



CONSELHO NACIONAL DE ÉTICA PARA AS CIÊNCIAS DA VIDA

NATIONAL COUNCIL OF ETHICS FOR THE LIFE SCIENCES

**WORK DOCUMENT
26/CNECV/99**

**ETHICAL REFLECTION
ON HUMAN DIGNITY**

JANUARY 5TH, 1999



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The National Council of Ethics for the Life Sciences (CNECV), having among its incumbencies that of "analysing systematically the moral problems arising from scientific advances in the domains of biology, medicine and health in general " (Law no. 14/90, Art. 2, subparagraph 1.a), considered that it was important, within its sphere of competence, to reflect on the concepts that serve as guidelines or ethical grounds to the Opinions it elaborates. Thus, the CNECV decided on its own initiative to reflect on the concept of human dignity, both in terms of its philosophical, biological and psychological components and of its ethical implications.

This reflection seems to be particularly justified at the time of the 50th Anniversary of the Universal Declaration of Human Rights, whose ethical fundament is the concept of Human Dignity. That concept is expressly referred in Art. 1 of that Declaration, as well as in Art. 1 of the Constitution of the Portuguese Republic.

The text that follows reflects the opinions presented by members of the Council in the course of several Plenary Meetings held in 1998. The present synthesis was compiled from the debates and elaborated by Prof. Teresa Joaquim, so as to constitute a Work Document of the CNECV.

Lisbon, the 5th of January, 1999

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ETHICAL REFLECTION ON HUMAN DIGNITY

PREAMBLE

"I have given you, Oh Adam, neither a face nor a place of your own, nor any particular gift, so that your face, your own place and your gifts should be desired, conquered and possessed by you alone. Nature confines other species within laws established by me. But you, who know no bounds, through your will alone, into whose hands I have delivered you, shall you define yourself to yourself. I have placed you at the hub of the world, so you might best contemplate what the world contains. I have made you neither heavenly nor earthly, neither mortal nor immortal, so that freely, like as a good painter or a skilful sculptor, you might finish the form that is your own."

(Pico de la Mirandola).

The reflection on the concept of human dignity is at the root of the issues on which the CNECV must make pronouncements, issues that encompass transformations in the concepts of life, of what is human, of human life, and their implications to the development, solidarity and equity of all the beings that inhabit and share the Earth (in Heidegger's sense).

The need to reflect on the concept of human dignity entails, therefore, giving an account to the community of which we are part of the difficulty in articulating the concept itself with issues raised by biological science, even though this very difficulty is a **cornerstone** of Opinions already elaborated by our Council. Showing how the concept cuts across areas as diverse as philosophy, biology and psychology is also meant to reveal the Council's ethical grounds and to probe the modes of interrogation, perplexity, doubt and inability to decide that arise from an open-ended ethical questioning of the new, the novel.

Such work is one of joint elaboration, reflection and thought, at an internal level; at the same time, it sets out to do, externally, what J. P. Changeux, in a debate with P. Ricœur, stated about the work of Ethics Committees:

"[...] they attempt, by means of collective argumentation, to elaborate models that permit a better quality of life [un mieux vivre], respecting at the same time individual freedoms and human dignity" (Ricœur and Changeux, 1998: 335).

Thus the issue of human dignity lies at the root of the work done by our Council, since bioethical reflection – which may be defined, according to V. Camps,



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as "[...] the ethics of life that is summed up in four fundamental principles: two of them derived from the famous Hippocratic Oath, the principles of beneficence and non-maleficence; and the other two synthesising the values now most current in ethics, the principle of justice and the principle of autonomy" (Camps, 1998: 77) – is thus an area fundamental to the construction of social and political citizenship within a society at once multicultural (Lenoir and Mathieu, 1998) and democratic.

The notion of human dignity, which varies with different eras and places, is, as we now hold it and admit it in Western civilisation, a powerful idea that lies at the root of the fundamental texts on Human Rights. To quote from the Preamble to the Universal Declaration of Human Rights, from 1948:

"Human rights are the direct expression of the dignity of the human person, the obligation of States to ensure the respect which the very recognition of that dignity entails" (*in* Lenoir and Mathieu, 1998: 100). This definition has some implications bearing on the economic, social and cultural rights indispensable to making that dignity concrete.

This idea of dignity as a characteristic shared by all human beings is fairly recent, which makes it difficult to ground it except as the collective recognition of an historical civilisational heritage, and raises the question of whether human dignity might not be the ethical mode of self-perception of human beings.

The fine text by a 15th century humanist quoted at the opening of this paper allows us to understand how this self-image only exists through the image fed back from other human beings, through the relationship with the world and with all the other beings inhabiting the world. The quoted text, over five centuries old, already lays out the issues around the fulcrum of human dignity; it is a precursor of the extension of this concept in the second half of the 20th century – to all of Adam's descendants. Seen thus, it poses not only the ethical issue of the relationships and respect owed to each human being, but also that of the relationship with every being inhabiting together the same universe.

