the theme of mercy, there is another important aspect:

'Just then a lawyer stood up to test Jesus. "Teacher," he said, "what must I do to inherit eternal life?" He said to him, "What is written in the law? What do you read there?" He answered, "You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbour as yourself." And he said to him, "You have given the right answer; do this, and you will live." But wanting to justify himself, he asked Jesus, "And who is my neighbour?" Jesus replied, "A man was going down from Jerusalem to Jericho and fell into the hands of robbers, who stripped him, beat him and went away, leaving him half dead. Now by chance a priest was going down that road; and when he saw him, he passed by on the other side. So likewise, a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan while traveling came near him; and when he saw him, he was moved with pity. He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn and took care of him. The next day he took out two denarii, gave them to the innkeeper, and said, 'Take care of him; and when I come back, I will repay you whatever more you spend.' Which of these three, do you think, was a neighbour to the man who fell into the hands of the robbers?" He said, 'The one who showed him mercy.' Jesus said to him, 'Go and do likewise.' '

In fact, Jesus responds with this parable to the question 'Who is my neighbour?' and shows in the Samaritan's gesture a new way of understanding one's neighbour, a new way of evaluating people, no longer on the basis of their social position or religion but on the basis of their humanity. The Samaritan proves his dignity by recognizing the dignity of the person who was in a dire situation, he comes to his aid not as a co-religionist but as a human person.

3.2. The person: the fruit of a Christian conception of man

The concept of the person as we find it in legal usage today draws its origin largely from the Christian conception of the human person. We mentioned earlier the definition of the person in the Greco-Roman world and the fact that it refers rath-

⁷⁶ E. SCHOCKENHOFF, 'Human Dignity and Human Rights in Catholic Thought' in A. Argiroffi-P. Becchi-D. Anselmo (ed.), *Colloqui sulla dignità umana*, Rome 2008.

⁷⁷ Cf. H. IRSIGLER, *Die Frage nach dem Menschen in Psalm 8. Zu Bedeutung und Horizont eines kontroversen Menschenbildes im Alten Testament*, in Id., *Vom Adamsohn zum Immanuel*, St. Ottilien 1997, pp. 1-48.

er to a social role and not to the particular individual as we think of it today. The fundamental shift occurred within Christian theology at a time when two central dogmas needed to be clarified: the dogma of the Trinity, i.e., one God in three persons, and the dogma of the Incarnation, i.e., the coexistence of divine nature and human nature in the person of Jesus, Son of God. In this way, the person is understood as capable of autonomous existence, rational, capable of action and above all always in relationship.

The relational aspect is very important. The absolutization of the idea of the autonomy of the individual understood as the ability to act according to one's own moral choices conflicts with the Christian vision that is not based on autonomy and subjective freedom but on the idea of freedom within the relationship with God and others. Autonomy in its Kantian version does not sufficiently protect vulnerable people whose autonomy can be diminished. The inviolable dignity of the person in the Christian view derives from the fact that we are created in the image and likeness of God, and the value of a person's life does not derive from his or her performance, actions or autonomy. Even the vulnerable life remains a life loved by God and in relationship with Him. Human dignity seen in this way is the basis of the right of every person, whatever their condition, to be protected from any form of violation, destruction or instrumentalization as well as the obligation to protect those who suffer and all the more so those who do not enjoy autonomy.

We can say that the entire way of acting of Jesus of Nazareth puts the dignity of the human person and his inalienable value at the centre. He does this with words and he does it with actions. Even when there is a conflict between the Law and human dignity, he takes the defence of human dignity against the Law. While it is true that the core of the theological foundation of human dignity is the conception of man as the image of God, in Christianity it is understood through the figure of Christ (2 Corinthians 4:4-6, Col 1:15, Heb 1:3).

3.3. The protection of human dignity in the catholic tradition

It is important to note here the influence that the commandment of love of neighbour has had on the practice of justice. What we may call the principle of Christian charity and, together with it, that of forgiveness have forged the ethics of the Western world. If for Aristotle justice was an individual virtue with its three forms (commutative, distributive and legal), for Thomas Aquinas justice as an individual virtue is no longer sufficient to guarantee a good community life. Justice must realize the equality contained in the fact that every human being is created in the image and likeness of God.

The virtue of justice in its Christian expression adds a new element: the mercy that arises from love. The is the love of which the Apostle Paul speaks in his beautiful 'definition': 'Charity is magnanimous, benevolent is charity; it is not envious, it does not boast, it is not puffed up with pride, it is not disrespectful, it does not seek its own interest, it is not angry, it does not take account of evil received, it does not rejoice in injustice but rejoices in the truth. It excuses everything, believes everything, hopes everything, endures everything. Charity will never end.'⁷⁸

In the Catholic world and in the social teaching of the Catholic Church, the concept of human dignity has been emphasized especially since the Second Vatican Council. The main texts that refer to human dignity are: *Gaudium et Spes*, *Dignitatis Humanae* and *Pacem in Terris*. As in the Declaration of Human Rights, which is the foundation of the United Nations, in the texts of the Catholic Magisterium, dignity emphasizes three characteristics: 'the intrinsic value of the person, the call to respect by virtue of this same dignity, and the fact that it is an inseparable priority.'⁷⁹ In the text of the 1948 Universal Declaration, the status of human dignity is not made explicit. It is nevertheless taken as a common presupposition of anthropological understanding between believers and non-believers. However, despite its assumed universality, human dignity is understood in different ways, not all of which are compatible with a theological anthropology.⁸⁰

The Catholic Church remains faithful to the Bible's teaching that, as we have already said, man was made in the image and likeness of God, this being the basis of his dignity. Man is similar to God through his ability to think and make moral choices. At the same time, the Catholic Church teaches that man was created to share in the divine life in eternity and that consequently his life has a transcendent meaning, being not only for himself but also for God and others. Man's ability to enter into a relationship with the Creator distinguishes him from other living beings. The Greek fathers called this process deification. Man is called to behave towards others in the light of divine love. The teaching of the Catholic Church insists that human life includes the entire cycle of existence: from the moment of conception to the moment of natural death, life is sacred because it is a gift from God.

⁷⁸ 1 Cor. 13:4-8.

⁷⁹ SIMON R, 'Le concept de dignité de l'homme en éthique' in A. HOLDEREGGER, R. IMBACH, R. SUAREZ DE MIGUEL (ed.), *De Dignitatis Hominis. Mélanges offerts à C.-J. Pinto de Oliveira*, Fribourg/Paris, Editions Universitaires de Fribourg/Cerf, 1987, p. 267-278.

⁸⁰ Cf. J.-M. BREUVART, «Le concept philosophique de la dignité humaine», *Le Supplément. Revue d'éthique et théologie morale*, no. 191, 1994, pp. 99-129.

For theology, and, following it, for the social doctrine of the Church, human dignity is strongly affirmed and presented as a requirement that needs to be realized. This is possible, as we have already mentioned several times, thanks to a theology of creation and the Incarnation. In the encyclical *Pacem in Terris*, in fact, the theme of the Imago Dei and salvation in Jesus Christ is brought to the fore to affirm the excellence of the dignity of every human being. For Christians, every human being demands unconditional respect because he or she is a child of God in his only Son. This dignity does not concern the qualities or attributes, the capacities of the person, but his being as a creature, in his nakedness, stripped of every attribute. Losing ‘every human appearance’, he remains a man in his constitutive relationship with God and with his fellow human beings.

The one who has not yet attained the capacity for speech or the one who has lost it, the one in whom freedom is impeded or diminished for whatever psychic, physiological or moral cause, the one in whom humanity seems atrophied because of his own failings, the one whose education is deficient or disrupted will always for Christian be a brother in Christ and in humanity, and is to be respected without any conditions. This radical position is inspired by the parable of the last judgement (Mt 25; see below) and the crucifixion scene.

For Christian reflection, it is through faith that the enigma and immense value of man is perceived. The theological foundation of human dignity and, with it, of all human rights, consists, for Christians, in the fact that it is in Christ that the value of the person is revealed. It is important to emphasize that man is respected not because of external obedience to God but because Creation, the Incarnation and the presence of the Spirit in every person attest to the fact that man is to be respected in and for himself and that God himself respects his creature unconditionally to the point of giving himself to them in his Son, gratuitously and unconditionally.

It is perhaps worth recalling for a moment the parable of the Last Judgement in Matthew 25: 31-46:

‘When the Son of Man comes in his glory, and all the angels with him, then he will sit on his glorious throne. Before him will be gathered all the nations, and he will separate people one from another as a shepherd separates the sheep from the goats. And he will place the sheep on his right, but the goats on the left. Then the King will say to those on his right, “Come, you who are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world. For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and

you visited me, I was in prison and you came to me.” Then the righteous will answer him, saying, “Lord, when did we see you hungry and feed you, or thirsty and give you drink? And when did we see you a stranger and welcome you, or naked and clothe you? And when did we see you sick or in prison and visit you?” And the King will answer them, “Truly, I say to you, as you did it to one of the least of these my brothers, you did it to me.”

‘Then he will say to those on his left, “Depart from me, you cursed, into the eternal fire prepared for the devil and his angels. For I was hungry and you gave me no food, I was thirsty and you gave me no drink, I was a stranger and you did not welcome me, naked and you did not clothe me, sick and in prison and you did not visit me.” Then they also will answer, saying, “Lord, when did we see you hungry or thirsty or a stranger or naked or sick or in prison, and did not minister to you?” Then he will answer them, saying, “Truly, I say to you, as you did not do it to one of the least of these, you did not do it to me.” And these will go away into eternal punishment, but the righteous into eternal life.’

We can clearly see the different situations in which the dignity of man comes into play; it is best seen precisely in what is denied to man. The Christian community is called to become aware of situations and conditions of alienation and degradation in order to fight against and correct such situation. It is also interesting to see how human rights fit in perfectly with the Gospel message. What unites fundamental human, social, political and economic rights within the framework of the encyclical *Pacem in Terris* is respect for human dignity.⁸¹ Human dignity as it is revealed in the encyclical, and as we have seen in the passage from the Gospel of Matthew, is not abstract but is seen in the concrete conditions of life.

Society and political power have a duty not only to protect fundamental human freedoms and rights but also to move in the direction of protecting human dignity. We see in the encyclical how these rights exist on three levels, personal, social and institutional, and are directly linked to human dignity. Unlike the rights stipulated in a lot of current Western legal documents, fundamental rights, as they are presented in the official documents of the Catholic Church, protect human dignity at the heart of the social dimension of man and its absolute value.

By emphasizing the aspect of the social dimension, the interaction between people and their mutual interdependence is emphasized, thus underlining the social aspect of human dignity, and therefore are called upon to act accordingly. Human dignity is a social duty. This social dimension is articulated and structured

81 D. HOLLENBACH, *Claims in Conflict*, New York, Ramsey, Paulist Press, 1979.

through institutions, law, the state, the economy, education, the healthcare system, etc., all of which are called upon to be oriented towards respect for human dignity⁸². For Christians, the truth of what is at stake at the ethical level depends on the theological starting point.

3.3.1. *Gaudium et spes*

A summary of the Catholic view on human dignity can be found in the pastoral constitution 'The Church in the Modern World', *Gaudium et spes*. The first chapter bears the title '*The Dignity of the Human Person*' and presents what constitutes the human person and his unique value, emphasizing that the dignity of the person is the foundation of social life and that it determines the principles according to which social life is to be guided. This vision of the person is accessible to all and at the same time is the result of reason enlightened by faith and Revelation since "it is only in the mystery of the Word incarnate that light is shed on the mystery of man" (G.S. 1:22). Respect for the human person is a value that is increasingly shared by many, but for the Church it has a theological foundation: man is created in the image and likeness of God; the Son of God became true man through his Incarnation, thereby honouring our human condition; humanity (and every single human being) was redeemed through the passion, death and resurrection of Christ. In this way, the Son of God opens the way to divinization, that is, to our transcendent vocation to a life in communion with God.

According to this view of the human being, the Council emphasizes first and foremost that the human person has an inalienable value. The biblical theme of the *Imago Dei* inspires the Church and affirms this dignity and the sacred character of every human person by the mere fact of being human.

This aspect indicates in fact that the meaning of human life is only truly understood within its relationship with God who is the origin and purpose of life. In this way, dignity results from creation itself. Whatever the state of the person, the image of God within them is irreversible. In this anthropological perspective, human beings share the same condition, and thus human dignity receives a solid foundation beyond all social conventions: 'At the same time, however, there is a growing awareness of the exalted dignity proper to the human person, since he stands above all things, and his rights and duties are universal and inviolable' (G.S. 1:26).

The fact that human dignity is considered, in the Council's teaching, as an ex-

⁸² Here is a connection between the Relational approach (advocated by Sallux) and the multi-dimensional approach (formulated by the Christian philosopher H. Dooyeweerd and others).

pression of divine love and not the result of human capabilities has profound implications when life itself is at stake:

'Furthermore, whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia or wilful self-destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; as well as disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons; all these things and others of their like are infamies indeed. They poison human society, but they do more harm to those who practice them than those who suffer from the injury. Moreover, they are supreme dishonour to the Creator' (G.S. 1:27).

This vision of dignity extends to the demands of social justice: 'Nevertheless, with respect to the fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, colour, social condition, language or religion, is to be overcome and eradicated as contrary to God's intent. For in truth it must still be regretted that fundamental personal rights are still not being universally honoured. Such is the case of a woman who is denied the right to choose a husband freely, to embrace a state of life or to acquire an education or cultural benefits equal to those recognized for men' (G.S. 1:29).

The document emphasizes in the light of theological anthropology the fact that the Incarnation of God inspires a vision of man as spirit incarnate: 'Though made of body and soul, man is one. Through his bodily composition he gathers to himself the elements of the material world; thus, they reach their crown through him, and through him raise their voice in free praise of the Creator' (G.S. 1:14). To speak of man in terms of the incarnate spirit and soul-body unity means that our body is not simply an accessory. We do not have a body but we are a body. The contemporary world has become sensitive to the subject of the body, but it is not always treated with respect. Everything about the body concerns the whole person, and it is through the body that we enter into relationship with others and with God. God's love was so great that He took on a human body to allow us to approach Him and enter into communion with Him.

The body as a 'temple of the spirit' attests to the interiority of the human person, and the church draws from this vision important lessons in what concerns bioethics, sexuality and the family by denouncing torture, mutilation, prostitution and, in general, any living or working conditions that are degrading (G.S. 1:27).

