

# **Human Dignity in World Religions:**

*A Quest for a Common Minimum Principle for Bioethics*

J. Charles Davis  
Humboldt Research Fellow  
University of Freiburg

## **A Paper Presentation**

### **at the Humboldt Network Meeting (5-7 April 2017)**

#### **Guidelines for the short talk:**

- 3 to 5 presentations were considered for each session.
- The goal of the selection is a well-balanced spectrum of different disciplines, nationalities and host institutions; the talks are not judged on their scientific quality.
- You may give your presentations in German or English.
- The presentation should not exceed approximately 10 minutes to leave enough time for discussion.
- During the preparation of your talk please take into account that the research fellows present are from cognate fields of research, but usually are not experts in your special discipline. Therefore, we ask you to provide a general overview in the context of your field without going too much into detail.

1. Human life is possible only through the medium of a body. It is self-evident. Human bodily life is considered the most fundamental good of humans, since it is only in and through the body that a human can exist and act. However, a mere bodily existence of a human life need not make humans valuable or inviolable, because it is not just only humans but all animals exist only through their bodies.

2. Can we recognize a value in humans based on mere existence? In other words, can we move from ontology to morality or from the descriptive to the normative? If the inviolable right to life is the starting point, then we end up in a naturalistic fallacy of transferring an ontological (Sein) status to the moral (Sollen) status (is-ought problem). Mere existence does not automatically transfer a moral value to humans.

3. To avoid this problem (I exist, therefore I am valuable), we need to establish a value in humans in order to respect and protect them against any harm (for example, killing). The question of whether “the mere existence demands a value” or “certain value renders human rights starting with the right to life” is answered in saying that it is a moral value that makes them valuable or inviolable or claim for protection.

4. The moral value of humans makes them special and worthy of protection. That moral value is dignity. That is the normative starting point. While all animals may have certain values (we do not discuss here), only humans have an absolute value called dignity on account of their inherent capacity for rationality and autonomous action. It is the capacity that counts. This species-specific-unique capacity is intrinsic to humans. It means that every member of species homo sapiens have this capacity by virtue of their affiliation. The intrinsic capacity, that makes humans special and valuable, is the source and foundation of absolute (complete, full and non-graded) dignity present equally in all humans. In fact, there is no human life empty of absolute dignity. The principles of identity and continuity further establish human dignity at every stage of human life. This dignity is the source of all human rights and the right to life is the most fundamental of all rights.

5. Without life, there is no dignity and life precedes dignity (descriptive), but it is the dignity that makes human life valuable and worthy of protection (normative). Dignity makes the right to life inviolable. The right to life has its origin in the absolute and inviolable dignity of humans and exists until the end of life. Dignity demands respect for the right to life. We should not destroy any human life under normal circumstances. However, human life is not absolute, since natural death is inevitable. In conflict situations, the right to life can be restricted by the reality of life-situations under the principle of double effect. In cases of self-defense and endangered pregnancy, an unintended harm against an aggressor can be ethically justified as a last resort to save lives. Exceptions and emotions do not make norms.

6. If human dignity and thus human life are inviolable from conception to the death, can human dignity be a normative principle for bioethics? That is the main objective of my research. In contexts of pluralities of cults, cultures and creeds, the research attempts to find whether human dignity could be a universal common minimum principle to assess ethical-legal issues concerning human lives especially with regard to bioethical matters (for example, if human dignity and life are inviolable, can we abort a foetus? Or can we use embryos for research, can we permit suicide or euthanasia, etc.). The methodology of the research is a literature-based study of the concept of human dignity in philosophical-theological and ethical-legal traditions for a common minimum consensus for practical applications in bioethics and biolaw.

7. Ruth Macklin critiqued the ambiguity of the concept of human dignity and equated dignity with ‘respect for autonomy’ of patients and research subjects. She concluded that dignity is a useless concept and can be simply abandoned without any loss.<sup>1</sup> The inference of Macklin may not be justified by a simple fact that *moral concepts*, such as, freedom, justice and love *cannot be fully expressed* in unambiguous terms and nobody therefore abandons these fundamental concepts.<sup>2</sup> Ambiguity and vagueness cannot be a valid reason to abandon a concept altogether.