To understand fully this multiple reality it was necessary to go through what Hannah Arendt called, after living through the tragic Nazi experiment, the "banality of evil" – its voidance of meaning. Furthermore, if the human being is also defined by the ability to create symbols, the tendency to truth, the search for meaning, the senselessness of the "banality of evil" necessarily raises the question of what is dignity. As did – elsewhere in the same period – the bombing of Hiroshima and Nagasaki. It was the face of Humanity itself that was undone on those wrecked human bodies. And its undoing goes on in our time at several points on the globe, as shown by the mass media, to the apparent indifference of nearly everybody. Thus, reading Pico de la Mirandola's text, "I have given thee neither a face nor a place of your own, [...] I have made thee neither heavenly nor earthly," as meaning that the most human of tasks is the ethical construction of one's face, a complex issue dear to Lévinas (a complex issue which is the core of the mother-child relationship – the creation of a unique face), we shall see it opening out to a huge multiplicity of different faces, to multicultural societies. This concern with dignity despite the



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differences also questions the new concepts of the human, of what it means to be human, in relation to the new biotechnologies and the shattered image of the body.

Thus, we might say that the modern approach to human dignity operates mainly in the negative, by the negation of the banality of evil: it is because we are faced with situations of indignity or absence of respect that we are made aware of types of behaviour that demand respect. In that sense, this approach is fundamental to the definition of human rights, as applied to new problems of bioethics and particularly to an ethics of the environment, an ethics that also implies solidarity – for if dignity is related to respect, the result of social and economic inequalities in modern societies is that some of these societies are unable to respect themselves.

We must mention, too, the place Mankind has allocated to itself within a world dominated by technique, a world that has lost connection with the sensitive world, the living world, committing indignities against animal and plant life.

It is in this context that the concept of human dignity introduces an element of order and harmonisation into the conflict of relationships among human communities. In that regard, the survival of our species is associated with the survival of nature and, thus, when we widen the concept of dignity we are assuring the continuity of human beings through an ethics of responsibility for the future, by widening not only the concept of what it means to be human but also the concept of the community, without which the human being does not subsist: the human being springs only from the community, but the community has become larger in space and in time, has widened to encompass the normal and the pathological, the human and the non-human, to encompass different spheres of life, day-to-day, professional and political. It is fitting to mention here this notion of the ethics of responsibility due to Hans Jonas,

"which is based on caring, which places us at the centre of all that happens to us and makes us responsible for the other, the other who may be another human being, or a social group, an object, a heritage, nature, the other who may be our contemporary but will be more and more a different future whose possibilities of existence we must ensure in the present." (B. Sousa Santos, 40).

Human dignity is also, therefore, an evolving, dynamic, comprehensive concept – "the awareness that all of us belong to humankind, faced with a common destiny" (Lenoir and Mathieu) – which by and by began encompassing differentiated groups and conferring a new status upon them. It is relevant to mention in this regard the Viena Conference on Human Rights (1993), where it was affirmed that women's rights are human rights. This ties up with the core of Hans Jonas's definition of responsibility, the idea of caring, which reinforces the ethical domains of attentiveness to the unique, opens up sharing and solidarity, affects the way, the regard with which others are seen. Now, according to Victoria Camps, "the value of caring does not appear nor is it found to be an important aspect among the principles of bioethics" (Camps, 1998: 78). An ethics of care, historically put into practice in Western culture by women above all, in their everyday practice of looking after



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society's vulnerable people, those who have been gradually granted their rightful place in the widened concept of human dignity: children, the elderly, the sick, the handicapped.

Returning to the Universal Declaration of Human Rights of 1948, Lenoir and Mathieu, bearing in mind this widening of the concept of dignity, mention the principles associated with it:

- non-discrimination (particularly on the basis of race)
- the right to life
- the prohibition of cruel, inhumane or degrading treatment
- the respect for private and family life
- the right to health
- freedom to investigate [seek information](in conciliation with the respect for the human person). (Lenoir and Mathieu, 1998: 100-102)

In this widening of the very concept of human dignity, as the fulcrum of the definition and safeguarding of Human Rights, lies a social ethics which, in the scope of bioethics is actualised (particularly) in equitable access to health care of adequate quality for all, respecting the dignity of each.

We have before us not only a different notion of the human and of the dignity due to the human but also a different notion of community which "opened out" more and more as it probed the meaning of human dignity, making room for an encounter with what used to be considered 'non-human', thereby becoming all the more human and freeing itself from a totalitarian power that also oppresses and destroys. We are moving towards an ethics that would be "[...] a safeguard for oneself and for others of a certain idea of humanity, despite all the negative exposure brought upon it by public and private experience. A humanity not exempt of inhumanity but in spite of inhumanity. A humanity constantly wounded and ever being reborn. But since acting to preserve this humanity in inhumanity compromises in every instance a decision that is not derived from any *a priori* rule and does not depend on any sanction, one must innovate in every instance without any guarantees, decide which is the measure most just, at times do wrong and wrong oneself so that the good may happen. Ethics gropes about for a choice." (Collin, 1994: 20-21).



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PHILOSOPHICAL REFLECTION

The concept of human dignity has roots in the philosophy of the Western world. Although history tells us that human dignity was not always respected, that it was not even the object of ethical and/or legal norms that might protect it, it is unquestionable that Western philosophy had concerned itself with this issue already. Unfortunately, it took a worldwide conflict to stir the awareness that led to the proclamation of the Universal Declaration of Human Rights in 1948. Moreover, as shown by the signing of the Convention on Human Rights and Biomedicine in 1997, it took almost half a century for the countries that signed the Declaration to arrive at the point of applying it to medicine.