The conciliar document to which we refer emphasizes the relational dimension of the human person as an important aspect of the Christian anthropological vision. In fact, man was created in the image and likeness of God, who is a Trinity constituted by the love of the three divine persons. In the words of the evangelist John, 'God is love', that is, a God who gives himself and sheds light on the meaning of the human person who finds, in turn, his full realization in his relational dimension, in giving and receiving. This similarity between the divine persons and human beings 'reveals that man, who is the only creature on earth which God willed for itself, cannot fully find himself except through a sincere gift of himself' (G.S. 1:24).

This theological aspect develops a particular social and communitarian vision. The human person is sacred and is at the same time a social being, and his dignity cannot be realized and protected except within the community:

'Man's social nature makes it evident that the progress of the human person and the advance of society itself hinge on one another. For the beginning, the subject and the goal of all social institutions is and must be the human person which for its part and by its very nature stands completely in need of social life. Since this social life is not something added on to man, through his dealings with others, through reciprocal duties, and through fraternal dialogue he develops all his gifts and is able to rise to his destiny. (...) But if by this social life the human person is greatly aided in responding to his destiny, even in its religious dimensions, it cannot be denied that men are often diverted from doing good and spurred toward evil by the social circumstances in which they live and are immersed from their birth. To be sure the disturbances which so frequently occur in the social order result in part from the natural tensions of economic, political and social forms. But at a deeper level they flow from man's pride and selfishness, which contaminate even the social sphere. When the structure of affairs is flawed by the consequences of sin, man, already born with a bent toward evil, finds their new inducements to sin, which cannot be overcome without strenuous efforts and the assistance of grace' (G.S. 1:25). One can see in this passage the importance of politics and the organization of society insofar as it can be more or less conducive to safeguarding human dignity.

An authentic theological vision of the human being cannot be founded on the person taken individually, in isolation, nor can it be founded on a simply descriptive vision, according to the qualities the person possesses, but it must be relational by appealing to an ethics of solidarity. The consequences are manifold in the Catholic Church's vision. In the economic sphere, the question arises whether the life we lead enhances or impairs the fulfilment of community members. This

requires special attention not only for our own communities but also for those of others and especially the poorer nations.

Social justice should reach everywhere and should aim at ensuring access for all to social life and work. In the Catholic vision, the principle that the human person is at the centre of social life is the origin of the principle of solidarity and subsidiarity, two columns of social life.

3.3.2. *Dignitas Infinita*

The Declaration from the Vatican's Congregation for the Doctrine of the Faith, published on April 8, 2024, deserves particular attention. It refers to the 75th anniversary of the Universal Declaration of Human Rights, implicitly reaffirming its recognition, stating that "the aforementioned anniversary also offers the Church the opportunity to clarify some misunderstandings that often arise regarding human dignity and to address some serious and urgent concrete issues related to it."

The document recalls the Church's historical perspective on the theme of human dignity and reaffirms that it is at the heart of its social doctrine. Denouncing contemporary confusion on the topic, it emphasizes an important clarification of the concept of "the dignity of the human person," distinguishing its ontological, moral, social, and existential dimensions: "this leads us to recognize the possibility of a quadruple distinction of the concept of dignity: ontological dignity, moral dignity, social dignity, and finally existential dignity."

Ontological dignity is intrinsic to the human person simply by virtue of existing and being willed, created, and loved by God, and remains valid in every circumstance. Moral dignity concerns the exercise of human freedom and the possibility of acting in contrast to conscience and the law of love revealed by the Gospel. "When we speak of social dignity, we refer to the conditions under which a person lives. In extreme poverty, for example, when the minimum conditions for a person to live according to their ontological dignity are not met, it is said that the life of that person is 'undignified'. This expression does not in any way indicate a judgment against the person but rather aims to highlight the fact that their inalienable dignity is contradicted by the situation in which they are forced to live". Existential dignity is linked to the subjective experience of life and the perception of one's own dignity in difficult situations: "this refers to existential situations: for example, the case of a person who, although seemingly lacking nothing essential to live, for various reasons struggles to live with peace, joy, and hope. In other situations, the presence of serious illnesses, violent family contexts, certain pathological dependencies, and other hardships lead someone to experience their own life situation as 'undignified' in the face of the perception of that ontological dignity that can never be obscured."

The document emphasizes the importance of the concept of person, whose classical definition as “*an individual substance of a rational nature*” (Boethius) underscores the foundation of their dignity. The person, as an “individual substance,” possesses ontological dignity, derived from the very being of existence, and acts autonomously, having received existence from God. An important point is given by the richness of the term “rational,” which includes all human capacities, both cognitive and emotional, together with bodily functions. “Nature” refers to the human conditions that make various actions and experiences possible. Despite limitations or conditions, the person always retains their inalienable dignity as an “individual substance.” This applies to situations such as an unborn child, a person without senses, or a dying elderly person.

After the Introduction, the document is divided into four parts. The First part titled “A Growing Awareness of the Centrality of Human Dignity”. Indeed, as we have seen in this work, the awareness of the centrality of human dignity already emerges in classical antiquity, where every individual was recognized, dignity based on their social status. However, the concept of human dignity as an intrinsic and universal value emerged more clearly with biblical Revelation, which affirms that every human being is created in the image and likeness of God, thus conferring a sacred value to all. The development of Christian thought has deepened the notion of dignity, recognizing the metaphysical foundation of its intrinsic nature. In modern times, the concept of dignity was emphasized in the Universal Declaration of Human Rights of 1948, which affirms the “inherent dignity” of all members of the human family. Human dignity is not granted by others or based on specific qualities or talents but is intrinsic and inalienable, conferring on all individuals the same value and the same universal and inviolable rights.

The Second part “The Church proclaims, promotes, and guarantees human dignity”. The Church proclaims the equal dignity of all human beings, based on a triple conviction that gives human dignity an immeasurable value. Firstly, human dignity comes from the love of the Creator, who has impressed the image of God in every individual, calling them to live in fraternity and justice. Secondly, human dignity has been fully revealed by Jesus Christ, who confirmed the dignity of every human being through his incarnation and his ministry in favour of the marginalized. Finally, the ultimate destiny of the human being is communion with God, revealed in the resurrection of Christ, which gives an additional aspect to human dignity.

The Third part “Dignity, foundation of human rights and duties”, recognizes human dignity as the foundation of human rights and duties and as a central principle in modern culture. However, there are misunderstandings regarding the concept of dignity. Some argue that dignity derives from the capacity for reasoning and freedom, thus excluding those who do not possess such capacities, such as the unborn or non-self-sufficient elderly. The Church instead emphasizes

that human dignity is intrinsic and universal, not dependent on circumstances or specific abilities. Furthermore, human dignity cannot be reduced to individual preferences or subjective desires but is based on constitutive needs of human nature. Dignity also includes responsibility towards others and care for the environment. Human freedom, although a gift from God, needs to be liberated since it is often distorted by moral and social conditioning. To ensure authentic freedom, it is necessary to promote human dignity and combat social injustices. Although there has been progress in understanding human dignity and freedom, the path to full respect for these principles is still long and full of challenges.

The Fourth part “Some serious violations of human dignity” lists thirteen serious violations of human dignity that are particularly relevant today: From number 33 to number 62, the Declaration examines, “without claiming to be exhaustive,” “some serious violations of human dignity that are particularly relevant”. The points touched upon are thirteen:

1. *The tragedy of poverty*: One of the phenomena that contributes significantly to denying the dignity of so many human beings is extreme poverty, linked as it is to the unequal distribution of wealth. “We are all responsible for this stark inequality, albeit to varying degrees”.
2. *War*: “While reaffirming the inalienable right to self-defense and the responsibility to protect those whose lives are threatened, we must acknowledge that war is always a defeat of humanity”. All wars, by the mere fact that they contradict human dignity, are “conflicts that will not solve problems but only increase them. This point is even more critical in our time when it has become commonplace for so many innocent civilians to perish beyond the confines of a battlefield”.
3. *The Travail of Migrants*: “it is urgent to remember that “every migrant is a human person who, as such, possesses fundamental, inalienable rights that must be respected by everyone and in every circumstance. Receiving migrants is an important and meaningful way of defending “the inalienable dignity of each human person regardless of origin, race or religion”.
4. *Human Trafficking*: While it is not a new phenomenon, it has taken on tragic dimensions before our eyes. “Human trafficking must also be counted among the grave violations of human dignity”.
1. *Sexual abuse*: “The profound dignity inherent in human beings in their entirety of mind and body also allows us to understand why all sexual abuse leaves deep scars in the hearts of those who suffer it.” This phenomenon is

widespread in society and it also affects the Church and represents a serious obstacle to her mission. From this stems the Church's ceaseless efforts to put an end to all kinds of abuse, starting from within.

5. *Violence against women*: "Violence against women is a global scandal that is gaining increasing recognition". "It is urgent to achieve effective equality of rights for everyone and therefore equal pay for equal work, protection for the working mother, fair career progressions, equality between spouses in family law, recognition of everything related to the rights and duties of the citizen in a democratic regime. Inequalities in these aspects are different forms of violence". In this consideration of violence against women, one cannot condemn enough the phenomenon of femicide.
6. *Abortion*: "The acceptance of abortion in the popular mind, in behavior, and even in law itself is a telling sign of an extremely dangerous crisis of the moral sense, which is becoming more and more incapable of distinguishing between good and evil, even when the fundamental right to life is at stake". The Church consistently reminds us that "the dignity of every human being has an intrinsic character and is valid from the moment of conception until natural death
7. *Surrogacy*: "The Church also takes a stand against the practice of surrogacy, through which the immensely worthy child becomes a mere object. A child is always a gift and never the object of a contract. And again 'the legitimate desire to have a child cannot be turned into a "right to a child" that does not respect the dignity of the child as the recipient of the free gift of life".
9. *Euthanasia and assisted suicide*: "there is a widespread notion that euthanasia or assisted suicide is somehow consistent with respect for the dignity of the human person. However, in response to this, it must be strongly reiterated that suffering does not cause the sick to lose their dignity, which is intrinsically and inalienably their own. Instead, suffering can become an opportunity to strengthen the bonds of mutual belonging and gain greater awareness of the precious value of each person to the whole human family. Certainly, the dignity of those who are critically or terminally ill calls for all suitable and necessary efforts to alleviate their suffering through appropriate palliative care and by avoiding aggressive treatments or disproportionate medical procedures. This approach corresponds with the "enduring responsibility to appreciate the needs of the sick person: care needs, pain relief, and affective and spiritual needs. However, an effort of this nature is entirely different from, and is indeed contrary, to a decision to end one's own life or that of

another person who is burdened by suffering. Even in its sorrowful state, human life carries a dignity that must always be upheld, that can never be lost, and that calls for unconditional respect".

8. *The Marginalization of People with Disabilities*: "the truth is that each human being, regardless of their vulnerabilities, receives his or her dignity from the sole fact of being willed and loved by God. Thus, every effort should be made to encourage the inclusion and active participation of those who are affected by frailty or disability in the life of society and of the Church".
9. *Gender theory*: "the Church highlights the definite critical issues present in gender theory [...] It needs to be emphasized that 'biological sex and the socio-cultural role of sex (gender) can be distinguished but not separated. Therefore, all attempts to obscure reference to the ineliminable sexual difference between man and woman are to be rejected: We cannot separate the masculine and the feminine from God's work of creation, which is prior to all our decisions and experiences, and where biological elements exist which are impossible to ignore."
10. *Sex change*: "It follows that any sex-change intervention, as a rule, risks threatening the unique dignity the person has received from the moment of conception. This is not to exclude the possibility that a person with genital abnormalities that are already evident at birth or that develop later may choose to receive the assistance of healthcare professionals to resolve these abnormalities. However, in this case, such a medical procedure would not constitute a sex change in the sense intended here".
11. *Digital violence*: "Paradoxically, the more that opportunities for making connections grow in this realm, the more people find themselves isolated and impoverished in interpersonal relationships: Digital communication wants to bring everything out into the open; people's lives are combed over, laid bare and bandied about, often anonymously. Respect for others disintegrates, and even as we dismiss, ignore, or keep others distant, we can shamelessly peer into every detail of their lives. Such tendencies represent a dark side of digital progress"

It is clear from this document, as emphasized by the use of the "infinite" adjective in its title, the ongoing task for the defense of human dignity.

3.4. Dignity in the Reformation

An important contribution to the current understanding of human dignity in both its secular and Christian sides was made by the Reformation and its prominent figures. In addition to Martin Luther (1483-1546), Huldrych Zwingli (1484-1531) and Jean Calvin (1509-1564), lesser-known people such as Thomas Helwys (1550-1616), Richard Overton (1597-1663), Roger Williams (1603-1683) and Henry Vane (1613-1662) brought about real reforms with profound consequences for the whole of society.⁸³

The social doctrine of the Catholic Church has developed over the centuries, mainly as a response to the provocations of modernity and certain currents of thought. In addition to its apologetic aspect, it represents the position of the Church, as a religious and moral body, in society, and the need to which it responds is always that to connecting theological teaching to the problems of society.

Unlike the Catholic Church, Protestant churches do not address social problems in the same way. Protestantism's relationship with modernity is different for both historical and theological reasons. At the same time, the ecclesial structure of the Reformation churches is different from the Catholic Church. Whereas in the Catholic Church there is a Magisterium, in the Protestant churches we have Consensus synods. Protestants recognize the authority of the first seven Ecumenical Councils in matters of faith, although their authority is less than that of Sacred Scripture. In this sense, divine Tradition, i.e., the Tradition tied to Jesus Christ and transmitted in the Scriptures, must be distinguished from particular confessional and historical traditions. In this way, social ethics belongs to traditions and not to Tradition except where there is a direct transition from faith to ethics.

The teaching of the Reformers shows us how in their time and particular circumstances they developed ethical and social guidelines from the Gospels. In this way, the role of the patristic tradition (which enjoys great importance in the Catholic and Orthodox churches) is relativized in order to leave room for a permanent hermeneutics of the interpretation of the Christian message in the given context. Synods represent for the Reformed churches the supreme authority at the local level.

Although we cannot speak of a central authority as in the case of the Catholic Church and consequently of an 'official doctrine', we do have in the case of the Protestant Churches ethical stances. At the same time, Protestant theology addresses social issues and projects from its origins, just as we have differences in

theological views between the different confessions that have arisen since the Reformation. For example, the differences in the views and positions of Luther and Calvin are well known.

In the modern period, the social contribution of Protestant pietism in works and institutions of charity is considerable. Examples include F.D. Maurice in England, the Social Gospel current in the United States, religious socialism in Germany and Switzerland, social Christianity in France etc. Protestant social ethics is associated with important names such as E. Brunner, A. Rich, L. Ragaz, A. Bieler and many others. In Switzerland, for example, the Federation of Protestant Churches set up an Institute of Social Ethics in 1971, inspired by the work of A. Rich. Social ethics is seen in this context as the search for a balanced position between respect for human justice and respect for concrete ethical situations in the light of the moral teaching extracted from Scripture.