8. The notion of human dignity is widely used in religions and cultures, in national constitutions and international declarations. Experts and laymen use the term every day. But people understand it differently. For example, while some argue that suicide and euthanasia are contrary to human dignity, others argue exactly the opposite way for a self-willed death with dignity. The latter is wrong. There is no dignity in a self-willed death which brings autonomy, dignity and life to a complete closure. Absolute values should not be violated by human wish or will in order to bring an end to the unbearable pain and suffering considering erroneously that life in persistent pain is not worth living. Every life has worth. Palliative care respecting life and dignity is a better alternative.

9. Dignity is not attributed to individuals. It is inalienable, since humans are created that way. It is simply there in humans, even if others fail to recognize it. Thus, dignity is not at the disposal of any authority either. Nobody can take it away. Dignity is the non-negotiable absolute value of humans. An object can be bought and sold, but the value of humans is beyond any price. That priceless value, as Kant calls, is dignity and is present in humans from conception when the capacity for rationality and autonomy begins simultaneously.

10. Dignity is inseparable from humanity, since it is an ontological, existential and intrinsic property of humans. This idea of human dignity can provide the necessary conceptual background to respond to issues in clinical and research settings and claim respect for humanity as a whole.<sup>3</sup> Dignity can be the cornerstone of a framework of lens through which one makes sense of the moral landscape.<sup>4</sup>

---

<sup>1</sup> Ruth Macklin, “Dignity is a useless concept,” *British Medical Journal* 327 (2003) 1419-1420.

<sup>2</sup> Roberto Andorno, “Human Dignity and Human Rights,” in ten Have, H., Jean, M. *The UNESCO Universal Declaration on Bioethics and Human Rights: Backgrounds, Principles and Application* (Paris: 2009) 91-98, 93.

<sup>3</sup> Roberto Andorno, “Human Dignity and Human Rights,” 96.

<sup>4</sup> Clair Morrissey, “The value of dignity in and for bioethics: rethinking the terms of the debate,” *Theoretical Medicine and Bioethics* 22 (2016) 173–192, 186.

11. The UNESCO along with its Universal Declaration on Bioethics and Human Rights made many attempts to forge a worldwide bioethical consensus in the context of ‘cultural diversity and pluralism’ (Art. 12), while it categorically states that diversities cannot be ‘invoked to infringe upon human dignity, human rights and fundamental freedoms.’ The United Nations’ Universal Declaration of Human Rights (UDHR) of 1948 similarly wanted “to design a new world order for the safety of humanity, the more equitable sharing of its wealth and the defence of fundamental rights,”<sup>5</sup> through a non-negotiable legal framework to fight against the denial of human dignity which is common and equal to all human beings. Article 1 of the UDHR believes that ‘all human beings are born free and equal in dignity and rights,’ while its preamble opens with the statement that ‘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.’ These statements have been incorporated in many human right treaties.

12. The political discourses decree agreements and frameworks mostly prohibitory in nature. For example, killing, torture, slavery and discrimination, which are a direct attack on dignity, are prohibited. The positive aspect of human dignity and legitimacy of its moral content are to be fathomed. The normative content of dignity is that it is a right in itself and is a foundation for other rights which (i) recognize humans as subjects, (ii) claim respect and (iii) protect from acts of infringements. In fact, human rights are concrete guidelines and practical norms of (springing forth from) human dignity. Without (recognition of) human dignity, we cannot (authentically) speak of human rights. Brownsword clarifies

that each and every human being has inherent *dignity*; that it is this *inherent* dignity that grounds (or accounts for) the possession of human rights; that these are *inalienable* rights; and that, because all humans have dignity, they hold these rights *equally*. So understood, human dignity is the foundation on which the superstructure of human rights is built. Given this relationship between human dignity and human rights, the primary *practical* and *political* discourse becomes that of human rights; and, while those who seek a deeper justification for human rights might need to revisit the idea of human dignity...<sup>6</sup>

---

<sup>5</sup> Michael Kirby, “Health Care and Global Justice,” *Singapore Academy of Law Journal* 22 (2010) 785-800, 789.

<sup>6</sup> Roger Brownsword, “Human Dignity from a Legal Perspective,” in Marcus Düwell, Jens Braarvig, Roger Brownsword and Dietmar Mieth (eds.), *The Cambridge Handbook of Human Dignity* (Cambridge: Cambridge University Press, 2014) 1-22, 3.