From Eastern Antiquity to our Contemporary Era, History shows that there was not always recognition of the primacy of the human being. From the slavery rife in Eastern, Classical and European civilisations to the persecutions of the Inquisition, social discrimination was everywhere notorious and quietly accepted by philosophers. Both Aristotle (384-322 b.C.) and St. Augustine (354-430 a.D.) pondered the distinctions among things, animals and human beings. We owe to Immanuel Kant (1724-1804), through his critique and analyses of the possibilities of knowledge – starting from the questions “What can I know?”, “What can I do?” and “What can I expect?” in his *Critique of Pure Reason*, *Critique of Practical Reason*, and *Grounding of the Metaphysics of Habit* – one of the most decisive contributions to the concept of human dignity.

"In the realm of end purposes, everything has a price or a dignity. When something has a price, we may put in its stead any other thing as its equivalent; but when something is above any price, and therefore admits no equivalent, then that thing has dignity." (Kant, 1991: 77)

As Kant himself acknowledged, the answers to the questions he raised depended on our knowledge of the nature of the human being. What I can know, do or expect depend, ultimately, on my own human condition.

"Act in such a way that you treat humanity, both in your own person and in the person of the other, always and at the same time, as an end and never merely as a means." (Kant)

"For [Kant], the human being is an absolute value, an end in himself, because he is endowed with reason. His autonomy, because he is a rational being, is the root of dignity, for it is autonomy that makes Man an end in himself " (Roque Cabral, 1998: 33).

We must also ponder two other concepts: with Kant it is mainly the concept of respect that is emphasised and with Hegel the concept of recognition, more basic than that of respect. To be human, one must be recognised as such, not merely be recognised as a biological organism. For instance, if the child is not recognised in



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terms of that of which it is capable (autonomy, freedom) though it does not fulfil it yet, it will not be considered as a being endowed with dignity. It is through our relationship with the other that we are recognised as human beings. In this sense, dignity is the effect of that recognition and its fundament, and through that reciprocal recognition human beings become capable of freedom. We learn from Hegel that every cultural process is a process whereby we seek access to ever deeper levels of recognition of our equality. In this sense, while the other is not totally free, I am not free. In short, the dignity of the human being rests on his real being – inasmuch as that reality is his capacity to become what he can be – and does not rest only on what he effectively does with that capacity.

Next, after the capacity for autonomy, authenticity and freedom through recognition of the other, there is another moment that fundamentals dignity: human beings are able to rise above the immediate circumstances of their environment to pose questions about the meaning of reality. From this point of view, the human being is imbued with the "visée" [intent]of truth.

But we must acknowledge that, as individuals, regarding the questions enunciated above (what I can know, what I can do, what I can expect), we are all conditioned not only by our biological condition but also by the socio-cultural context of which we are part.

Among the philosophical roots of the concept of human dignity, at the risk of omitting other names, we believe we should highlight the work of John Stuart Mill (1806-1873). We cannot resist transcribing a passage from his treatise on *Liberty*:

"It is not through seeking to reduce to uniformity what is individuality but through cultivating it, within the limits imposed by the rights and interests of other parties, that human beings rise to the dignity of their condition. By their works they contribute to the enrichment of the very society of which they are part. Thus do they make it more useful and fruitful, and themselves prouder of being a part of it. To that extent, in proportion to their respective contribution, each will feel more valid in his own eyes and, to the same extent, more useful to others."

In short, the expression 'Human Dignity' is the recognition of a value. It is a moral principle based on the self-finality of human beings and not on their usefulness as a means. In other words, it seems Human Dignity is based on the very nature of the human species – which normally includes manifestations of rationality, freedom and self-finality, qualities that make human beings creatures in permanent development as they seek self-fulfilment. That project of self-fulfilment demands from others recognition, respect, freedom of action; not the instrumentalisation of the person. That personal self-fulfilment, probably the object and reason of dignity, is only possible through ontological solidarity with every member of our species. Everything we are is due to others who pondered over us and bequeathed to us a language, a culture, many traditions and principles. Since we were made by this ontological solidarity of the human race, since we are inevitably steeped in it, we fulfil ourselves



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through relationships with others and helping others. We could not be said to respect the dignity of others if we did not respect it in the individual other.

In modern ethics, human dignity is expressed by a 'we-humanity' that is not a sum of the individual "I's". As Lévinas says, "we is not the plural of I." The starting point to expressing that dignity is found in the totality of human beings: hence it was possible to affirm that while one human being is not free, no human being will be free.

Socialisation is not, however, a dilution of the "I" in the mass of the human community. As we can see everyday, each human being aspires to repeating his "paradise lost", which was his complete fusion with his mother. Hence the search, at times a frenzied search, for a dual relationship. Now, the individual accedes to his condition of unique being when he makes possible the passage from fusion with his mother to autonomy. That is the learning process of the 'I/you' so eloquently described by Martin Buber, on which he rested the conditions indispensable to an effective alterity. The larger and wider-ranging the number of people with whom we establish the 'you/I' relationship, the greater our participation in the noosphere and the stronger our human dignity.

Noosphere is how Teilhard de Chardin named this notion of a layer of humans that entirely envelops the Earth. It is interdependent with the biosphere and the atmosphere. Evidence for this affirmation can be found in everyday life (we feed on biological species and breathe because we are immersed in the atmosphere). We find it, too, in certain religious manifestations that have profoundly marked some civilisations. Thus in Buddhism, for instance, there is no separation between the human and the surrounding natural reality. In our own time, that interdependence is felt through the noxious effect of humans on the biosphere and atmosphere. Hence we may infer that to contribute towards the integrity and diversity of biological species and towards the equilibrium of the atmosphere is, ultimately, to contribute to the protection of human dignity, too.