From the very beginning, the Reformation emphasized freedom. In this sense, 'justification by faith' grants inner freedom a special status. As Luther said, 'A Christian man is the freest lord of all, and subject to none; a Christian man is the most dutiful servant of all, and subject to everyone.'⁸⁴ This principle of freedom leads to the separation of the two spheres, the religious and the secular, the inner and the public, the spiritual and the temporal. This distinction has further enabled and made possible in Western societies the separation of the political from the economic and religious spheres. There was of course the risk that this distinction would lead to a rigid separation of the spheres, giving rise to a forgetfulness of the importance of Christian action in society. However, religion cannot disregard politics, because the political space is the place where humanity is realized. What is important, however, is to desacralize politics and recognize its autonomy and its own logic.

Two doctrinal issues sum up the Reformation debate. The first is that the Reformers maintain that only Scripture (*sola Scriptura*) is the final authority on all matters of faith and praxis, whereas the Catholic Church maintains that historical decisions, the Councils, reflect a tradition invested with authority equal to that of the Bible.

The second aspect is the fact that the reformers claimed that man's salvation is accomplished through faith alone (*sola fide*) without any act of penance, whereas the Catholic Church claims that actions are necessary as part of forgiveness and implicitly of salvation.

⁸³ Cf. E. VAN DE PALL, "Protestantism and the Emergence of the Human Rights", in *Theological Reflections: Euro-Asian Journal of Theology*, Vol. 18 (2017).

⁸⁴ Letter of Luther to Pope Leo X

By its very nature, the Protestant Reformation introduced the premises of the modern formulation of human rights to the Western world through a few key points, such as the rehabilitation of the dignity of the layman that Luther took from the New Testament against a Christianity that was centred on the minister of worship. Christianity had become clericalized, and Luther abolished the difference between the clergy and the laity, restoring dignity to the latter. By virtue of baptism, all Christians are priests, and all lay people are ministers of God. We thus have a strong affirmation of the principle of equality⁸⁵.

The Reformation makes a fundamental contribution to the dignity of the worker. As Paolo Ricca well shows, the Reformation took up the Benedictine program of the *Ora et Labora*, elevating work to the rank of prayer. Just think of Luther's words 'The farmer who cultivates his field, the housewife who keeps house, the shoemaker who repairs his shoe render the same service to God as the priest who consecrates the host.'⁸⁶ Another major contribution of the Reformation is the importance of the conscience of the individual over any political constraint. The idea of the dignity of conscience is put into practice in the recognition of the right to disobey. Luther himself claims that there exists a right to disobey authorities in order to obey one's conscience. The separation of political power and the religious world is undoubtedly considered an achievement of modernity. In this field, too, the Reformation was a forerunner, just as the germs of contemporary democracy can be found in the way various religious movements that emerged from the Reformation organized themselves.

In contemporary times, Protestants, faithful to their original vocation, are extremely active in society. Many positions have been taken in defence of human dignity and human rights. In this regard, we can recall some official documents issued by the various churches of the Reformation.⁸⁷ In December 2006, on the occasion of the German Presidency of the Council of the European Community, the Council of the Evangelical Church in Germany published a document in

⁸⁵ An extensive bibliography is available to expand on the Reformation's contribution to the concept of human dignity and the development of human rights. See among others R. AMESBURY and G. NEWLANDS, *Faith and Human Rights: Christianity and the Global Struggle for Human Dignity*, Minneapolis, Fortress Press, 2008; J.-C. GUILLEBAUD, *La refondation du monde*, Paris, Seuil, 1999; D. LITTLE, *Essays on Religion and Human Rights*, Cambridge University Press, 2015; A. MACINTYRE, *A Short History of Ethics: A History of Moral Philosophy from the Homeric Age to the Twentieth Century*, Notre Dame, Indiana, University of Notre Dame Press, 1966.

⁸⁶ The consequences of the Reformation on the way work were viewed revolutionized the modern world. In this sense, see Max Weber's book, *The Protestant Ethic and the Spirit of Capitalism*.

⁸⁷ For a clarification of the Protestant view on the question of human dignity, see the document: "Human Rights and Morality" A Response of the Community of Protestant Churches in Europe (CPCE) to the Principles of the Russian Orthodox Church on "Human Dignity, Freedom and Rights".

which it emphasized the Christian roots of human dignity and human rights as the heart of and foundation for the 'basic values of Europe.'⁸⁸ The document states that in order to form a European policy to implement these values, human dignity must be placed at the centre:

'Europe is already based on the common fundamental values of freedom, justice, democracy and human rights. The foundation of these fundamental European values is the guarantee of human dignity. Their goal is to live together in peace and solidarity.

For the Christian faith, human dignity has an unconditional character. It is derived neither from certain characteristics nor from certain achievements of human beings. Rather, it is a dignity that is granted to every human being by God. It applies universally, i.e. also to those who refer to sources other than those of faith for its justification and derivation. It also applies to those who cannot articulate themselves: the unborn, the disabled, the dying.

One of the consequences of this dignity is that the human being cannot be considered at any stage of his life only from the point of view of his usefulness or usefulness; he must never be regarded merely as a means to an end. (...)

The Christian-Jewish tradition has significantly shaped the development of the fundamental values of the European Union. These foundations must be clarified again and again, and awareness of them must be raised. For citizens will only identify with the European Union to the extent that they can rely on respect for their respective cultures, religions, and histories.

The Protestant Church in Germany sees the European Constitutional Treaty and the Charter of Fundamental Rights as an important approach to making the defence of fundamental rights and democracy a common obligation. It continues to advocate that the European Constitutional Treaty include an explicit reference to responsibility before God and to the importance of the Judeo-Christian tradition.'

In 1973 in Leuenberg, the main European Lutheran and Reformed churches reached an ecumenical agreement and formed what is known as the Leuenberg Church Fellowship. Some Methodist churches as well as the Evangelical Brethren Church from the Czech Republic joined the group. The group thus formed is known under the name 'The Communion of Protestant Churches of Europe' and takes a stand on various ethical issues. This was the case when, in 2011, they issued a document entitled 'A time to live and a time to die' after lengthy consultations on issues concerning the prolongation of life or the decision to end it. Within this document we find the ethical framework resulting from the interpre-

⁸⁸ EKD, 2006, *Erklärung des Rates der Evangelischen Kirche in Deutschland (EKD) aus Anlass der Rat-
spräsidentschaft der Bundesrepublik Deutschland in der Europäischen Union*. 29. Dezember 2006.

tation of life as a gift and the creation of man in the image of God:

‘One of the essential elements of Protestant formulations of the Christian faith is the understanding of human life and its status. The status of the human being created in the image of God entails a fundamental responsibility of the human being to God because of the life received from the hand of God. Through the exercise of this responsibility to God for the life received, the human being is freed, on the one hand, from the need to define himself solely by his status in the world or by his innate qualities, and on the other hand, at the very heart of his status and relationships, to serve his neighbour with love.

Another essential aspect of human life that flows from the notion of the image of God is the fundamental dignity of human life. In Protestant formulations of the Christian faith, human dignity finds its primary foundation in the relationship of human life with God. What gives human life its full and absolute dignity is its fundamentally relational character founded in God’s acts of love that creates and justifies human beings. Human dignity is thus linked not to our inherent capacities or qualities but to the many ways in which we receive life through conditions beyond our control.

The fundamental dignity of human life does not rest on its functionality, usefulness or independence. It is not diminished by a lack of productivity, nor is it diminished by the feeling that life no longer gives any pleasure. A life with a serious illness or disability, a life totally dependent on the care and help of others - perhaps for its entire duration - in no way contradicts or diminishes the fundamental dignity of all human life; it does not represent an inauthentic or unworthy form of human life.

This commitment to the full and absolute dignity of human life, rooted in a relationship founded on the loving God’s acts of creation and justification, illuminates the Christian understanding of responsibility for human life. First, it implies that human life has a fundamental right to protection from harm, violation and destruction, as stated in the fifth commandment: ‘Thou shalt not kill’. But it also entails an essential responsibility to care for one’s neighbour, as witnessed by the life of our Lord. This responsibility includes not only a caring attitude and a compassionate disposition towards one’s neighbour, but also concrete acts of help and support, especially towards the most vulnerable: the poor, the widows, the marginalized, the abandoned: in short, all those on the margins of society and the human community.

The idea that human beings are fundamentally defined through their relationship with God is central to a Christian and Protestant perspective on human

life. Being created, justified and renewed by God’s loving action is the ultimate description of what it means to be human. Therefore, the ultimate state of being human, marked by an intrinsic and absolute dignity, is also rooted in something beyond human life itself, namely its relationship to an external reality. This idea is summed up in the fundamental description of humanity as created in the image of God, whose ultimate goal is a new life united with the risen Christ, all rooted in God’s acts of love towards humanity and creation.

It follows first and foremost that life is given by God, not obtained by an act of human power and control. This aspect is sometimes expressed by describing life as a gift. This metaphor sums up well the way life is offered, without consideration or merit, to be received with gratitude. But unlike other associations evoked by this idea, life does not become private property to be disposed of at will. Rather, it becomes the responsibility of human beings, something to be cherished with respect, love and care. However, it would be a mistake to interpret the status of human life in God’s image as a moral task. On the contrary, it is essential for the Protestant tradition that our essence as the image of God is rooted in God’s creation and thus remains exclusively God’s gift. The doctrine of justification by faith further emphasizes that the status of human beings as justified before God is a gift of God’s love for us, which is grounded in Christ’s death and resurrection. It does not stem from human responsibility or the moral realization of human beings. This also applies to the moral issues discussed in this text. It is not in moral discourse or in successful or failed practice that Christian believers establish or maintain their status as the image of God and justified before God, but only by receiving from the loving God the gifts of life and forgiveness.

Creation in the image of God testifies to the uniqueness and dignity of human life, a condition that the Bible reflects in passages such as Psalm 8. This dignity does not derive from the value we would find in it or derive from it. It surpasses the contingent and conditional value derived from human power and preference. The well-known teachings of the Reformation express how God creates human life through the myriad practical ways in which life is sustained and nourished. Nature is the fundamental origin of life and an everlasting source of renewal; for life to survive and flourish, it requires intimate relationships with other human beings; the framework of a culture and society with language, patterns of cooperation, and institutions provides the necessary means not only to live in community with others, but also to reflect on oneself and express one’s own reflection.⁸⁹ Summarizing the Protestant perspective, Ulrich Körtner writes ‘According to the

89 «Un temps pour vivre, et un temps pour mourir», 2011 Communion d’Églises Protestantes en Europe CEPE.

Protestant tradition, the dignity of the human person is based on God's predestined grace, which is emphasised in the New Testament message of the sinner's unconditional justification. This implies a fundamental distinction between the human person and his good or bad deeds (works). Consequently, a human being's right to life does not depend on their intellectual abilities or physical state. This results from the connection between the doctrine of justification and Christology. Christian anthropology finds its ideal not from the general idea of man in his perfection but rather from the suffering and crucifixion of Christ who "had no figure nor beauty to attract our gaze, nor appearance to make us desire him" (Is 53:2). Man as the image of God as presented in the Christian doctrine of creation must be looked at from this perspective.⁹⁰

3.5. The Orthodox Church and dignity

In recent years, we have a deepening of the concept of human dignity in the Orthodox churches as well. Official positions do not abound and are always linked to the issue of human rights. The latter are viewed with certain nuances by the various Orthodox churches. The reason is historical, as many of them have been under totalitarian regimes. Indeed, communism accepted the activities of these churches but banned their public and social activities. A richer reflection can be found in the social teaching of the Orthodox churches found in the Western world. At the same time, the traditionalist and conservative nature of these churches pushed them to have a more critical attitude towards modernity. An anthropology that places man without God at the centre is difficult to accept, and one doubts the values of such a man. In this sense, this passage from the speech given by Russian Patriarch Kirill before the UN Human Rights Council on 18 March 2008 is eloquent:

'It is clear to Orthodox Christians that human dignity is inconceivable without a religious-spiritual and ethical dimension. At the same time, in order to make the concept of human rights acceptable to people with different worldviews, constant attempts have been made to separate the concept of dignity from religion. As a result of this denigrating action, religious views have been declared a private affair and are also denied as a valid source for modern law and human rights. And this is despite the fact that, according to widely recognized assessments, almost 80 per cent of the world's population are religious people.'⁹¹

90 Körtner, U.H.J., 2011, 'Human dignity and biomedical ethics from a Christian theological perspective', in *HTS Theologiese Studies/Theological Studies* 67(3).

91 In K. STOECKL, 'The Teaching of the Russian Orthodox Church on Dignity, Liberty, Human Rights, in *The Kingdom - News and Documents*, no.21, 2008.

The same Russian Patriarch Kirill fully supports the war of invasion that Russia is waging against Ukraine starting with 2014. The defense of "national symbols, property, cultural values, and identity," as evidenced by his public statements and as seen in the "Decree of the XXV World Russian People Council Present and Future of the Russian World" of March 27, 2024, leads him to even call the Russian invasion a "Holy War":

"The Special Military Operation is a new stage of the national liberation struggle of the Russian people against the criminal Kiev regime and the collective West behind it, conducted in the lands of South-Western Russia since 2014. During the SMO, the Russian people with arms in their hands defends its life, freedom, statehood, civilizational, religious, national, and cultural identity, as well as the right to live on their own land within the borders of the united Russian state. From a spiritual and moral point of view, the special military operation is a Holy War, in which Russia and its people, defending the unified spiritual space of the Holy Rus', fulfills the mission of the "Holder", protecting the world from the onslaught of globalism and the victory of the West that has fallen into Satanism".⁹² It is difficult to reconcile the position of the Russian Patriarchate with evangelical principles and impossible to reconcile it with respect for human rights and consequently with the respect of human dignity.