13. The idea of human dignity entered the human history of literature in the Greco-Roman antiquity. The word “dignity” comes to us, via the Latin *dignitas*,<sup>7</sup> from Greek and Roman antiquity, in whose literature it means something like “worthiness for honour and esteem.” The idea of universal human dignity entered history through the ancient Stoicism with Zeno<sup>8</sup> of Citium in about 300 BC. For Stoics, dignity is a genuine possibility for all humans regardless of social standing or accomplishments. Humans have dignity because they possess reason, and the best life, the life according to nature, is available to anyone who chooses to live in a reflective way. This concept was universal but not inalienable, since such dignity can be lost if one does not live according to the rational nature. Around 60 BC, Cicero introduced the concept of dignity as a status of universal nobility inherent in human beings due to the distinctive gift of reason.<sup>9</sup> He identified *excellantia* and *praestantia* (‘pre-eminence, superiority) with *dignitas*.<sup>10</sup>

14. In line with the Kantian tradition, the German Federal Constitutional Court tries to define the meaning of dignity in terms of a special capacity intrinsic to humans. It is a capacity for autonomous action and those have this capacity ‘have the right to be recognized as such’. This capacity encompasses a specific value called dignity and ‘respect for dignity demands that those who have such a capacity are treated as beings with autonomous personalities,’<sup>11</sup> as free subjects and never as objects. Even when offenders are deprived of their liberty after commission of a crime, they do not lose their autonomy and inherent dignity. Notwithstanding their commission of an offence, offenders are not to be treated as mere means, objects, or things, but always as ends in their own right by virtue of their capacity to take responsibility for autonomous actions.<sup>12</sup>

---

<sup>7</sup>. Achilles, *Illiad*, Book 1; Caesar, Suetonius, *Divus Julius*, 33.

<sup>8</sup>. Zeno, born in Cyprus in the 4th century B.C.E., traveled to Athens while a young man and studied with the important philosophers of the day. He eventually arrived at his own philosophy and began teaching at a public hall called the *Stoa Poikile*. Zeno's philosophy, Stoicism, took its name from the hall where he taught

<sup>9</sup>. M. Tullius Cicero, *De officiis*, ed. and trans. W. Miller (Cambridge, MA: Harvard University Press, 1913) I.30: 105-6.

<sup>10</sup>. Cicero 1913: 97: I.28: magna cum excellentia praestantiaque animantium reliquarum: to us Nature herself has assigned a character of surpassing excellence, far superior to that of all other living creatures.

<sup>11</sup>. Deryck Beylveled and Roger Brownsword, *Human Dignity in Bioethics and Biolaw* (New York: Oxford University Press Inc., 2001) 14. BVerfGE 45 (1977) 227-8.

<sup>12</sup>. Beylveled and Brownsword, *Human Dignity in Bioethics and Biolaw*, 14.

15. In fact, it is not merely the capacity for autonomous action, but the capacity for morality that counts and distinguishes humans from animals. As Immanuel Kant puts it: morality is the only condition under which a rational being can be an end in himself and possessor of dignity. Kant says that “morality, and humanity so far as it is capable of morality, is the only thing which has dignity,”<sup>13</sup> and “humanity itself is a dignity, for a human being cannot be used merely as a means by any human being... but must always be used at the same as an end.” It is precisely in this (respecting and treating humans as subjects existing for their own sake) that his dignity consists.<sup>14</sup>

16. The understanding of dignity in catholic and protestant churches is not contrary but complementary. The interpretation of the human as ‘the image of God’ expressed in Genesis 1:26<sup>15</sup> and Wisdom 2:23<sup>16</sup> is the key to human dignity. Martin Luther’s notion of human dignity is identical with the notion of human beings as the image of God (Gen. 1.26). Luther’s most prominent document *Disputatio de homine* (1536), particularly its thesis 20, defines human beings with the gift of reason, with senses and with corporeality.<sup>17</sup> According to Luther, dignity is not a quality that inheres in humans but exists only by virtue of their creator who confers it.