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BIOLOGICAL REFLECTION

Human dignity is a characteristic of each human being only insofar as it is a fundamental characteristic of all humanity. That dignity lies in all that is human, as a whole, and each being emerges with his own full dignity out of that whole. Hence the fundamental importance of the individualisation process of each being. Humankind's ability to express a symbolic representation of everything it sees, knows or does gradually acquired a structure along the several stages that brought humankind to its present biogenetic stage.

The concept of human dignity could also stem from the difference in dignity and respect existing between the human and the animal being. That difference is not founded on affectivity, for human beings share that with many animals; possibly, it is based on the specifically human ability to symbolise, to represent and project outwardly the contents of consciousness, and use these in the creation of human culture. Where a radical difference does seem to exist is at the level of the manifestation of the unconscious in the consciousness of human beings. Where lies the biological root of the unconscious? Or is it a cultural construct, therefore exclusive to human beings? Is there or isn't there a biological root of the ability to symbolise? Is there or isn't there a neurobiological explanation for it?

No biological aspects relating to the theory of evolution warrant a special status for the human being. From that perspective, it is hard to define the concept of Human Dignity, all the more so when it comes to pinning it objectively to an individual human being: when does the human being begin? At the moment of the fertilisation of the ovule? Is it during gestation, upon manifestation of the first electrical waves in the brain of the foetus, or upon its first heartbeats? At the moment of actual birth? Is it when the individual acquires self-consciousness?

And when does the dignity of the human end: upon certification of death? When it slips into a persistent vegetative state?

Or should the dignity of human beings be respected at all times, regardless of their biological condition?

Is it possible to accept there is no human dignity in the person who suffers a serious mental disturbance or a great physical deficiency? Are the most able, the most intelligent, the most cultured endowed with greater biological dignity? Can there be a biological dignity? Can anyone lack biological dignity or, on the contrary, there is no indignity in any form of our existence? Are there degrees in biological dignity? Is there a biological determinism for dignity or indignity? We do not think so. Each and every human being bears a dignity of its own from birth solely by the fact of being a person.

Human dignity, therefore, is a value based on the original capabilities of the person, and it is greater than the biological structure of the human being. Even so, we might



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ask again whether human dignity has a biological foundation. The answer to that question depends on the stand we take regarding the relationships between a person and its body.

From a standpoint of extreme dualism of body and mind (Cartesian or other, nowadays abandoned), evidently there could be no fundamentation of human dignity on corporeal grounds. But the contemporary thesis of the profound, tight unity of the human being allows room for the question.

On the one hand, the biological analysis of the human being, even at molecular level, has found nothing that warrants a dignity specifically superior to that of other animals. Human Dignity has no biological justification. Of course, the biological substrate is undoubtedly a condition indispensable to the existence of the person and so to existence of the person's dignity: if the biochemical mechanisms collapse, the person becomes extinct, along with its dignity. But it is not such biochemical mechanisms (basically identical to those of animals) that justify, specify or measure human dignity. And, for that reason, it may be said that the biological quality of a human life does not alter its dignity. The insane or the terminal patient who is now unconscious or in a persistent vegetative state have the same dignity that I have.

On the other hand, however, human beings seem to be the only animals where the biological reality has been completely assimilated and given a new dimension by its integration into another order, which is symbolic and cultural. In that sense, the purely biological body is an abstraction. The real body is not only biological or mechanical: it is a self-aware body or a lived-in body or a personal body. That body constitutes the obligatory mediator of the person in all its relationships, inner or outer. Whenever the person thinks, reflects, decides, communicates with others or gathers new information from them, that takes place, always and perforce, through the body and its biological mechanism. In this sense, the person takes on all human biological aspects and, to that extent, all violence against the biological body can be construed as violence against the person, and all instrumentalisation of the biological body means instrumentalisation of the person.

Human dignity is felt and expressed through the human body, which is the biological support of existence. The person is not its body, nor is it the owner of its body. The person is a psychosomatic system, which all of human life renders ever more present.

As we have said, the fundamental difference between human beings and animals is not rooted in affectivity but rather in the capacity of humans for symbolic thought, their ability to represent and project outwardly the contents of consciousness, and use these contents in the creation of human culture. That is to say, in the sphere of the cognitive. The awareness of oneself as person and of others as persons, too, consequent on the symbolising capacity of human beings, is probably a *sine qua non* condition for ethical reflection. Consequently, the biological nature of the human body is but the substrate, support or mediator of the person, who underlies all reflection on human dignity.



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There is, therefore, an ethical dimension in human existence, that is to say, the person exists as person only when it is recognised by other persons. There is an ethics for the person living in the body. The body does not itself carry an ethical dimension; it is the person in the body that carries that dimension. For the human body, taken in isolation, there is no ethics.

Thus, the sociability of the human being is a fundament of its dignity. The story of the "Enfant sauvage" served to affirm that the human person springs forth only within the human community. Isolation makes it the same as any animal. The well-known tale of the "Lord of the Flies" also demonstrates that the process of individuation, which ensures human dignity, progresses through stages of socialisation until it reaches maturity. It is the human community that bestows on each being the capacity for language, for giving a name to each thing and thus for structuring that being's agility and amplitude in symbolic representation.