The main objection that Orthodox theologians bring to the formulation of human rights is their individual character, which risks exacerbating individualism to the detriment of community, thus altering the Christian anthropological framework. This is the case, for example, of Christos Yannaras, a Greek Orthodox philosopher and theologian who even speaks of the inhumanity of human rights.⁹³

After the fall of the Iron Curtain, at the end of a period of abuses and restrictions on freedom of expression, the churches in Eastern European countries began to address the issue of human rights, especially in terms of religious freedom, an important aspect of these rights. We can say that in general, the Orthodox churches are reluctant about some aspects of human rights, at least in the form in which they are claimed in certain contexts and as long as they do not take into account fundamental aspects of Christian anthropology. Human dignity is treat-

92 Source: the original in Russian, <http://www.patriarchia.ru/db/text/6116189.html> (Russian text), https://risu.ua/en/order-of-the-xxv-world-russian-peoples-council-present-and-future-of-the-russian-world_n147334 (English translation)

93 C. YANNARAS, 'Human Rights and the Orthodox Church' in *θεολογία*, (2002), no. 2, pp. 382-384.

ed in the Orthodox world as part of the human rights issue.⁹⁴

In June 2008, the Synod of the Russian Orthodox Church drafted a document entitled “Foundations of the Russian Orthodox Church’s Doctrine on Dignity, Liberty and Human Rights”.⁹⁵ Because of its importance it deserves a lengthier treatment here. The document underscores the importance of integrating human rights principles with Christian values and teachings. It advocates for a nuanced approach that upholds the dignity of every individual while respecting religious beliefs and moral convictions.

The document opens with a Preamble followed by five chapters: I. Human dignity, a religious and moral category; II. Freedom of choice and freedom from evil; III. Human rights in the Christian conception and in the life of society; IV. Dignity and freedom in the human rights system; V. Principles and priority areas of civic activity of the Russian Orthodox Church.

Chapter One of the document discusses the concept of human dignity, which is considered a ‘religious-moral category’. It has an ontological foundation in that man was created in the image and likeness of God. Original sin did not alter this dignity since the face was not erased. The Incarnation of God led to the possibility of restoring the face. Consequently, ‘dignity does not cease with the distortions of man’s nature due to the fall into sin’ (Chapter I. 1). Dignity is also closely related to likeness, which is to be understood as a moral path: ‘In the Eastern Christian tradition, the notion of dignity has first and foremost a moral meaning, while the representations of what is worthy and what is unworthy are intimately connected with man’s moral or immoral behaviour and his state of mind’ (Chapter I. 2).

Chapter Two of the document addresses the issue of freedom, which according to Christian anthropology is linked to the fact that man is the image of God. This freedom is not absolute but must be used according to the purpose for which man was created. To harm those around you and yourself is to lose this freedom since sin is the opposite of freedom. In this sense, the document quotes the Apostle Paul’s text from the Epistle to the Romans 7:15-17: ‘For I do not understand my own actions. For I do not do what I want, but I do the very thing I hate. Now if I do what I do not want, I agree with the law, that it is good. So now it is no longer I who do it, but sin that dwells within me.’ The Russian Church’s text reproaches the Declaration of Human Rights with promoting a freedom that is not related to responsibility and the Christian understanding of sin:

94 A. YANNOULATOS, ‘Eastern Orthodoxy and Human Rights’ in *International Review of Missions*, 73 (1984).

95 The original text is accessible at <http://www.patriarchia.ru/db/text/419128.html>

‘The weakness of the human rights institution lies in the fact that while defending the freedom (αὐτεξούσιον) of choice, it tends to increasingly ignore the moral dimension of life and the freedom from sin (ἐλευθερία). The social system should be guided by both freedoms, harmonizing their exercise in the public sphere. One of these freedoms cannot be defended while the other is neglected. Free adherence to goodness and the truth is impossible without the freedom of choice, just as a free choice loses its value and meaning if it is made in favour of evil’ (II. 2).

In Chapter Three, the document affirms the primacy of spiritual values over human rights. In the public space, individual rights cannot be above Christian morality:

‘A society should establish mechanisms restoring harmony between human dignity and freedom. In social life, the concept of human rights and morality can and must serve this purpose. At the same time the notions are bound up at least by the fact that morality, that is, the ideas of sin and virtue, always precede law, which has actually arisen from these ideas. That is why any erosion of morality will ultimately lead to the erosion of legality. (...) It is necessary to give a clear definition of the Christian values with which human rights should be harmonized’ (Chapter III.1).

‘Without being divine in nature, human rights must not conflict with divine revelation. For the most of the Christian world, the category of the tradition of teaching of faith and morals is held at the same level of importance as personal freedom. Or, man must harmonise his freedom with these two. For many people living in different countries of the world, not so much the secular standards of human rights, but above all faith and traditions are considered normative in social life and interpersonal relations’ (Chapter III. 2).

‘It is inadmissible to introduce regulations into the field of human rights that completely nullify both the Gospel and natural morality. The Church sees a great danger in legislative and public support for various vices, such as sexual harassment and perversion, profiteering and violence. It is equally inadmissible to support immoral and inhuman actions against human beings such as abortion, euthanasia, the use of human embryos in medicine, experiments that change a person’s nature, and the like.

Unfortunately, society has witnessed the emergence of legislative norms and political practices that not only permit such actions, but also create preconditions for them by imposing them through the media, education and health systems, advertising, commerce, and services. Moreover, believers, who consider these things sinful, are forced to accept sin as permissible or are subject to discrimina-

tion and persecution' (Chapter III.3).

The recognition of individual rights should be balanced with the affirmation of the mutual responsibility of people. The extremes of individualism and collectivism cannot promote a harmonious order in the life of society. They lead to the degradation of personality, moral and legal nihilism, increasing criminality, civil inaction and mutual alienation of people.

However, the Church's spiritual experience has shown that the tension between private and public interests can only be overcome if human rights and freedoms are harmonized with moral values and, above all, only if the life of the individual and society is enlivened with love. Love is that which eliminates all contradictions between the individual and his surroundings, enabling him to enjoy himself freely while caring for his neighbour and his country.

Some civilizations should not impose their way of life on other civilizations under the pretext of protecting human rights. Human rights work should not be in the interest of some countries. The struggle for human rights becomes fruitful only if it contributes to the spiritual and material well-being of both the individual and society' (Chapter III. 4).

'From the perspective of the Orthodox Church, the political and legal institution of human rights can promote the good objectives of protecting human dignity and contribute to the spiritual and ethical development of the personality. To make the implementation of human rights possible, it must not conflict with the moral standards established by God and the traditional morality based on them. Human rights cannot be correlated with the values and interests of the homeland, the community and the family. The exercise of human rights should not be used to justify any violation of a nation's religious symbols, property, cultural values and identity. Human rights cannot be used as a pretext to cause irreparable damage to nature' (Chapter III. 5).

Chapter Four addresses specific human rights issues such as the right to life, freedom of conscience and creation, the right to education, civil and political rights, socio-economic rights and collective rights. As for the right to life, it is considered absolute, according to the biblical commandment 'Thou shalt not kill', and life cannot be reduced to biological life because man is destined for eternity. The beginning of life is considered to be the moment of conception as deduced from Psalm 139: 'It is you who created my bowels and wove me in my mother's womb.' Any attack on life, including the embryo, is against Christian morality.

The document of the Russian Church had a great echo, and we have already mentioned the response given by the Communion of Protestant Churches in Europe (CPCE). But the Orthodox world also marked some inconsistencies and confusions of plans. The level of human rights should not be conflated with reli-

gious beliefs, and particularly should not be made subordinate to them. Doing so would undermine its aspiration for universality. There were also voices in the Orthodox space that pointed out shortcomings in the aforementioned document. In this sense, the Orthodox theologian Radu Preda also writes: 'The Orthodox view fails to value, as Protestants do, the positive contribution of human rights as instruments for placing human action under the rule of law and thus guaranteeing the structures of a less conflictual vision of social life. The distinction between law and morality, characteristic to the highest degree for modern thought, is practically denied by the Russian document. The authors of the Evangelical critique show that their view is completely different from the Russian Orthodox view, human rights in the Protestant reading being a secular (although partial) expression of God's will.'⁹⁶

In the Orthodox world, however, there is unanimity in recognizing an ontological dignity and a moral dignity. Ontological dignity is linked to the entire life of a human being regardless of his ethnicity, colour, gender, social origin, material situation or state of health and extends beyond his earthly existence. Indeed, for orthodox teaching, human dignity begins at conception and extends into eternity. Moral dignity refers to how a person's behavior, choices, and adherence to moral principles influence the recognition and respect they receive from others. It is associated with notions of virtue, integrity, and righteousness. As far as moral dignity is concerned, it corresponds to man's vocation to holiness.

3.6. Conclusions of Chapter III

The Christian faith nurtures the conviction that nothing can deny a human being the constitutive value that God has assigned to him or her. This value guarantees all fundamental rights through its reference to the divine love that creates us and, to speak in theological terms, always recreates us. One cannot speak of rights while evading the question of their foundation. If we look at the Universal Declaration of 1948, it specifies that man can only exist where he has a promise of existence. In the Christian tradition, this promise can be read anthropologically in man's bond with God. Revelation offers us this strong vision that humanity, beyond all cultural diversity, is endowed with an inalienable dignity.

As we have said, for Christians, access to the foundation of human dignity is facilitated by faith, a faith that is not shared by the whole of society and cannot be imposed. Its contribution is that of "prophetic vigilance", a vigilance that calls one

⁹⁶ R. PREDA, «Documentul teologic rus despre drepturile omului. Recepție și controverse», UBB, Facultatea de Teologie Ortodoxă, *Anuar XIII (2009-2010)*, p. 316.

to see each human being as unique and unrepeatable in and through the gaze of God.⁹⁷ We call it “propetic” because Christian ethics offers a visionary perspective, promoting values like love, compassion, justice, and dignity as a moral guide for society. It challenges the status quo by confronting injustices and inequalities, demonstrating courage to stand against societal norms. It denounces abuse and wrongdoing, advocating for the marginalized and resisting compromises on ethical principles.

Indeed, many are tempted, even among those who have recourse to the concept of natural law, to base respect for human dignity solely on a concept of humanity held to be true, that is, by virtue of the positive qualities recognized in human nature. Dignity is thus suspended from the recognition of these qualities. There are many who do not recognize this humanity unless it possesses positive qualities, and the absence of these qualities leads certain people to deny dignity. Particularly sensitive in this regard is the issue of euthanasia and abortion, of the suffering person and the person not yet born but not for this reason deprived of dignity.

The objection often encountered about the opposition or contrast between the Christian idea of man created in the image and likeness of God and the secular idea of human dignity is not tenable. In fact, the one finds continuity in the other. While Christian thought, through the figure of the Imago Dei, contemplates man from a perspective centred on his relationship with transcendence, with God the creator, the secular thought of human dignity has as its presupposition man’s self-understanding based on his freedom, autonomy and moral responsibility. The two perspectives complement each other. The Christian perspective is broader as the Bible scholar Claus Westermann notes regarding the interpretation of Genesis 1:26: ‘every man in every religion and in every sphere where religions are no longer recognized is created in the image of God.’⁹⁸

The social teaching of Christian churches, the norms of Christian ethics, the positions, often described as conservative, that are taken on sensitive issues are indebted to this particular anthropology, an anthropology that sees man as dependent on God as the reality that determines everything. The consistency of such a position can be easily recognized even by an atheist who does not share the same perspective. Christian ethics, faithful to its original vocation, designs a life program and renders a prophetic⁹⁹ service to society. It does not seek to

97 See G. MEDEVIELLE, ‘La difficile question de l’universalité des droits de l’homme’, in *Transversalités* nr. 3, 2008.

98 C. WESTERMANN, *Genesis I/1*, Neukirchen-Vluyn, 1976, p. 218.

99 “prophetic” in this context emphasizes the proactive and transformative role of Christian ethics in shaping society according to its vision of justice, love, and human flourishing.

impose itself on the state but must show society its vision of man and have the courage to go against the tide. This is why Christian voices always have the courage not to accept every social consensus and to denounce what they see as abuse. Faced with the ethical challenges brought about by new technologies, Christian ethics strongly affirms its principles. In this sense, Eberhard Schockenhoff in his article already quoted highlights three of them: Respecting human life also means accepting it with its weakness and vulnerability; Respecting human life means accepting it with its possibilities and limitations; Respecting human life means accepting it with deep respect as a gift.

The concept of human dignity cannot be separated from what we call human rights. As we have seen, the Universal Declaration of Human Rights places the concept of human dignity at the centre. The road to the Universal Declaration was a long one, and many of the rights we now consider normal or obvious were not always so. They originated in the Western world and have been equally reproached for being too Western and therefore not taking into account the sensitivities of other cultural areas.

The effort by some to ground human rights in a secular structure free from religious foundations is made for two reasons: both because recognition of Christian religious foundations would make human rights norms unacceptable to other religions and because of a desire to deny their religious origin. As Gordon Butler has observed, ‘religion was the glue that held the state together, and we ask whether a democratic government can be maintained without the support of a commonly recognized religious value system? It is difficult for anyone to find a viable society in history that did not have such a value system. Those who reflect on prosperity and freedom in the secular states of Europe and North America cannot easily overlook the fact that the common ground in both situations was Christian and European.’¹⁰⁰

Chapter III delves into the concept of human dignity within the Christian vision of society, exploring its theological, philosophical, and ethical dimensions. It begins by examining the foundational importance of human dignity in the Judeo-Christian tradition, rooted in the belief that every individual is created in the image and likeness of God. This understanding of human dignity provides a firm foundation, transcending cultural, social, and individual differences. The chapter highlights the intricate relationship between human dignity and various philosophical, theological, and ethical frameworks, emphasizing the need

100 G. BUTLER, ‘The Essence of Human Rights: A Religious Critique’, in *University of Richmond Law Review*, Vol. 43, No.4, 2009.

for a comprehensive understanding that encompasses both the individual and communal dimensions of human existence. Drawing on insights from theologians, philosophers, and religious traditions, the chapter underscores the universal applicability of human dignity as a guiding principle for ethical decision-making and societal organization.

Furthermore, the chapter explores the historical and theological developments that have shaped the Christian conception of the person, tracing its origins to the doctrines of the Trinity and the Incarnation. It emphasizes the centrality of relationships in understanding personhood, echoing the Christian understanding of God as a relational being.

The Catholic tradition's rich social teaching, particularly highlighted in documents such as *Gaudium et Spes*, underscores the intrinsic value of every human person and the imperative to uphold human dignity in all aspects of social life. This vision of human dignity as a foundational principle for social justice and equality resonates with broader discussions on human rights and societal ethics. Moreover, the chapter examines the contributions of the Protestant Reformation to the understanding of human dignity, emphasizing concepts such as freedom of conscience, the dignity of labor, and the separation of religious and secular spheres. These insights enrich the broader discourse on human dignity and societal ethics, offering diverse perspectives rooted in Christian faith traditions.

Finally, the chapter acknowledges the evolving discourse on human dignity within the Orthodox tradition, highlighting the significance of ontological and moral dignity in Orthodox theology. It underscores the prophetic role of Christian ethics in challenging societal norms, advocating for justice, compassion, and dignity for all individuals.