17. In Judaism, ‘kavod ha-beriyat’ means the intrinsic value (dignity) of every human being, though at times ‘kavod’ may also refer to an acquired social-political status (honour). The notion of ‘sanctity of human life,’ with inviolable and unending value is upheld in Judaism,<sup>18</sup> on which the British Rabbi Lord Immanuel Jakobovits says that, “the value of human life is infinite and beyond measure, so that any part of life – even if only an hour or a

---

<sup>13</sup> Immanuel Kant, *Groundwork of the Metaphysics of Morals* (1785), trans. and ed. Mary Gregor with an introduction by Christine M. Korsgaard, First published 1998, 18<sup>th</sup> printing 2011 (Cambridge: Cambridge University Press, 1998) 42. GMS IV: 434, 435. Immanuel Kant, *Groundwork of the Metaphysics of Morals* (1785), trans. with intr. H. J. Paton (London: Hutchinson, 1948) 96-7.

<sup>14</sup> Immanuel Kant, *The Metaphysics of Morals* (1797), trans. and ed. Mary Gregor (Cambridge: Cambridge University Press, 1991) 209.

<sup>15</sup> Genesis 1:26: God said, “Let us make humankind in our image, according to our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the wild animals of the earth, and over every creeping thing that creeps upon the earth.” NSRV Edition.

<sup>16</sup> Wisdom 2:23: God created us for incorruption, and made us in the image of his own eternity. NSRV Edition.

<sup>17</sup> Oswald Bayer, „Martin Luther’s Conception of Human Dignity,“ in: Marcus Düwell, Jens Braarvig, Roger Brownsword and Dietmar Mieth (eds.), *The Cambridge Handbook of Human Dignity* (Cambridge: Cambridge University Press, 2014) 101-107. Bayer refers to the Weimer edition of his collected works. See Weimer 39 I: 175.3f.

<sup>18</sup> Yair Lorberbaum, “Human dignity in the Jewish tradition,” 135-144.

second – is of precisely the same worth as seventy years of it, just as any fraction of infinity, being indivisible, remains infinite. Accordingly, to kill a decrepit patient approaching death constitutes exactly the same crime of murder as to kill a young, healthy [human] who may still have many decades to live.”<sup>19</sup> The Talmudic idea that the image of God immanent in humans making them sacred with inviolable and unending value has normative and legal implications.

18. In Islam, humans have a privileged position (*karamat*). Allah, the only source of *karam* (dignity), bestows *karam* on human beings. Therefore, *karamat* is not an inherent quality, it is a special gift of Allah. The elevated position (*maqam karim*) implies free will and those who obey the commandments of Allah are elevated to the rank of his representatives (*khulafa*) on earth. The Islamic Law (Sharia) states that “all human beings form one family whose members are united by their subordination to Allah and descend from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, colour, language, belief, sex, religion, political affiliation, social status or other considerations. The true religion is the guarantee for enhancing such dignity along the path to human dignity.”<sup>20</sup>

19. According to Zoroastrianism, humans are born completely pure and spotless with perfect freedom of will. After making a comparative study of all the major religions of the world, Tiwari concludes: “of all the religions, however, Zoroastrianism seems to give the greatest dignity to man . . .”<sup>21</sup> Humans are free to choose between good and evil.

20. In Hinduism, the idea of the human (atman) is an extension of God (Brahman) grants sanctity and dignity to all living beings, however it is only through a human life that a soul is liberated. “Every individual soul is potentially divine”, says Swami Vivekananda. In the classical Hinduism, anyone who is able to get freed of the past karma and the rebirth, and attains unification (jivanmukti/vidhamukti) with the Universal Self has dignity. However, Manusmrti refers to a graded class-dependent social dignity, while the acclaimed Hindu scripture Bhagavadgita grants moral dignity to all individuals regardless of the social class.

---

<sup>19</sup> Immanuel Jakobovits, “..Judaism ” in: Menschenbild in den Weltreligionen

<sup>20</sup> Quoted from: Miklos Maroth, “Human Dignity in the Islamic World,” *The Cambridge Handbook of Human Dignity*, 155-162, 161.

<sup>21</sup> Kedar Nath Tiwari, *Comparative Religion* (Delhi: Motilal Banarsidass Publishers, 2009) 249. See H. Jimsy Asha, “Zoroastrianism and Perfect Freedom of Will: A Humanistic Vision,” *IJELLH*. Vol 4, Issue 2 (Feb 2016) 287-293.