We are thus faced with a situation in which the biological mechanisms are involved in every activity of the person as a non-specific basic condition, although they do not constitute a causal, determinant reason. As to the question of whether there are biological grounds to human dignity, we should have to answer "yes and no". Yes, insofar as such biological mechanisms constitute the indispensable support to the field of action of all the person's thinking, volitional and relational activities. No, insofar as the faculties for self-fulfilment along the lines of a personal project, which constitute the true fundament of human dignity, are in no way specifically determined by any known biological mechanisms.



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PSYCHOLOGICAL ASPECTS

Whereas biology is concerned with the study of living matter, from the molecules that make up living beings to the being itself as a whole, the objective of psychology is the study of the psychic activity of those same living beings. Can the reflection on human psychology contribute to bringing us closer to a better understanding of human dignity?

If we imagine the domain of psychological research as defined by two Cartesian axes – normal/pathological and social/biological – we shall have a schematic picture of most of the areas currently under investigation by contemporary psychologists (table 1).

In recent years, the technological advances registered especially in electrophysiology and cerebral imaging – from electroencephalography (EEG) to functional nuclear magnetic resonance (f NMR), including, of course, computerised axial tomography (CAT), proton emission tomography (PET) and nuclear magnetic resonance itself (NMR) – have made significant contributions to a better understanding of psychic activities, not only as regards normal psychology but also as regards psychopathologies. It has become quite usual these days to talk of brain cartography in connection with the localisation of heightened cerebral activity when the individual is subjected to different types of stimuli.



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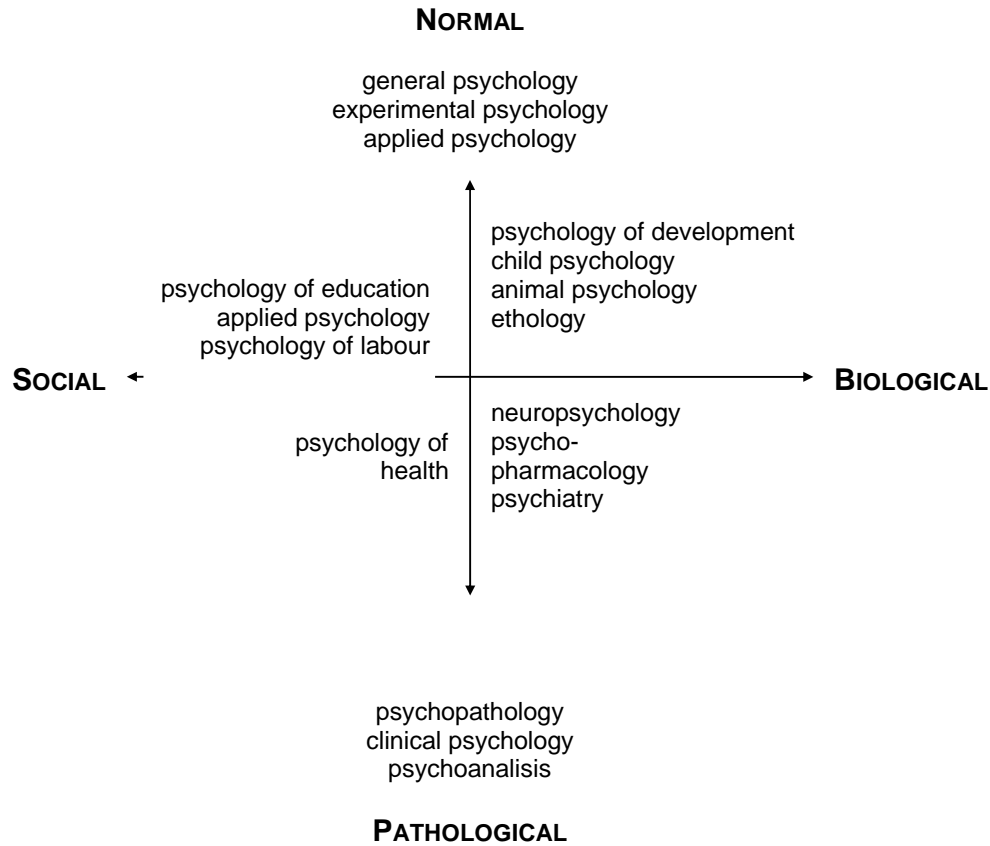


Table 1: The major areas of investigation in psychology



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But scientists face great difficulties. According to current estimates, the human brain contains over 100 billion neurons, and the number of synaptic links between two neurons may be anything from a few hundred to tens of thousands – a system so complex that it defeats our imagination. Not even those computer systems that simulate so-called artificial intelligence come anywhere close to the complexity of the human brain. Psychology of development does indicate, however, that this complex network is progressively structured in the brain from the foetal stage, and as the newborn becomes integrated in its environment through sensorial stimuli and the development of language itself.

One might ask whether this knowledge has brought any new contribution to the definition of the “I as person in relation to others” because, as stated above, it is on this basis and the establishment of relationships consequent upon it that ethics itself is founded. To use Daniel Defoe’s metaphor, Robinson Crusoe, living in a deserted island, needed a Man Friday for self-reference.

