Special Section: Dissecting Bioethics

Another Look at Dignity

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With the considerable attention given to UNESCO's *Universal Declaration on the Human Genome and Human Rights*,[1] the time has come to take another look at the concept of *dignity*, on which this document is morally founded. The term "dignity" now appears in many national constitutions and international bioethical statements.[2] It has also become popular among Continental European ethicists, many of whom wish to challenge the particularly American and overtly individualistic principles of "autonomy," "justice," "beneficence," and "nonmaleficence."[3]

But how should dignity, or more fully, *respect for human dignity*, be understood in contemporary declarations and bioethical debates? At least five plausible interpretations can be given to the concept, and each yields different moral norms. In what follows, I suggest that none of them should be given unconditional primacy in moral disputes.[4] If I am right, ethical controversies cannot be settled simply by stating that this or that solution respects or violates human dignity.[5]

The Legality of Dignity

The generic use of the term in its most modern sense is legal, or semilegal. The word first appeared in the constitutions of Mexico (1917), Ireland (1937), and Cuba (1940)[6] and then found its way to the United Nations' *Universal Declaration of Human Rights*, which states:

> [The] recognition of the inherent dignity of 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] peoples of the United Nations have . . . 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.[7]

The connection made in this passage between dignity, equal rights, better living conditions, and greater freedom is interesting, and I will return to it presently.

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But other intriguing questions concern *how* the term found its way to the document, and what this story tells us about its "real" meaning.[8]

The truest terminological account could be this. As the United States delegate to the United Nations since 1945, Eleanor Roosevelt was instrumental in drafting the declaration. It has been suggested that during the two years it took to devise the document, she was strongly influenced by Jacques Maritain, the French Catholic philosopher.[9] The Catholic origin of the concept would make sense for two interrelated reasons. "Dignity" is a word that appears, in Latin, in fundamental Catholic documents since at least the late nineteenth century. Its equivalents in Romance languages and in English had been included in the constitutions of Catholic, but not other, countries before and during World War II.[10] So, let us see what the roots of the concept in this direction are.

The Dignity of God

The starting point here could be, for instance, the encyclical letter *Rerum Novarum* by Pope Leo XIII, in which he stated in 1891:

> [All] men are equal; there is no difference between rich and poor, master and servant, ruler and ruled, for the same is Lord over all [Rom. 10:12]. No man may with impunity outrage that human dignity which God Himself treats with great reverence, nor stand in the way of that higher life which is the preparation of the eternal life of heaven. Nay, more: no man has in this matter power over himself . . . ; for it is not man's own rights which are here in question, but the rights of God, the most sacred and inviolable of rights.[11]

The normative implications of this view are at one end of the continuum when human rights and related matters are discussed. Some of its most distinctive features are:

- that dignity comes from God
- that all human beings are equal in dignity regardless of their social and political status
- that unborn human beings are included in this group and have equal rights[12]
- that the same applies to other human beings who cannot reason, or communicate with others
- that nonhuman beings do *not* have this kind of dignity and
- that the dignity of individuals must also be protected against themselves.

In sociocultural terms, this is a view more or less stringently adhered to by a sixth of the world's population. Within European philosophical traditions, it is one version of the Aristotelian doctrine.[13]

The Dignity of Reason

Other philosophical schools have, however, also been interested in human dignity and human rights. The best-known example of this is the ethical theory of Immanuel Kant, who wrote:

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> [Man] as a person, i.e., as the subject of a morally-practical reason, is exalted above all price. For as such a one (*homo noumenon*) he is not to be valued merely as a means to the ends of other people, or even to his own ends, but is to be prized as an end in himself. This is to say, he possesses a dignity (an absolute inner worth) whereby he exacts the respect of all other rational beings in the world, . . . and can esteem himself on a footing of equality with them.[14]

Kant's doctrine shares some features with the view expressed in the papal letter. All moral agents are equal in dignity regardless of their social and political status, and their dignity must sometimes be protected against themselves. But there are also important differences.