21. Sikhism and Jainism are reform religions from Hinduism. The fundamental Sikh belief is that “the formless Creator, the Supreme Soul, resides in every individual. Entire mankind is the manifestation of the Absolute One. There is no non-believer; each human being is entitled to equal respect and equal dignity no matter what the person’s religion, faith, belief or station in life may be.”<sup>22</sup>

22. Jainism treats all persons equal and respects their dignity. Through the preaching of ahimsa, the Jain scriptures emphasize the basic belief that every living being has sanctity and a dignity of its own, and therefore one must respect the dignity of everyone, as one expects own dignity to be respected by others. Its basic philosophy is: ‘live and let live.’<sup>23</sup>

23. In Mahayana Buddhism, dignity is an egalitarian moral notion and is ascribed to all humans and leads to an altruistic duty in others, whereas in the classical Buddhism only enlightened ‘arhats’ who are able to reach nirvana (liberation/salvation) through meditation have dignity. It is attainable only for monastic elites.<sup>24</sup> The laity should strive.

24. The Confucian concept of dignity is based on human actions of righteousness, benevolence and integrity. One can lose dignity by acting like an animal. For Confucians, a life without dignity is not a life worth living. Thus, dignity is not inalienable. The Daoist tradition believes that Dao (literally: path to destination) is the source of dignity and ground of all that exists; therefore, everything possesses dignity.<sup>25</sup>

25. Religions play a primarily role to instruct the followers for a rightful living. They offer moral norms. The universality of moral norms of religions is debatable and are subject to critique. However, one of the foundational criteria to find whether there is moral truth in religious practices and norms is to check whether the inviolable right to life, which is the most fundamental of all rights, is respected on the basis of the inviolable human dignity, which is no doubt upheld and promoted by almost all religions. Since human dignity is common to all

---

<sup>22</sup> Fathi Osman, “Sikh Scriptures highlight Human Rights & Human Dignity,” Available at <http://www.hrusa.org/advocacy/community-faith/sikh1.shtm>.

<sup>23</sup> Asha Bhandari, “Jainism as philosophical backbone of human rights: A perspective in Indian jurisprudence,” *International of Academic Research*, vol 2. Issue 1/3 (Jan-Mar 2015) 35-39.

<sup>24</sup> See Jens Braarvig, „Hinduism: the Universal Self in a class society,“ 163-169; and “Buddhism: inner dignity and absolute altruism,“ 170-176.

<sup>25</sup> Luo An’xian, „Human dignity in traditional Chinese Confucianism,“ 177-181; Qiao Qing-Ju, “Dignity in traditional Chinese Daoism,“ 182-187, in: *The Cambridge Handbook of Human Dignity*.



humans, every human life must be respected, protected and prevented from infringements. This has the universal appeal with moral-ethical credentials and normative-legal implications.

26. Certainly, we are looking not for a uniform code, but a commonality in humanity for humanity irrespective of the differences of cultures, religions, cults, age and social status. Notwithstanding dissensus regarding the meaning and use of the concept, there is consensus that dignity pertains to humanity and humanity has/is dignity. The intrinsic and inviolable human dignity is not a dignity of an office or a socio-political status or any rank, but a priceless value inherent in all humans by virtue of being human. Only a universal (umbrella) principle, such as, human dignity, common to all humans can help to decide for the whole humanity and uphold universal human rights. Human dignity can be thus used as a universal measuring code to respect and protect human life and to voice against the violation of the fundamental right to life. This principle has relevance for normative-legal frameworks in bioethics and biolaw (and for lobbying in biopolitics for legislations) to address and respond to the bioethical issues from the womb to the tomb, namely,

when does the human life begin?, abortion,  
embryonic stem cell research and embryo research  
gender selection, female foeticide, infanticide  
in vitro fertilization, cloning and human experimentation  
preimplantation and prenatal diagnoses  
genetic engineering and genetic design of babies  
gene therapy and enhancement  
gene alteration and artificial intelligence  
use of science and bio-technology  
research freedom and human nature  
organ transplantation and prolongation of human life  
suicide, euthanasia and physician assisted suicide  
health and illness  
palliative care and death.

I end with a few questions to ponder upon:

- i. Can we sacrifice one life to save another?
- ii. What is the very purpose of science?
- iii. Can we design the future generation? Can we play God?
- iv. Are we allowed to do what we can?
- v. What is the future of human nature?
- vi. Can a better future justify a bad present?

And the general ethical principle goes that the end does not justify the means.