Several scientists, and especially contemporary physicians and mathematicians, such as Francis Crick, Roger Penrose or Gerald Edelman, have tried to establish a bridge between the advances in the neurosciences and the phenomenon of consciousness, proposing more or less complex models. Notwithstanding this, in scientific terms the central question remains: how do neurobiological processes trigger off the mental states that constitute the consciousness we have of ourselves as person and of others as persons with whom we should establish a relationship?

In short, we might say that the advances achieved in the field of the neurosciences, namely in psychology, have contributed undoubtedly to a better knowledge of the human mind, of our feelings and perceptions, of how our memory works, and also of how we verbalise our thoughts to communicate with others. We are beginning to understand the cathartic function of our dreams. Yet, all these advances in psychology alone do not explain the reasons why human beings should deserve a dignity unique to our species, a dignity that is different and higher than that of other animal species.

If human dignity is supported by human biology, it is no less true that its psychological support also stems from this biological dimension. If we choose a positivistic stand, we feel the lack of the essential link that might allow us to understand how a structure as complex as the human brain makes it possible to reach to the very foundations of dignity: self-awareness, the ability to relate to others and the capacity for symbolic or abstract thought, which are part and parcel of our own culture and of the history of all mankind.

The self-awareness of personal dignity is a floating concept: at different stages in our lives, each one of us entertains different concepts of our own dignity.

^{1st} It is as psychological beings that human beings apprehend a stronger dimension of their own dignity. The greater values of the human being, those that give it originality within the scope of Creation, are precisely the aspects of a psychological nature.



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2nd On the psychological plane, Human Dignity rests on the frame of values each person holds. Persons who are unable to obtain autonomy find it hard to affirm their own dignity. Respecting autonomy in others is also a way of respecting the dignity in each one of us.

3rd The psychological aspects of Human Dignity have to do with that which we feel we are and with the perception others have of us. At the same time, this question is influenced by the milieu in which we live and by the way we coexist with it: one may be accorded dignity in a certain milieu – e.g. within one's family – at the same time that one is regarded as undignified among one's professional colleagues. The psychological aspects of Human Dignity are not values absolute in themselves, they always involve criteria of relativity.

We may be regarded by society as having no dignity and yet feel we have it. Once again, the question arises: what is Human Dignity? Is it the perception others have of us or the perception we have of ourselves?

We may not properly speak of a psychological foundation of human dignity, therefore, unless we mean by that some kind of phenomenological foundation. As an ethical concept, dignity may not be justified by reaching back to psychology as its foundation. But it may have psychology down the line as a corollary. Thus, we are talking of a subjective perception of a dignity that is quite objective. We are not talking of dignity as a value in itself, nor of its rational comprehension by me, but of its intuitive and emotional connotation within me. And this aspect, though more existentialist than essentialist, must not be minimised. What is the meaning of a human dignity that is provable in rational terms and yet has no impact on my real motivations? In terms of my existential living, it does not exist.

We must make a distinction, therefore, between the perception each one of us has of his/her own personal dignity, which springs from within each person, and the perception that comes from without, through others and what others think of us. The former has to do with self-image, self-awareness, self-esteem. It is the dignity the Self extends to me, the reflexive image of myself. The latter is the dignity of the Self as extended by others. It is an allo-image, an allo-esteem. It is the Self that went out to express itself and returns to me somewhat altered. These two images are not coincident, as a rule, and the problem is how to manage this duplicity. We might have to confront the miserable Self with which we live permanently with the glorious Self projected to us from without. Or, on the contrary, confront the self-fulfilled Self we are with the failed Self with which society assaults us, making us its victims. In the process of actively managing this duplicity of images, the self-identity may either submit to the allo-identity or reject it.

Both the self-image and the allo-image of one's personal dignity may become hypertrophied or hypotrophied.

Hypertrophy of the self-image may express itself through some form of megalomania, for example, or arise in situations where we suddenly experience an acute



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awareness of the self (adolescence is an instance) or in spontaneous reactions to insecurity or inferiority complexes. Hypotrophy may be found in depressive states or arise as a consequence of situations of oppression, subjection, disease, prison, forced confinement and other similar situations. In such cases, the objective dignity may become subjectively attenuated or even be eliminated.

Dignity is an ethical concept, not a psychological concept: its justification is from an ethical basis, and the difference found in the analysis of dignity from a psychological perspective stems from the difference between the empirical percept we hold of dignity and what it actually is. The psychological percept is related to the empirical percept, to the emergence of this dignity before oneself or before others: i.e. to self-esteem, the way I see and respect the other and the way the other has an empirical psychological perception of the respect I extend to him.

On a psychological plane, we may also mention the dynamic aspect, whose construction begins from primordial conception and goes on until death, and which has operates on two planes, that of our self-awareness and that of our relationship with others. The interaction of these two planes gradually forms the concept of Human Dignity. This concept varies during the life of each one of us, undergoing an evolution, a permanent personalisation. The child acquires the idea of dignity from the way it is treated, is accorded consideration and respect by the mother, and that idea has neither interruptions nor separations, although it is only later that the child apprehends the idea of dignity towards others, insofar as it is taught to share and respect others' boundaries.

In that sense, each person creates a unique style, on the psychological plane, through the way that person lives out its public and private behaviour: although there is a diversity of ways of perceiving psychological dignity, there is a unity of style that cuts across behaviours and self-awareness, which explains the dialectical reciprocity between the way we feel and the way we respect the other.