Chapter III portrays human dignity as a cornerstone of the Christian vision of society, intertwining theological insights, philosophical reflections, and ethical imperatives to affirm the inherent worth and dignity of every human person. By fostering dialogue and embracing diverse perspectives, the chapter encourages readers to explore the profound significance of human dignity and its relevance to modern-day social and ethical dilemmas.

Moreover, in the previous pages, we broadly examined the stance of the Orthodox Churches on human rights, revealing a complex historical context. Orthodox Churches, particularly those operating in communist countries, have often faced limitations on political and social engagement, leading to conservative positions. Despite this, Orthodox perspectives on human rights challenge individualism and emphasize ontological dignity. Notably, a 2008 document by the Russian Orthodox Church addresses dignity, freedom, and human rights, advocating for spiritual values over rights. However, criticisms have arisen, including from theologian Radu Preda, who highlights the importance of human rights in preventing social conflicts.

Furthermore, Christian responses to modernity and ethical challenges, including those of Eberhard Schockenhoff, underscore the sanctity of human life. Human rights, established within secular frameworks, serve to prevent Christian dominance and assert a universal, non-religious foundation.

Chapter IV:

What kind of politics will truly defend human dignity?

Human dignity and its specific implications: the right to life, freedom and solidarity

4.1. Dignity on a global level

Given its universal scope, human dignity cannot be a topic limited to the internal politics of individual countries but must cut across the political debate on a global level, as it is a topic that calls into question the very reality of the human person. Dignity is the foundation of the possibility of politics; it is its deepest root and purpose.

The legal basis on which politics operates was established at the end of the Second World War and has taken concrete form in the drafting of the constitutions of individual countries and in international declarations and agreements aimed at defending human dignity as an inviolable principle. No political authority, in fact, has the power to deny or eliminate human dignity as a distinctive trait of the essence of the person. Yet human dignity is still a controversial topic in some countries, which, by referring to religious, cultural or political traditions, reject the idea that every human being has an inviolable dignity which must be respected and honoured first and foremost by the State.¹⁰¹

This situation is evident in countries where there is a strong influence of religion on politics and in totalitarian or dictatorial states, where state power is not limited by respect for human rights. In the case of regimes born out of a revolution or a coup d'état, the condition of violation of human dignity sometimes arises when the monopoly on violence, normally held by institutions to maintain social order, is transformed into an overpowering by the state, no longer limited by the recognition of dignity and rights. In such regimes, then, dignity represents the latent potential with which it is possible to subvert an oppressive and inhuman system by exercising a policy of resistance.

¹⁰¹ On the subject of dignity as a controversial reality in politics, compare the interesting work by Wilfried Härle, *Dignità. Pensare in grande dell'essere umano*, Queriniana, Brescia 2013, in particular pp. 63-67.

Then there is the case of the violation of the principle of human dignity in countries that are marked by a unitary ideology and that assume a totalitarian character, i.e., they do not limit themselves to a system that can improve civil coexistence but seek to control and regulate people's thinking, willingness and feeling as much as possible. Even in these situations, the appeal to human dignity represents a possibility to question a totalitarian policy and to remove people from a dangerous system of controlling their lives.

In countries where religion holds significant influence over politics and governance, there tends to be resistance towards the principles of human dignity and individual rights. This resistance arises from the concern that embracing these principles might empower individuals to express their freedom and criticize authority, which could pose a direct threat to the stability of authoritarian regimes. Such regimes often rely on rigid religious ideologies to maintain control and are typically resistant to societal changes and the acceptance of diverse lifestyles.

Furthermore, on a global scale, there are numerous dictatorial, totalitarian, and religiously-dominated states that actively oppose the notion of human dignity and the rights associated with it. These regimes view the recognition of human dignity and individual rights as a challenge to their authority and control over their populations. As a result, they often suppress dissent and limit freedoms to maintain their grip on power.

Given the prevalence of such regimes, policymakers face a crucial task in prioritizing the protection of human dignity. This is not only important on an international level but also within countries where human dignity is formally acknowledged as a guiding principle. Despite formal recognition, there may still be instances where human dignity is disregarded or inadequately respected in practice. Therefore, policymakers must ensure that efforts to uphold human dignity are not only symbolic but also translate into tangible improvements in the lives of individuals, both domestically and globally.

In this sense, human dignity may be the most important measure by which to verify the health of the world's existing political systems, their level of growth and democratization. In current international political discussions, however, the reference to dignity and rights continues to appear as a divisive element, very often due to polarization over different cultural positions. Politics, being supranational by nature, must strive to combat this misunderstanding, recovering the basic value of dignity as a principle that unites people of all countries, cultures and religions within their common belonging to the human race, deriving from this common origin the inviolability and inalienability of rights. It is necessary, therefore, for politics to go back from differences to dignity as a common matrix of the different expressions of law in individual countries, working to harmonies

the regulatory framework in function of the recognition of dignity as the universal potential of humanity in and of itself.

4.2. Human Dignity in the constitutional texts

From the point of view of constitutional texts, the German Constitution of 1949 stands out without a doubt. In its first article, it places human dignity as the foundation of law: 'Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.' The first article of the Portuguese Constitution of 1976 makes the strong statement that 'Portugal is a sovereign republic founded on human dignity. 'The Spanish Constitution, written in the same year, in Article 10: 'Human dignity, inviolable and inherent rights, the free development of the personality, the respect for the law and for the rights of others are the foundation of political order and social peace.' The Greek Constitution of 1986 also emphasizes the importance of human dignity in Article 2: 'Respect and protection of the value of human being constitute the primary obligations of the State.'

The Polish Constitution also states in Article 30: "The inherent and inalienable dignity of the person shall constitute a source of freedoms and rights of persons and citizens. It shall be inviolable. The respect and protection thereof shall be the obligation of public authorities". In first article, the Romanian Constitution as well recalls the principle of human dignity as the supreme value to be protected; the Constitution of Finland of 2000 states in its first section: 'The constitution shall guarantee the inviolability of human dignity and the freedom and rights of the individual and promote justice in society.'

Thus, also the Italian Constitution, although not dedicating a general provision to human dignity, refers to it in Article 2, in which it addresses the issue of the guarantee of inviolable human rights, and in Article 3, in which it proclaims the equal social dignity of all citizens, and again in Article 36, in which it assumes dignity as a parameter of the worker's salary, and in Article 41, in which it indicates dignity as a limit to private economic initiative.

Without enumerating the entire list of countries in whose constitutions the concept of human dignity is affirmed as a constitutional foundation, we can note a consensus on this aspect in Western democracies. The 1993 Constitution of the Russian Federation, at a time when the country was preparing for a democratic transition after the long Soviet period, also states in Article 21: 'Human dignity shall be protected by the State. Nothing may serve as a basis for its derogation.' Other constitutions of some countries that are guided by principles other than those of Western democracy also mention the importance of human dignity. For example, the 1980 Constitution of the Islamic Republic of Iran mentions in Article 2:6, in the section on the principles on which the Republic is founded, 'the exalt-

ed dignity and value of man, and his freedom coupled with responsibility before God', while Article 22 of the same Constitution specifies "The dignity, life, property, rights, residence, and occupation of the individual are inviolable, except in cases sanctioned by law.' Here is an example of ambiguous use of the concept of dignity/honour. We can also see in the case of the Republic of China the mention of dignity in Article 38: 'The personal dignity of citizens of the People's Republic of China is inviolable.' There is a great distance between the mention of dignity and respect for human dignity, just as there is a difference between putting human dignity at the basis of the social order and only mentioning it in an almost ambiguous way.

4.3. Human Dignity in the Universal Declaration of Human Rights

The basic international text of reference is the Universal Declaration of Human Rights, defined by the UN on 10 December 1948, which, in its opening, reaffirms the function of dignity as the cornerstone of the entire system of rights: 'recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.'

The human rights scheme is linked to three essential concepts: human dignity, rule of law and universality. The rights defined in this document are clearly expressed and express a vision of humanity. The intention of the authors of the declaration was to introduce in a solemn document the idea of human dignity and at the same time what reason and experience say about humanity.

It is worth recalling the passages that contain references to human dignity. Thus, in the Preamble states:

'Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge’.

Accordingly, they explicitly wrote that these rights are inviolable and inherent. In other words, these rights cannot be altered, by politicians or others, because they are innate: they belong to every human being as a birthright by virtue of being a human being. The Declaration reflected a view of natural law that was expressed in paragraphs by representatives from almost all over the world, from different regions and religions.¹⁰²

In this sense, we can say that human rights are pre-political, in the sense that they are not given or granted by politicians to citizens but must be protected by them. Being constitutive of the human being, they are anthropological, they belong to human nature. Charles Malik, one of the drafters of the Declaration, said: ‘When we disagree about what human rights mean, we disagree about what human nature is. Indeed, we can only speak of universal human rights if we agree on the existence of a universal human nature.’

The first article of the UDHR says: ‘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 3 mentions that ‘Everyone has the right to life, liberty and security of person.’

The rights and freedoms protected by the rule of law include the right to participate in government, the freedom to choose one’s religion and the right to education. The freedom to participate in government is provided for in Article 21

of the UDHR:

- 1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- 2) Everyone has the right to equal access to public service in his country.
- 3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

In Articles 22 and 23, we again find a reference to human dignity: ‘Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.’ Conversely, Article 23 specifies:

- 1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- 2) Everyone, without any discrimination, has the right to equal pay for equal work.
- 3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.’

For the understanding of the anthropological dimension of the document, Articles 18 and 19 are important:

Art. 18: ‘Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.’

Article 19: ‘Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.’

The UDHR is seen as the instrument that transformed the United Nations from a simple organization established to mediate relations between sovereign states into an instrument for the reconstruction of the international community based on ethical ideals and standards and a humanistic conception of man and humanity. The human rights system is practically tied to three essential concepts:

¹⁰² Cf. M. A. GLENDON, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights*, Random House, New York, 2001.

human dignity, the rule of law and universality. Each of these concepts has been the subject of intense debate and controversy, proving extremely difficult to define unambiguously.

The universality to which UDHR aspires is in tune with the universality that emerges from Christian anthropology. Human nature is the same everywhere, and, by implication, the rights derived from it do not change over time and are not confined to a particular culture. Human nature manifests itself universally, even if it expresses itself differently depending on the cultural and historical context. Humanity, always and everywhere, manifests a process of reflection, experience, judgement and choosing between different possible situations, develops concepts, creates art, science, philosophy, aspires to justice and develops ethical codes, has manifested religious sentiment, etc. If this nature is not universal and an understanding of it is not accessible to rationality and experience, one cannot even speak of human rights.

4.4. Brief history of human rights

Modern commentators present the history of human rights starting from Hobbes, Locke, Hume, Rousseau, Kant, Mill and others, without looking at their deeper roots. The Enlightenment undoubtedly made an important contribution, but this would not have been possible without the breakthrough created by the Protestant Reformation. With the Reformation, the right to be and think differently was won, and the different denominations were forced to coexist and find the necessary rules for this. The separation of church and state began with the Augustinian theory of the two cities (the “City of God” and the “City of Men”),¹⁰³ the two-power theory of Pope Gelasius, the medieval two-sword theory and the two-kingdom theory of the Reformation.

The consequences of the Reformation and its contribution to the genesis of human rights are emphasized by many authors. John Witte Jr., a renowned specialist in the relationship between law and religion, states:

‘Protestant groups in Europe and America casts these theological doctrines into democratic forms designed to protect human rights. Since all persons stand equal before God, they must stand equal before God’s political agents in the State. Since God has vested all persons with the natural freedoms of life and belief, the State must ensure them of similar civil liberties.

¹⁰³ Augustine, *De civitate Dei*, XIV, 1.

Since God has called all persons to be prophets, priests and kings, the State must protect their freedom to speak, to preach, and to rule the community. Since God created persons as social creatures, the State must promote and protect a plurality of social institutions, particularly the church and the family (...). Political offices must be protected against the sinful nature of political officials. Political power, like ecclesiastical power, must be distributed among self-checking executive, legislative and judicial branches. Officials must be elected to limited terms of office. Laws must be clearly codified and discretion closely guarded. If officials abuse their office, they must be disobeyed; if they persist in their abuse, they must be removed, even if by force.

In the past, these Protestant teachings helped trigger some of the great Western revolutions, in which the struggle was fought in the name of human rights and democracy. These were the ideological forces that drove the revolt of the French Huguenots, the Dutch Pietists and the Scottish Presbyterians against their monarchical oppressors in the later sixteenth and seventeenth centuries. They were important weapons in the arsenal of revolutionaries in England, America and France. They were important sources of inspiration and instruction during the great age of democratic construction in later eighteenth and nineteenth century in America and Western Europe.¹⁰⁴

Religious authorities are among those most concerned about human rights because of their special focus on human dignity. Thus, as Mary Anne Glendon notes, since the 1990s there have been movements that have tried to politicize the Universal Declaration. Especially at the UN, at the Cairo and Beijing Conferences (in Beijing there was also a movement that wanted to delete ‘dignity’ from the conference documents), representatives of the Holy See fought to save and maintain the link between freedom and solidarity. Glendon recalls that one of the most sobering interventions on the issue of human rights can be found in Pope Benedict XVI’s address to the United Nations on 18 April 2008. After praising the UDHR as the result of a process aimed at ‘placing the human person at the centre of institutions, laws and the functioning of society’ and appreciating that it made it possible for different cultures to come together and find expressions and institutional models ‘to converge around a fundamental core of values and, therefore, rights’, Pope Benedict also pointed out no less than nine dilemmas that threaten the future of the human rights project. These are ‘(1) cultural relativism, (2) positivism, (3) philosophical relativism, (4) utilitarianism, (5) a selective approach to

¹⁰⁴ WITTE, John Jr., *Law, Religion, and World Peace*, text written for The Tami Steinmetz Centre for Peace Research, University of Tel Aviv; Published in *Israel Yearbook on Human Rights*: 1996, Ed. by Y. Dinstein Domb.

rights, (6) increasing demands for new rights, (7) hyper-individualistic interpretations of rights, (8) forgetting the relationship between rights and duties, and (9) threatening religious freedom through dogmatic forms of secularism.'

Since the UDHR, the following were approved: the European Convention for the Protection of Human Rights and Fundamental Freedoms on 4 November 1950; the American Convention on Human Rights on 22 November 1969; the African Charter on Human and Peoples' Rights on 26 June 1981; and the Arab Charter on Human Rights on 25 September 1994.

But the most important and most recent text, approved on 7 December 2000, is the Charter of Rights of the European Union, or the Nice Charter, which was then included in the Lisbon Treaty on 13 December 2009.

4.5. The Charter of Nice

In the Preamble of the Nice Charter, human dignity is mentioned as a fundamental value of the European Union:

'Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law.'

Further on, Chapter 1 is dedicated to human dignity. In Article 1, its inviolability is enshrined: 'Human dignity is inviolable. It must be respected and protected.' Human dignity is explained in the following articles of Chapter 1 in the form of two rights and two prohibitions, which are explained in turn. Thus, we have the right to life, the right to the integrity of the person, the prohibition of torture or inhuman and degrading punishment, the prohibition of slavery and forced labour:

Article 2: Right to life

- 1) Everyone has the right to life.
- 2) No one shall be condemned to the death penalty, or executed.

Article 3: Right to the integrity of the person

- 1) Everyone has the right to respect for his or her physical and mental integrity.
- 2) In the fields of medicine and biology, the following must be respected in particular: the free and informed consent of the person concerned, according to the procedures laid down by law, the prohibition of eugenic practices, in particular those aiming at the selection of persons, the prohibition on making the human body and its parts as such a source of financial gain, the prohibition of the repro-

ductive cloning of human beings.

Article 4: Prohibition of Torture and Inhuman or Degrading Treatment or Punishment: No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 5: Prohibition of slavery and forced labour

- 1) No one shall be held in slavery or servitude.
- 2) No one shall be required to perform forced or compulsory labour.
- 3) Trafficking in human beings is prohibited.

In Chapter III, entitled 'Equality', and Chapter IV, entitled 'Solidarity', human dignity is explored within the framework of social rights: the right of the elderly to a "life of dignity", the right to work in dignified conditions, and the right to a "decent existence" even for those without sufficient means of subsistence:

CHAPTER III EQUALITY

Article 25: Rights of the Elderly

The Union recognizes and respects the rights of the elderly to lead a life of dignity and independence and to participate in social and cultural life.

CHAPTER IV SOLIDARITY

Article 31: Fair and just working conditions

- 1) Every worker has the right to working conditions which respect his or her health, safety and dignity.

Article 34: Social security and social assistance

- 3) In order to combat social exclusion and poverty, the Union recognizes and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Community law and national laws and practices.

4.6. Dignity as an objective fact

In spite of this rich body of international law, the issue of human dignity remains subject to serious violations.

Politics must prioritize this task of reflection if it wants to base its work on solid foundations. Human dignity must once again become the fundamental lever of political elaboration and action since it has essential features that can never be denied by those who govern.

Human dignity, in fact, is the most intimate expression of man's being and is constitutive of his essence. This is why dignity belongs to everyone as an essential constitutive and natural trait.

On the basis of this assumption, dignity is not granted or attributed by a higher authority to the individual, but it can only be *recognized* for every human being. Dignity is therefore not the result of a decision taken or an agreement made but is an objective fact since it derives directly from each individual's belonging to humanity as such.

From this common belonging of each individual to humanity as a whole derives the idea of equality between men: all are worthy of the same respect since all constitutively belong to the same human nature. It is from this common belonging that all political action must move if it is to be an instrument for humanity as such, for its needs and its highest aspirations.

Human dignity is the very presupposition for the elaboration of any table of rights and values: it is the only ground on which any axiological system and any political ideology can be founded. The first fundamental issue for those involved in political commitment will therefore be to avoid, as unfortunately often happens, confusing human dignity with individual subjective rights or, more generally, with human rights.

In fact, the true space for political reflection and action is only created by making a distinction between dignity, on the one hand, and all other rights on the other. This distinction is fundamental to re-establishing the right dimension of relations between different levels of political reflection and practice.

Unlike the pivotal principle of dignity, which is universal and timeless, i.e. always valid, specific rights, on the other hand, are closely linked to criteria extrinsic to human nature and are subject to variation of the will based on transitory judgments and historical and contingent circumstances of a specific nature, whether they are presented as decisions of the majority or express the views of a minority of the population.

In the face of the changing framework of rights, human dignity is presented as an objective datum, as a point of reference which no individual or collective choice can call into question, narrowing its breadth of meaning to specific and limited contents. The inexhaustible nature of dignity must never be resolved into a specific profile, because this would mean losing the potential trait of universality that distinguishes it, binding it to the immutable essence of man as such.¹⁰⁵

¹⁰⁵ Linguistically, too, it is possible to grasp this trait of universality, which characterizes dignity as an absolute value. In Greek, the adjective *worthy* is *axios*, from which derives the word *axiom*, i.e. something self-evident, not in need of further demonstration, universally valid. In Latin, *worthy* is *dignus*, which derives from the impersonal verb *decet*, meaning that which is suitable, that which conforms to the essence of man. It is precisely this impersonal character of the verb *decet* that testifies to the trait of potential universality intrinsic to the idea of dignity. On this subject

Dignity is a fundamental aspect of the human spirit, arising from the core make-up of human beings. It signifies the inherent value and worth that each individual carries by simply being human. It refers to the inherent worth and value that each individual possesses simply by virtue of being human. It is an *axiom*, i.e. it has an obvious and unprovable general validity. For this reason, human dignity is the primary dogma, the basis, the underpinning of the entire political system and, in fact, its ultimate goal, as an expression of the infinite, i.e. non-calculable, value of the human person, understood as the ultimate horizon of law.

The task of politics is, therefore, to reconceive, at the basis of its action, an idea of human dignity, not identifying it with a subjective right but understanding it as an essential value of each human being, as an inviolable presupposition not subject to historical and contingent changes.

Dignity must be reconsidered by politics as a value that comes before rights and that finds its concrete translation in individual rights, without, however, ever being exhausted by any of them, because it is on a higher level, according to a relationship that is not one of identification, but of consequentiality and dependence: each individual right receives, in fact, from dignity, as from an inexhaustible source of meaning, its own justification for being.

Human dignity is ineradicable and does not depend on the choices of individuals. It is not a subjective right, linked to the protection of a specific person or category of persons, since the protection of humanity as such depends on it.

Politics, by consolidating and renewing legal instruments, must work to ensure that dignity is recognized, respected and protected. Since it regards the very nature of man and the entire universe of his actions, dignity is an objective value which cannot be subjected to limitations or attempts at elimination by politics but must be guaranteed in the fullness of its essence.

4.7. Human dignity: a “meta-value” and a transcendental principle

Dignity is an infinite potency which each time is translated into act in the form of the recognition of a specific right: it is an inexhaustible source from which all determined rights spring, and these rights are liable to improvement according to different historical and social conditions.

From this point of view, politics should consider dignity as a *general clause* with objective value, as the immovable basis that also allows the recognition of new rights not yet expressly enunciated but potentially already contained in the uni-

see Muriel Fabre-Magnan, “La dignité en droit: un axiome”, in *Revue interdisciplinaire d'études juridiques* 2007/1, vol. 58, pp. 1-30.

versal scope of its meaning.

Politics must interpret human dignity as a *meta-value*, i.e. as the objective foundation of human rights. Rights, in fact, are nothing more than concrete forms of historical and progressive realization of the infinite potential contained in the idea of dignity conceived as such, as a value in itself.

Individual rights therefore derive from dignity and are directly dependent on the strength of its potential as an expression of the very essence of man. Rights inherit their inviolability and intangibility precisely from the inviolable and intangible nature of the dignity that generates them.

Politics must grasp in its reflection this special *relationship of derivation* of individual rights from dignity if it really wants to preserve its potential richness, considering its concrete applications from time to time within determined rights that, because of their defined content, can never individually exhaust the infinite potential of the source from which they arose.

Bringing dignity down to the level of its concrete realizations, i.e. to the level of determined rights, would mean limiting its potential value and making dignity subject to the changes of will linked to individual epochs and cultural-historical circumstances.

Human dignity is a *surplus value*, i.e. the axiological presupposition of fundamental rights: it is a potency which can always be realized in certain forms and which politics must preserve in itself and allow to manifest itself in the recognition of individual personal rights.

Human dignity has an absolute value and is the prerequisite for any regulatory framework or political action.

Dignity has an objective value since it encompasses the essence of man as such. This is why dignity is characterized as *impersonal*, since this trait of impersonality manifests the commonality of nature of each individual man with all other men, the belonging to humanity in and of itself.

It is clear, therefore, and it should be even clearer for those involved in politics, that dignity is not referable to subjective criteria but should be placed at a higher level, which is the objective level: it is the level of potentiality, deriving from the common belonging of individuals to the human family in general.

Only if separated from the changing wills of individuals and individual or collective choices can dignity be protected and grasped as the opening force of a potential with infinite possible realizations.

Dignity is an essential trait of every individual, but in order to be realized, it always needs *recognition*, which must take place within a relational context of mutual exchange, strictly deriving from intersubjective relations.

It is in the passage - called into question by the distinction between dignity and

rights - from the potential to the actual, that is, from the individual to the collective, that the dimension of politics truly opens up: this space constitutes the moment of the transformation of the possible into the real and must provide, on the one hand, for the preservation of the original potential and its universality - dignity - and, on the other hand, for its actual realization in multiple possible implementations, from time to time, determined and contingent - rights.

If man is, by essence, a relational being and dignity is the very expression of man's being, then it is evident that human dignity is, from the very beginning, an *intersubjective value* and thus an originally relational concept. In this sense, human dignity is the foundation of politics, its origin and special purpose.

Dignity cannot be recognized, enhanced and realized by politics, except in a relational dimension of reciprocity. In this sense, it is an open concept, marked by the idea of a possibility, which can only become real through an action of mutual recognition on the part of the individual encountering others and vice versa. On this basic recognition depends the quality of political action and the height of its fundamental objectives.

The gaze which politics turns to man as such and to his essence always determines the level of its ideological bearing and of the praxis which it deploys to effect change in the world.

Politics must make itself the conscious guardian of man's dignity if it is to raise its thinking and action to a level that can improve living in common. True dignity for each person springs from and is made manifest by the encounter with the other. Politics must make itself an authentic guarantor of the possibility of such a manifestation in order to care for man's deepest being.

In the attention paid to the transition from dignity, understood as a constitutive element of human nature, found in every person, to the recognition of the dignity of the individual, as belonging equally to everyone in the community, lies the deepest mission of political work.

We are dealing, on closer inspection, with the passage or transformation of the possible into the real, that is, with a *commitment* to continuously transform, into concrete acts, the potentially inexhaustible content of the idea of human dignity. And if these acts represent, from time to time, the historically determined and mutable translation of the scope of the value expressed by dignity, dignity itself appears, always, as the immutable source from which the essence of man and the greatness of his deepest nature flows and is renewed.

Human dignity is a universal value that grounds rights: it is a *transcendental*, and rights are the historical concretizations of it. Politics is born from the commitment to transform the possible into the real, preserving, from time to time, beyond the specific historical and cultural circumstances, the inexhaustible character and infinite potential that the essence of man gathers within itself.

Only in this way can politics truly be *for man*, that is, made from his being-in-po-

tency for the constant improvement of his being-in-act.

Preserving the ideal and absolute bearer of dignity in the continuous and changing concretization of determined forms of law constitutes the primary commitment of those who engage in politics, the awareness that must accompany choices and orientation, which must always guide the construction of the future.

Politics has the possibility, if it is authentically conscientious, to transform dignity, as a constitutive trait of the human being, into concretely applicable content of the law, while always keeping alive the difference and the link between the source of law and its realization in specific positive forms.

Preserving the possible and realizing it concretely, without exhausting it from time to time: this is the highest challenge of a politics made *for* man, of a commitment capable of transforming possibility into reality, keeping its meaning open and directing its destiny.

The human being is naturally worthy, but this characteristic trait of his being must also be recognized by others. This is where the *highest task* and truest commitment of politics, as the science of relations between individuals and the open place of conscious elaboration of human praxis, must originate.

Dignity in itself must always be followed by the dignity of recognition by others. The political community is founded on this basis, and on this basis, it can enhance man's being and his belonging to an egalitarian society, beyond the contingent changes linked to historical and cultural circumstances. Human dignity must therefore be placed above legal systems, moral theories and political systems because these derive their very possibility of being from dignity as from a universal source that legitimizes their foundation.

Understood as a constitutive principle of man's being, dignity is a *transcendental principle* which gathers together and encompasses within itself the potential of humanity as such. Thus conceived, dignity evokes an absolute respect which can never be subordinated to any specific end and which recalls the 'sacredness' of life itself, as an end in itself of political action.

Respect is the responsibility of politics: the human person is never 'something', but always 'someone', and the respect due to individuals corresponds to the respect due to oneself since the potential that dignity expresses is manifested in the absolute truth that every human being is always to be regarded as an icon of the other human being.

Beyond the specific capacities of individuals, every human being is owed dignity. Such a vision, indispensable for any genuinely human policy, prevents discrimination between people at the outset and allows everyone to feel equally recognized in his or her equal membership of a single community.

For politics, human dignity is an inexhaustible task. It is the profound reason for

all collective action, the very premise of all free thought. Politics, having dignity as the pole star of its action, must take care to foster a balanced encounter between the potential value and the concrete realization of dignity in the awareness that what is at stake is the transition from an ontological trait, proper to the essence of man, to the use that man can make of his freedom in the world.

Interpreting dignity as a possession proper to every human being, politics must work to ensure that this constitutive characteristic finds full recognition in society so that each individual man, embedded in a collective project, can realize and amplify the potential he individually carries, thereby improving the political community to which he belongs, in all its complexity.

Human dignity, though a constitutive trait of the human being, can never be regarded as a once-and-for-all given, but, because of its normativity, that is, its translation into the concrete form of specific rights, it always requires an adequate awareness and response on the part of politics.

Many of the tragic circumstances of the contemporary world, such as wars, the dominance of technology, the increase in poverty, inattention to environmental issues, the lack of work and the fragility of rights, have often resulted in a total disregard for the question of dignity, making it urgent to rethink its ontological status, in order to arrive at a political praxis oriented towards respect for this principle, the cornerstone of every value system.

In order to give voice to dignity, political reflection must direct its praxis towards safeguarding and spreading democracy, protecting and extending human rights, developing a greater awareness of scientific and technological achievements, emphasizing education and culture, caring for international cooperation, developing solidarity between peoples and working towards reaffirming the centrality of the human person in the sense of belonging to a global community rather than of individualism.

Overcoming the traditional division between the theory of dignity as man's natural endowment and the theory of dignity as the result of his performance in the world, politics must proceed by integrating endowment and performance into a single consciousness that produces concrete acts respecting a potential open to inexhaustible development.

That is, politics must preserve, in its action, the universality that gives meaning to every change and the strength of the concreteness of determined meanings through specific legal rights and protections also dictated by contingent historical needs. Only in this way can every concrete action have within it the breath of a deeper and more distant horizon.