Not only are there stages in the evolution of dignity through time but also stages in the awareness of dignity. Situations of progressive loss of dignity (e.g. old age), generate in our consciousness a sort of existential indignity and demand added respect from the other, as if we ought to restore the person's psychological dignity. This restitution is ethical in nature – it is an ethical form of psychological help.

Objectively-speaking, loss of dignity may occur in situations of war or political imprisonment, of poverty, of social misery. But even in such situations, people manage to maintain an attitude of enormous dignity, therefore feeling no indignity in others' eyes. Thus we are returned to the question of the subjectivity of the concept. Nonetheless, situations of great indignity do exist, independently of that subjective aspect. The enforced loss of freedom for political, ideological or religious reasons; physical and psychic degradation for social reasons or through abandonment by the family; or even, though at a different level, the degeneration brought on by certain terminal diseases, are all situations that may test human dignity, regardless of how we look at it. In such cases, the loss of dignity is clearly objective.



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Still, regardless of the legitimacy and significance of these psychological aspects of human dignity, it is important to give greater weight, at the proper moment, to the ontological, ethical and juridical reality of dignity. Evolved societies, which have learned the lessons of History and have grown in wisdom, are ever more prepared to defend the rights of persons accused, imprisoned and condemned. It is from such people that we glean, in its greatest purity, that dignity based on nothing more than being human.

Human rights are therefore the expression of the person's ethical dignity.



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WOMEN'S HUMAN DIGNITY

"18. The human rights of women and of the girl-child are an inalienable, integral and indivisible part of the universal human rights "

(Declaration of the World Conference on Human Rights, Vienna, 1993)

Regarding the definition of the concept of human dignity partly formulated in the negative, it is fitting to mention women's dignity, namely in the field of the life sciences, which study directly women-related issues; reproductive rights in particular constitute in themselves an extension of a fundamental civil right, that which defines the woman's body, the same body which, by the dignity due to it as a human being, is said to be inviolable.

The consequences of the definition of human dignity which Pico de Mirandola so magnificently formulated for us were almost exclusively masculine, inasmuch as, before and after him, a course of action and a world vision were historically delineated in which, for centuries, women could not enjoy equal opportunities in life and for the construction of a destiny of their own (Eve's absence from the quoted text already points to this).

We think it necessary to make explicit the question of the human dignity of women, not because we think women have a different dignity as human beings but because, as emphasised in recent International Conferences, women – from childhood through adolescence to adulthood – go on being dismissed in many cultures and for the most diverse reasons, being still unable to fulfil in their lives the principle of freedom and autonomy. Our culture has defined them as body, and on the basis of that biological definition has elaborated feminine natures and psychologies, with all the ethical implications of such definitions, such as women's supposed inability to make abstractions and judgements.

We recall Ana de Castro Osório's affirmation in 1912 of modernity in the feminine in Portugal: "to be a feminist is merely to be just and to be logical," that is to say someone who wants to determine her own destiny.

We might also recall Amnesty International's (terrifying) report on Women and Human Rights (1995), revealing how such rights are almost non-existent worldwide, because:

"Women run a double risk; discriminated because they are women, they are as likely as men, if not more likely, to become the victims of Human Rights violations" (1995: 11) "everyday, more women and young women die as



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victims of several forms of sex-related discrimination than through any other type of Human Rights abuse" (1995: 12)¹

In the face of this painful scenario, two attitudes are possible: we may despair before such violence, such cruelty and the attempt to reduce women, as a 17th century nun put it, "to nothing, to less than nothing at all." Or reading the statements included in this Amnesty International report may rouse in us a desire for life, for inventivity, for solidarity with the dignity of these women, a desire for action, so that, despite all the nakedness and silence imposed on them, there might be some concern with "humanity despite inhumanity" (Collin, 1994: 20).

Most of the abuses against women shown in this report, among them rape as an instrument of war, illustrate how the symbolic representations, the diverse ideological elaborations over the female body represent it as a mere passing place, on which to exercise power, with women appearing systematically as devalued beings. That in this setting, women should go on bringing forth life, caring for life, caring for the vulnerable, is a great reason for hope, which ought to deserve more respect, that is to say, human dignity.

Returning now to Pico de Mirandola, what he was proposing was also a new project of humanity and unity of humanity, which, though designed to be universal, turned out in its historical implementation to be an erasing of differences, or rather, thought of them as unequal, as not fitting in the proposed model: thus were women excluded.

There is yet another division which, according to Serge Moscovici, is bound with the following:

*"men produce goods,
women produce men."*

Poullain de la Barre (having read Descartes closely, and added to him the social dimension) already posed the following question:

"why has maternity always been devalued?",

why is it that in Western thought, in the opposition nature/culture, women have been placed on the side of nature, of the body, because they bring forth other beings? And not only was this work of creating the human devalued but also the maternal-domestic function inherently associated with it – the work of caring which is more than feeding, which involves the education of speech, of sight, of touch, that which will make the child become not only a man or woman but also a unique being.

¹ "[...] several studies have pointed out that it is in the home and in the context of familial relationships that most violence takes place, especially against women" (LOURENÇO et al, 1997: 16). "Over and above the configuration of violence by its different types, it must be noted that the home, the family is, of all places, where violent practices have been most denounced: 43% of all violence occurs in that place, with public places taking second place with 34%, and then the work place with 16%, besides types connected with more residual places" (idem, *Conclusões*, p. 120).