Specific rights are contingent social practices always inspired by the transcendental principle of human dignity. The task of transforming the transcendental

potential into a multiplicity of forms of act concretely realized¹⁰⁶ is the highest challenge of a politics built on the centrality of human dignity.

It is the duty of politics to refocus collective reflection, and hence action, on the centrality of the human person, to recognize his or her vulnerability and to safeguard him or her so that he or she is not marginalized. Precisely because the potential scope of human dignity is not exhausted in being realized in specific rights, it is not enough for dignity to be explicitly positivized and constitutionalized.

The normative level is not enough to protect the distinctive trait of the being of the human person. Politics, i.e. action that is the result of long-term thinking, guided by a value horizon, centred on man, his needs and aspirations, is also necessary.

Dignity, as the founding value of all rights, must remain outside and above acts of legal concretization and must not be confused with them, so that it can preserve its essential axiological potential, which is an unchanging foundation in the face of the variability of historical contingencies. This awareness must guide politics, making manifest the height of its task, which is precisely that of harmonizing the universal and the contingent, the possible and the real, the immediate and the remote.

Politics must interpret human dignity not as a right but as a universal and transcendental value which underpins and enables the creation of new rights, starting from their indivisibility, derived from a common origin.

Dignity, as the source of law, in fact prevents individual rights from being detached from one another and means that the violation of one right leads to disrespect for the others, as they belong to a single axiological and normative totality. In fact, the violation of certain fundamental rights strikes at the very essence of man: it alters his dignity and does not simply violate some determined prerogative.

The non-respect for dignity is to be distinguished from the violation of particular rights since the former corresponds to the violation of the very foundation of man's being.

When, therefore, specific rights are disregarded, the problem is not limited to the affirmation of particular issues in society. Rather, such disregard directly affects the very foundation of the whole of rights, namely dignity as a constitutive trait of the human essence. This is because dignity evokes the whole essence of man,

¹⁰⁶ With reference to the distinction between dignity, as transcendental, and rights, as historical concretizations of it, see the interesting work by Francesco Viola, *I volti della dignità umana*, in A. Argirotti-P. Becchi-D. Anselmo (ed.), *Colloqui sulla dignità umana*, Rome 2008, pp. 101 ff.

and, since it is whole, it is not possible to subtract any part from it without affecting the totality, which is humanity as such.

The transcendental value of dignity also allows politics to work towards the development of an intercultural dialogue in society precisely by establishing dignity as the common ground from which to start a free and open discussion on rights, capable of taking into account the differences that exist according to socio-cultural conditions and historical events that have affected individual countries.

Dignity is the logical antecedent, the source of all fundamental rights. Dignity is the surplus value, which, together with the principle of equality, underpins the great edifice of contemporary constitutionalism and must consistently inspire political action.

If man has indelible value, encapsulated in the idea of dignity, this value must be recognized by the state and protected through the guarantee of certain fundamental rights.

This is the primary task of politics: to consider man not as an abstract and isolated subject but to translate his potential into the concreteness of a determined existence which is always inextricably linked to others and to belonging to a community.

In this sense, institutions can be conceived of as being founded for the person and not the person for the institutions. This is the essential prerequisite for the functioning of any democratic system. The relationship between dignity and rights translates into the primacy of the person over the state, that fundamental principle that the thinking and practice of democracy must always safeguard and keep alive.

The idea of human dignity helps politics to grasp the person, not the individual, in his authentic social dimension and in solidarity with his fellow human beings. Man must be the unifying criterion for political reflection and action. In this sense, human dignity is, and must always be, the cornerstone of the entire political edifice.

From the peculiar connection between dignity and certain rights comes the possibility for politics to investigate and reflect on the multiple applications of the general theme of dignity to specific areas linked to current contingencies, cultural-historical lags and open questions in the contemporary debate.

Human dignity - and this is the work of political sensitivity and intuition - besides being the foundation of inviolable rights, can also be a source that produces new normative consequences. To the extent, in fact, that dignity encompasses within itself the full development of the human person, the potential it expresses can give rise to other freedoms and values which are not yet expressly contemplated in the constitutional norms but which nevertheless are connected to the essence

of the person, in the continuous flow of history. Intercepting these possibilities and realizing them is the objective of political reflection, which, thanks to the potential expressed by dignity, can give formal recognition to demands and needs that mature in society.

4.8. Human dignity as a source of new principles and fields of application

From a political point of view, dignity is therefore an open clause which can find infinite *fields of specific application*. Sometimes these are very specific cases, at other times more general subject areas relating to man and society. In particular, one might think of the field of science and especially medicine: innovations in the biotechnological field and the new borderline situations created by advances in the biomedical field also require politics to reflect heavily on dignity and its specific instantiation as the right to life from the beginning of life in the embryonic state and the related issue of voluntary termination of pregnancy. The right to life also poses questions regarding the end of life, with the related issues of euthanasia, dignity in illness and treatment, autonomy of decision-making, therapeutic obstinacy and intensive care.¹⁰⁷

Then there is the field of *communication*, i.e. it is important to analyze the close link between human dignity and the freedom and secrecy of communication, a subject to which politics must be able to provide effective answers as a matter of urgency, because it can affect the entire free flow of private, but also public, debate with the use of interceptions by the media or the conditioning of opinions, through the creation of *fake news*, which are responsible towards the people for their prevention of the formation of a free understanding of facts.

It should be emphasized that the question of dignity also enters into all reflections on *freedom of conscience*, the free manifestation of one's moral or philosophical convictions or of one's religious faith. The latter issues are decisive for the cultural progress of humanity as a whole.

There is also a fundamental link between the dignity and the *rights of the most fragile people*: children, the elderly and the disabled. Starting from the idea of the full development of the human person, the importance of the right of disabled people to attend school, for example, is currently being underlined.

Still on the subject of fragility, but linked these cases to conditions of poverty or low income, the theme of human dignity has also been connected, for example,

to the right to housing, or more generally to the protection of solidarity rights. Dignity is currently a value that is also invoked in the debate on the *protection of the environment*, as a fundamental right of the individual and an interest of the community, along with all the issues related to respect for nature, animals and care of the land.

Dignity is also recalled on a daily basis in relation to the crucial and epoch-making issue of *migration*: the right to leave one's country; dignity is also invoked with respect to the issue of personal freedom and the rights to personal identity, privacy and, more generally, life and protection from war and poverty. Dignity is also appealed to in relation to the fundamental *right to education*, schooling and culture more generally as the only possible lever for growth and social improvement.

The theme of dignity has specific applications in the *legal sphere*: from the right to take legal action in defence of one's rights, to the rights of prisoners, to the related theme of conditions in prisons, in relation to the rights of victims of crime and of their families and, more generally, to all matters related to the theme of justice.

Dignity is, then, at the heart of all issues related to the *economy* and *work*, understood as the very expression of man's essence and as the highest expression of his being in society. There is, moreover, the need, connected with the freedom of the person and thus with his dignity, to protect the right to *privacy* through articulated laws that capture the complexity of contemporary society and protect the privacy of individuals and their image.

From all these specific examples, it is possible to deduce how politics, as the science of man and *for* man, must address and rethink the issue of dignity, understood as the right to respect, or rather in general as the very foundation of every right, in order to give depth to its action in society.

It is evident, in fact, that dignity and the infinite implications¹⁰⁸ arising from it never concern only the individual aspects of man as an individual but possess a universality of meaning capable of conditioning the very structure of the organization of society and of living together and, therefore, as such, must be priority for politics.

¹⁰⁷ For a Christian-Catholic view of the subject, see the contribution by Maria Luisa Di Pietro-Dino Moltisanti, *La dignità nel dibattito bioetico*, Edizioni Studium 2009, pp. 69-82.

¹⁰⁸ On this topic, compare the work, written from the perspective of Christian thought, edited by Bernhard Vogel, *At the centre: human dignity. Christian responsibility as a basis for the practice of politics, Christian ethics as a guide*, Konrad Adenauer Stiftung 2007.

4.9. Interaction with politics

Starting from the specific cases just mentioned, and wishing to identify some general principles to which politics should conform its action, so as to keep dignity as a constant reference for its work, it is possible to define some guidelines, essential for reflection:

1) Dignity and the right to life: the first fundamental implication of human dignity for politics is the protection of and respect for life and the affirmation of all other rights related to the right to life. The existence of every human being is inviolable and is the focus of political action. All levels of society, from cultural and legal to social and economic, must be based on and conform to this pillar.

The right to life, as the first implication deriving from the fundamental principle of dignity, must be interpreted by politics and recognized, both in the sense of the *right to defence* against homicidal, destructive or restrictive actions carried out in order to annihilate or damage the existence of the person and in the sense of the *right to the development* of the person, in the sense of offering the possibility of a life which has space and opportunities to improve the physical and spiritual condition of individuals. On the care of this right depend the individual's sense of belonging to society, the relationship between generations, cultural growth, the progress of a political community and the future of a nation.

2) Dignity and self-determination: the second fundamental implication of human dignity for politics is the attention to and care for the issue of human freedom. *Freedom* must be reconceived and deepened to avoid reducing its definition to that of total independence, arbitrariness or autonomy, which do not take into account others and the inclusion of each person within a community of equals. Freedom is a deeper issue than the simple right to choose and act. Politics must rather connect freedom to man's very being, his presence in the world and his destiny, that is, to that potential openness which human dignity, the foundation of every right, evokes and highlights in the eyes of those who act in the name of a political community as representatives.

3) Dignity and justice: the third fundamental implication of human dignity for politics is respect for justice, in which respect for man finds full expression and manifestation. Justice, according to the famous definition given by the Roman jurist Ulpianus, is 'the constant and perpetual will to recognize each person's right'.¹⁰⁹

Through the recognition of what is proper to each person, respect for the fun-

damental principle of human dignity is made. A policy is just if it is respectful of everyone's dignity, that is, if it respects what is most proper to each person, in the awareness of their belonging to humanity as such.

Justice, which is made visible through political action, is the full manifestation of the recognition of the right to dignity as the foundation of man's essence. On the other hand, the absence of justice reveals a policy detached from man and far from respect for dignity, understood as the founding principle of any axiological system.

Even before citizens' rights, justice has to do with the right to respect of every human being, that is, with dignity, as a basic element of civil coexistence. And it is not only coexistence within a single country that is at stake but also the harmonization of different cultures and policies between nations, with the goal of preserving peace and international relations, which foster the cultural and political progress of different societies. Based on these considerations, political work must also be diplomacy, mediation and knowledge of different cultures and situations: the meeting and harmonization of specific origins, with the aim of building a common future.

4) Dignity and solidarity: the fourth fundamental implication of human dignity for politics is the close link between dignity and solidarity as a principle inherent to the very essence of man in his bond with other men.

From this point of view, politics must work both in strengthening all those forms of solidarity which have a voluntary nature and in supporting forms of solidarity which must be governed by rules and have the character of legal obligations.

Together, spontaneous and voluntary manifestations of solidarity as well as social actions enacted by law determine the general framework and strength of the social cohesion of a political community, and it is therefore decisive that actions and forms of solidarity between individuals, aimed at fostering the personal development of individuals and their happiness in their bond with others, be fostered by those who govern. Without solidarity, the bond between individuals would lack an essential element, and without a bond with others, man's very being would appear lacking and, therefore, disrespected in its deepest dignity.

Politics must, therefore, translate the fundamental principle of the dignity of the person into the right to respect not only between individuals, but also between all people, working to ensure all possible forms of solidarity, understood as an indispensable element for social development.

5) Dignity and responsibility: the fifth fundamental implication of dignity for politics is the awareness of its responsibility to mankind for the greatness of its mission. Knowledge of and respect for human dignity must be perceived and understood as everyone's responsibility in social coexistence. Responsibility is not

¹⁰⁹ Cf. Ulpian, *Digest*, 1.1.10.1: '*Iustitia est constans et perpetua voluntas ius suum cuique tribuendi.*'

identical and does not coincide with human dignity but derives directly from it in a constitutive way. In politics, responsibility must be translated as a commitment to building a future of recognition and respect for man, his nature, his needs and his highest aspirations.

For this reason, the horizon of politics, if it really wants to be respectful of dignity and recognize its foundational value as the essence of each human being, must not confine its reflection and praxis only to the immediate and the present but must always possess the depth deriving from an awareness of the past and a sense of responsibility towards the future.

Politics *for* mankind cannot be reduced to the daily search for consensus but must work culturally to restore dignity to mankind, placing the greatness of shared ideals, the ability to see in the long term and the effort to leave a solid legacy for future generations at the centre of its action.

This task understands the social community not as the sum of dispersed individualities but as a totality structured on authentic relationships, a common history, shared responsibility for the present and wide-ranging projects.

In the image that politics will be able to construct of the future reality, man and the deepest dignity of his being must be reflected. This awareness must be promoted among people and between generations because it is not a natural process but a task, indeed, it is a fundamental task and great responsibility which those who engage in politics must, today more than ever feel to be incumbent upon themselves.

4.10 Conclusions of the Chapter IV

Chapter 4 provides a comprehensive exploration of the intricate relationship between human dignity and politics, shedding light on its global significance and diverse manifestations within constitutional frameworks and international agreements. Through an analysis of various constitutional texts, international declarations, and historical contexts, the chapter elucidates the foundational role of human dignity in shaping legal and political frameworks, underscoring its transcendental nature as the bedrock of individual rights and societal organization.

We have emphasized the universal nature of human dignity, advocating for its recognition as a global right irrespective of the challenges posed by theocratic or totalitarian regimes. Despite being a source of division and conflict in some contexts, human dignity stands as a crucial indicator for evaluating the health of political systems worldwide, reflecting their commitment to growth, democratic values, and respect for individual freedoms.

Furthermore, the examination of human dignity in the constitutions of various countries reveals a spectrum of interpretations, from Germany's characterization of it as "intangible" to Portugal's foundation of a Republic grounded in dignity.

This diversity underscores the intrinsic importance of human dignity across cultural and political landscapes.

Drawing from the Universal Declaration of Human Rights and historical perspectives, we have affirmed human dignity as a meta-value and transcendental principle, guiding politics towards the recognition and protection of individual rights and freedoms. By prioritizing reflection on human dignity, politics can ensure a solid foundation for ethical action and policymaking, fostering a more just, equitable, and humane society.

This Chapter concludes with a resounding call for politics to embrace human dignity as the guiding principle for navigating complex global challenges, fostering responsible governance, justice, and solidarity. It is through upholding the inherent dignity of every human being that politics can fulfill its highest purpose, advancing the collective well-being and progress of society.

Chapter V: General Conclusions

The research emphasizes the importance of two fundamental questions about human dignity: what it is (ontological) and what it should be (deontological). It suggests that politics should prioritize the theme of dignity as a core aspect of human identity and a foundational value in any system of values. This prioritization should influence both the conceptual framework and the practical actions of public representatives. Only this awareness can restore depth to political action, giving depth to the analysis of the present and of the complex challenges that lie ahead. We must reaffirm the need for a new humanism which places man, his being, his needs and his greatest aspirations at the centre.

Politics must restore the human dignity its rightful value, making dignity its regulative idea, its truest goal and its authentic mission. Human dignity must be a supreme norm and a principle that cannot be abrogated, because it is understood as the foundation of the very possibility of engaging in politics. There is no community except on a human scale; there is no exercise of power except on behalf of those who authorize its *pro tempore* delegation. Those who act in the interest of others must be mindful that every policy stems from the needs and perspectives of others, not just their own. This awareness should guide their actions and decision-making.

A reflection on the true essence of man is the fundamental prerequisite for identifying the right level from which politics must orientate its aims. It is a question of rightly framing the dimension of the debate, that is, of fully grasping the scope of the mission of politics, which, when it is authentic, has an extraordinary value since it is made for man and for the betterment of his being in the world. This is the measure that must never be lost, what gives strength and what identifies the true meaning of power and of its management. The height of this task must be the starting point for any reflection that seeks to influence the destiny of individuals and of the community as a whole.

Dignity can be the ideal to follow, the beacon in sudden changes, the true guide that prevents losing the essential and makes it always visible in the opening of a future made up of projects and ideals on a human scale.

To diminish the scope of this challenge is to misunderstand the centrality of the human person, in other words, to lose what gives meaning to every possible action. The risk is very high, and politics must constantly maintain a balance between the universality of its mission and the everyday specificity of its practical application. It is always man, as a being transcendent in his desires and immanent in the demands of everyday life, who unites these different levels. Reducing everything to immediate contingency makes one lose the height of the

ideal mission, just as abstracting man from the concreteness of his needs means disembodiment the depth of his essence.

The primary task of politics is to integrate, in the application of the concept of human dignity, the protection of the individual's autonomy with his or her membership in a social community based on recognized and shared rules so that each individual becomes a citizen, aware of and responsible for his or her own potential and respectful of the characteristics and capabilities of others. Politics must also guarantee the autonomy of the individual without limiting its action to his since politics must instead always bear in mind the overall picture of society. In this sense, political thought must abandon an entirely abstract idea of dignity in order to restore to this principle a trait of realism, which is necessary to make it truly capable of modifying people's lives in concrete terms.

Safeguarding a proper balance between the transcendental and the contingent is the difficult, but indispensable, task that politics must be able to perform to give substance to its ideals and to translate, as far as possible, its ideology into concrete and effective reformist action. Reality must be rehabilitated, allowing the potential that every contingency contains to emerge from it. Let the possible emerge from what exists, ennoble its meaning and return it to the entire community as a wealth of opportunity, a lever for growth and improvement in the economic, social and cultural spheres.

Promoting progress that is on a human scale, that places human dignity at the centre of the evolution of every choice: this is the commitment that politics must represent for itself and for the community for which it works. The human person, as the bearer of dignity, must once again become the subject and the goal of politics, its constant reference, its privileged theme of research, its deepest inspiration.

The preciousness of the human being demands absolute respect. This is why dignity, as the intangible core of the person, cannot be limited by either public or private power, and its recognition by politics must always establish the most absolute prohibition on envisaging or allowing to occur behaviours that degrade human beings.

Beyond, therefore, the ways in which it is concretely applied, dignity assumes a central importance for any political reflection since recalling this principle serves to anchor politics in its peculiar purpose: man in his inestimable and intangible value.

It will therefore be the task of politics to identify all the present forms of discrimination against human beings in contemporary society and to combat them at their root. But to be able to fulfil this task, politics must return to an in-depth reflection on man and his social destiny, since dignity is only truly comprehensible in the light of the actual *status* of the subject who authentically possesses it.

It is the important and extremely rapid innovations which have taken hold in very recent times in all fields - economic, technological, scientific and cultural - that have given rise to new dilemmas and therefore require political thought to make a fundamental theoretical effort, aimed at orienting its actions, starting from a new and deeper awareness of man and his essence as the exclusive and specific purpose of all political activity.

If the human person is a value in himself and respect is always due to him, then political discourse can only be based on a previous and continuous philosophical reflection on the nature of man, his individual essence and his being in the world. From these premises action conscious of the profundity of the topic of dignity in politics can come to life. The value of human dignity represents an invulnerable *minimum*, a barrier that must never be crossed. In this sense, dignity and fundamental human rights are not to be placed on the same level by politics: the latter can be limited, regulated or even suspended; dignity, on the other hand, is a value that can never, under any circumstances, be violated or threatened.

The first task for politics is to be aware of this objectivity and to direct its reflection and research to this level of discussion. The second and most delicate and important task for politics is the recognition of dignity, its interpretation and its possible extension. A dignity that is intrinsic to the essence of man in fact calls politics to the duty of a universal extension of this principle, as a prerequisite for any possible social equality between men. On the other hand, a policy that mistakenly considers dignity not as an intrinsic value, but only as an attribution received from others, dangerously limits the extension of dignity only to those men who have already obtained it and is thus responsible for the creation, or permanence, of a more or less effective social inequality at the basis of relations between men.

The most important task of politics, then, is to recognize the inherent dignity of each man, considering it not as an extra element to be attributed or conferred but as the necessary respect for the intimate essence and authentic value of the human person as such, in every age and in every contingent circumstance.

Politics, the true 'science of the other', must therefore always be concerned with man, the gaze it places on him and the recognition of the value it places on the life of each person. Even prior to the question of decisions, respect for the dignity of man, as the authentic goal of political action, is a question of *vision*: it is the ability to be able to see desires and needs with a view to the possible improvement of society as a whole.

Dignity is not merely a possession or attribute of individuals; rather, it is an intrinsic quality that defines them and should be demonstrated through their actions and expressions. From this perspective, dignity is to be understood as the axiological counterpart of human nature itself, which, in turn, represents and must always represent the mainstay of and the founding reason for any authentic

political activity.

Affirming the very high dignity of a human being means, for politics, recognizing his or her richness, irreplaceability, uniqueness and potential, which deserved respect. Implementing this recognition means, for politics, working towards the authentic inclusion of each person in the society in which he or she lives, striving to ensure that he or she has the same opportunities as others and that the being of each particular person, blending into the whole, constitutes an organic and unavoidable element of enrichment and growth for society as a whole.

It is not possible to dissociate the notion of a human being from that of a person. For this reason, politics must not make the mistake of severing the link between the qualities of man and man himself, forgetting that the dignity derived from individual qualities is never anything other than an expression of the dignity intrinsic to man himself. Man is free and endowed with dignity precisely because he is man, and the reverse, i.e. that man is man because he is autonomous and endowed with dignity, is not true. Every possible quality, in fact, always derives from the essence of the human person as such, and that is why it must always be the essence of man that guides political elaboration and action.

Human dignity involves two elements: the peculiar uniqueness of each human being and his concrete existence. A commitment to safeguarding both these elements and harmonizing them in political action is necessary in order to build a society that respects individual differences in light of the commonality of human nature. If dignity, from an ontological point of view, can never be eliminated, politics, in its awareness and freedom, can and must give rise to dignified behaviour, i.e. actions, that are aimed at bringing about a concrete equality among men.

Politics must work towards the realization of a community that both promotes equality and respects differences and values them in order to improve society as a whole; it must strive to harmonize individuality and social aims so that respect for each person is always included in a more general framework of respect for human being as such.

The way the Christian tradition sees human dignity is the most consistent because of the profound respect it gives to the human person recognized as *Imago Dei*. That is why political movements of Christian inspiration are the most active in the defence of human dignity. The Christian image of man is at the heart of the activity of these movements. As we can see for example in the Lexikon der Christlichen Demokratie in Deutschland:

'Man, by virtue of being endowed with freedom and reason, manifests himself through his creativity, which elevates him above the other elements of creation, making him a participant in the divine creative force. Capable of self-reflection, self-examination and far-sightedness, he is called to shape the natural and social

environment in which he lives (...). Man is a moral subject because he is able to act with self-determination based on free choices, distinguishing between good and evil. His actions are imputed to himself. He has responsibilities towards himself, towards others and towards God (...) The dignity of man and/or the person, based on the Christian conception, means that all those who have a human face, at any stage of their individual evolution and independent of their respective qualities and performance, are accorded an unconditional value that - in a negative sense - prohibits any calculation and instrumentalization.

At the same time, respect for human dignity requires - in a positive sense - taking into account the multiple dimensions of personal existence which arise from man's call to freedom and responsibility and his material and spiritual, individual and social needs. In this way, fundamental human rights acquire a central value, which has acquired its legal form in the formulation of human rights: in the rights to personal freedom, in the rights to political and social participation and in fundamental social rights. It is the task of a policy oriented to the Christian image of man to strive to ensure that these fundamental rights obtain social recognition and can be concretely affirmed in an optimal balance for all persons within the communities of national and international law.¹¹⁰

Politics must continually refer to human life and respect for its dignity in the social community in order to achieve substantial equality between people while respecting individual differences. As Hannah Arendt writes in *The Human Condition*, equality must include within it every form of distinction between humans. She further notes that human distinction goes beyond mere otherness:

'Human life, the fundamental condition of both discourse and action, has the dual character of equality and distinction. The distinction between human beings is not identical with otherness. [...] Otherness in its most abstract form is found only in the sheer multiplication of inorganic objects, whereas all organic life already shows variations and distinctions, even between specimens of the same species. But only man can express this distinction and distinguish himself, and only he can communicate himself and not merely something—thirst or hunger, affection or hostility or fear. In man, otherness, which he shares with everything that is, and distinctness, which he shares with everything alive, become uniqueness, and human plurality is the paradoxical plurality of unique beings.'¹¹¹

110 Lexikon der Christlichen Demokratie in Deutschland, BECKER W., BUCHSTAB G., (ed.), Paderborn 2002 pp. 676-679 cited in W. STAUDACHER (ed.), *The Christian Image of Man as the Engine of Modernity*, Konrad Adenauer Stiftung, 2011.

111 Hannah Arendt, *The human condition*, University of Chicago Press, 1958, p.@@@

Caring for and preserving the value of this 'plurality of unique beings' is the task of a policy that strive to put man back at the centre, in the dignity of his essence and in his living with others within a social community. Politics must deal with the fact that, very often, human dignity is not universally recognized in practice. The affirmation, shared by many, of the universality of human dignity actually points to the fact that dignity should become universally recognized and is not the statement of a state of affairs but a task that politics can never stop pursuing. Politics must concern itself with the universality that characterizes dignity as the specific essence of man. This universality must be concretely applied, in politics, through the mutual recognition between men and through the constant effort to make this recognition easier and easier. From this recognition flows the concrete manifestation in society of the universal character of human dignity.

The origin of this potential is man himself, and its use is a matter of free choice, as is recalled in the famous *Oratio de hominis dignitate*, written by Pico della Mirandola in 1486, which links the *admirabilis* character of man to the specificity of his divine creation.

Inspired by the revival of interest in the greatness of the human condition typical of the Renaissance, Pico della Mirandola identified the uniqueness of the human person with his ability to improve himself through the free use of the will. Dignity is thus both a possession and a task. And it is in the oscillation between possession and task that the key role of politics comes to the fore.

Aware of the potential that man expresses and that makes him free, as Pico della Mirandola recalls in his speech, politics must culturally work towards the affirmation of a new humanism, one that is able to place man at the centre and that truly realizes his potential value, that is, one that profoundly respects his dignity and that is able to put the peculiarities of each at the disposal of the growth and progress of the entire civil society.

The fundamental nature of man, and therefore his dignity, is truly recognized and valued by political intervention in the contingencies of individuals and in the development of an overall vision that keeps the political community, conceived as a whole, united within a collective project. It is necessary to work so that human dignity is not only understood but also practiced in human relations through forms of mutual recognition that are universally considered valid.

From these premises and from the social dimension of dignity derives the fundamental role of politics, which consists in recognizing the possibility for everyone to realize a life characterized by self-respect and authenticity and in putting in place the instruments necessary for this recognition to find concrete application in most circumstances.

Dignity is, in fact, rooted in the praxis dimension of human interaction and, as such, it always succinctly expresses the individual's equal participation in the political community. Far from being merely an abstract principle, dignity manifests

the true *modus operandi* of politics in reality, that is, the concrete way in which mutual relations between people are regulated and enacted.

Dignity is intersubjective in its very essence - and for this reason, its implementation is a primary task of politics - since it does not primarily represent a quality of individuals, understood as single or isolated subjects, but a distinctive trait inherent to the functioning of the entire social community. Dignity in the uniqueness of its character is the principle that makes rights indivisible, always recalling the individual to his original belonging to a social community.

It is, as Jürgen Habermas argues, a hinge between the individual and the community and the best indicator of the transition from the enunciation to the concrete application of rights:

‘Human dignity performs the function of a seismograph that registers what is constitutive for a democratic legal order, namely, just those rights that the citizens of a political community must grant themselves if they are to be able to respect one another as members of a voluntary association of free and equal persons. It is the guarantee of these human rights that determines the status of citizens who, as subjects of equal rights, can demand to be respected in their human dignity.’¹¹²

From the recognition of dignity comes respect for rights, through which, from time to time, the potential expressed by the essence of man finds concrete realization. Human dignity is, in this view, the source of rights, destined to guide the interpretation of individual entitlements from their original common potential matrix. Dignity is the regulative idea that denotes, in general, respect for the conditions of equal participation and mutual recognition among humans within the practice of every political community. Politics must ensure that dignity, understood as the fundamental reference point for all those who participate in a community, is indeed the guarantee that the autonomy of individuals does not degenerate into mere arbitrariness, but is framed within reciprocity and respect for others as prerequisites for just and harmonious social interaction. Only in this way can politics succeed in orienting the community for which it acts within a common worldview, based on shared values, aimed at providing concrete and engaging answers to existential questions.

In the recognition of a human being- this is the greatest lesson that the value of dignity can give us - is contained the real challenge that politics must take up in order to be truly equal to its task, and, at the same time, in the mutual recogni-

tion which flows from dignity lies the secret of society that is more harmonious, more aware and, above all, more humanly alive.

¹¹² Jürgen Habermas, *Zur Verfassung Europas. Ein Essay*, Frankfurt am Main, Suhrkamp, 2011; tr. en. The concept of human dignity and the realistic utopia of human rights. *Metaphilosophy*, 41 (4), pp.464-480.

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