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"It would be an endless task to inventory the occurrences in philosophical texts of 'nature wanted it so...', 'nature determines that...', 'woman is by nature...' [...] Thus, resorting to nature permits manufacturing a rational theory of the feminine thing. In every case, it is as if women had an immediate relationship with nature; whereas men are undoubtedly natural beings but their essence establishes countless mediated relationships with nature. The great majority of the philosophers of Illuminism reasoned within a thought framework which Lévi-Strauss termed 'sauvage': woman belongs to nature, man to culture." (Crampe-Casnabet, 1991: 337).

It is this work of looking after humans that is so hard to figure, this experience:

"the child I carry for nine months may not be defined as I nor as not-I " (A. Rich, in Ardaillon, 1992: 380)

or also this experience Danielle Ardaillon approximated to the emotion of writing, to the literary experience of Marguerite Duras, so as to express this unique experience of alterity, that "ineffable condition of being inhabited":

"to write [...] is the unknown we carry within: to write is being struck. [...] it is the unknown within the self, within the head, within the body. Nor is it even a reflection; to write is some kind of ability one has besides oneself, in parallel, coming from another person that appears and moves forward, invisible..." (ibidem).

And, despite the changes to the lives of women in Portugal over the last decades – in jobs, teaching, family life – there may be no understanding yet of that condition, that unique experience of being inhabited, of that "something that appears and moves forward, invisible " and becomes a person and a human face through that encounter – of that primordial experience of humanity, regarding which, as mothers, Portuguese women suffer the greatest discriminations,

"so many rights [...] recognised in principle by the State, and the praxis of the life of female citizens who are unable to make their individual rights prevail, those rights as human persons whose body is said to be inviolable " (idem: 385).

Even if the concept of care lies at the ethical core of responsibility, that concept is ethical only when, in each set of circumstances it permits "deliberation, option, risk" (Collin), respecting autonomy and freedom as the foundations of dignity (also) in the feminine.



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FINAL REFLECTIONS

"[In the French Ethics Committee] the exchanges of ideas take place about well-defined specific themes. [...] The debate evolves spontaneously towards a conciliation between rationality and that which bears witness to humanity most intimate. Compassion, respect for the person lie at the core of our preoccupations." (Changeux, 1998: 334)

The CNECV, with this group of reflections on human dignity, has taken on the ethical responsibility to contribute within its sphere of competence not only to a wider debate on aggressions against human dignity but also to promoting it in Portuguese society.

The considerations on human dignity gathered herein constitute in themselves a wide perspective of the issues that fall within the CNECV's scope of work, and, in parallel, a widening of the actual concept under analysis.

Human dignity affirms that: every human being, because it is a human being, is the greatest value, which is all the more apparent whenever it suffers aggression, violence, indifference or denial. Thus, the kinds of behaviour that most negate our own dignity are those that negate the dignity of others, especially of those who are weak and vulnerable – children, the elderly, the sick, those who are excluded for any reason, from lack of money to lack of love.

In this sense, the CNECV considers that there is need for places where our suffering, pain, joy, discoveries will be heard. Just as the Self presupposes coming to the word, so those listening places may permit, once again, full access to the word. It is in this context that the school, among other institutions that shape human dignity ought to be as much a transmitter of knowledge as a listening place, which, by feeding back the echo of the hesitant word might help it to come out as something new.

Human dignity is felt and expressed by means of the body, the biological support of its existence. The person is neither its body nor the owner of its body. Thus, recent studies of pain reveal how it is localised on physical spot at first, then proceeds to the level of symbolic representation, and may reach a situation where the whole person becomes pain. Actually, it is the verification of this fact that serves as grounds for many who think it is legitimate to satisfy the excruciating desire of those who wish to be freed of pain, which does not dignify them and instead diminishes them.

One of the conclusions that may be drawn from clinical experience is the importance of the discovery of dignity through the relationship with the other who is suffering: the dignity of the suffering and the dignity reflected upon those who deal closely with the suffering. Thus,



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"the quest, the search for the meanings of dignity and for the ways it is violated – and the impact on the physical, mental and social well-being – may help to uncover a new universe of human suffering" (Mann, p. 12) to which bioethics must open out.

As the Italian writer Primo Levi so ably demonstrated in his book "Si j'étais un homme", the more human dignity suffers aggression the more it imposes itself as an unbreachable frontier between what is human and non-human. That is why human dignity today, based on social responsibilities, appears in connection with expressions ranging from "quality of life" to "caring", "caress", and "compassion".

Since the noosphere is interdependent with the biosphere and the atmosphere, contributing to the integrity and diversity of biological species and to the great planetary equilibria is also contributing to the protection of human dignity.

Human dignity, on the other hand, is based on the unbreakable combination of rights and responsibilities. Today, we cannot speak of rights without referring at the same time to the responsibilities they entail. At the start of the Preamble to the proposal addressed to the UN General Assembly by former Heads of State belonging to the InterAction Council, asking for the proclamation of the Universal Declaration of Human Responsibilities, we read: "the recognition of the inherent dignity and equal rights of all members of the human family as the foundation of liberty, justice and peace in the World entails, therefore, obligations and responsibilities."

And Article 29 of the Universal Declaration of Human Rights states: "1. Everyone has duties to the community in which alone the free and full development of his personality is possible. 2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society."

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