In Kant's model, dignity does not necessarily come from God. What we respect in ourselves and in others is not divine creation, but the moral law, dictated by our intellect. And because Kant's persons—his bearers of dignity—are distinguished from other beings by their *rationality*, not by their humanity in any other sense, unborn and uncommunicative human beings cannot be automatically included in the group. These qualifications did not prevent Kant himself from thinking that infants have human rights, presumably due to their nature as potentially rational beings. But a strict application of his principles to, for instance, individuals with intellectual disabilities would produce radically different solutions.

Paradoxically, however, many European bioethicists who rely on the concept of dignity seem to think that the Catholic and Kantian ideas are mutually compatible in every respect and that both traditions can be employed to support their own moral beliefs.[15] This is not the case without further specifications. But this combination, with its inborn tensions, seems to be popular among Protestant and Catholic ethicists alike.

Kant's view is often expressed in the form that dignity forbids us to treat its bearers as a mere means. This is an admirable idea. But its application is difficult if we cannot agree on who the bearers of dignity are and what it would involve to treat them as mere means.[16]

The Dignity of Genes

Perhaps the most perplexing dignity-based document to date is UNESCO's *Universal Declaration on the Human Genome and Human Rights*, which states:

> The human genome underlies the fundamental unity of all members of the human family, as well as the recognition of their inherent dignity and diversity. In a symbolic sense, it is the heritage of humanity. . . . Everyone has a right to respect to their dignity and for their rights regardless of their genetic characteristics. . . . That dignity makes it imperative not to reduce individuals to their genetic characteristics and to respect their uniqueness and diversity. . . . Practices which are contrary to human dignity, such as reproductive cloning of human beings, shall not be permitted.[17]

The view expressed in the declaration is difficult to formulate consistently, but perhaps some of its most distinctive features include:

- that everybody with human genes is a bearer of human dignity and has a right to be respected as such

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- that everybody with human genes is unique (genetically different from others)
- that everybody with human genes has a dignity-based right to be unique and
- that reproductive cloning violates this right and must therefore be banned.

The practical implications of the first point, if taken seriously, would be far-reaching. Much depends on what is meant by "respect" and "right to be respected," but the protection of every living being with human genes could require radical changes to abortion policies, birth control, embryology, and stem cell research.

The declaration's ban on reproductive cloning has satisfied scientists but baffled philosophers.[18] It would be one thing to condemn research on cloning because it involves the loss of early human lives, but this does not seem to be the point. Cloning is forbidden because it violates the individual's dignity-based right to be genetically unique.

The conceptual difficulties of this argument should be obvious. Identical twins are not genetically unique, but this does not bother anybody in the Western world. A universal right to be genetically different from others would, however, demand us to rectify the situation. The !Kung San of Angola, Botswana, and Namibia have been reported to kill one of their twins at birth. Should some such practice be adopted to prevent the simultaneous existence of two genetically similar individuals?[19]

Whatever the correct interpretation of the declaration, one thing is clear.[20] The concept of "dignity" it employs is different from the Catholic and Kantian readings. If dignity is based on genes, it is not automatically based on God's creation or rationality, nor are the implications similar to those of the other two views.

The Dignity of Sentient Beings

The three views on dignity I have sketched so far are the "usual suspects" in contemporary bioethical discussion. But there is no need to limit the inquiry to them.

In the *Universal Declaration of Human Rights*, dignity is linked with the ideals of equality, welfare, social progress, and greater freedom. One philosophical doctrine that made these the basis of ethics and politics in the eighteenth and nineteenth centuries was the utilitarian radicalism of Jeremy Bentham and John Stuart Mill.[21] Their fundamental concern was to secure "the greatest happiness of the greatest numbers," and they wanted, in the spirit of equality, "everybody to count for one, and nobody to count for more than one" in public decisionmaking.

Bentham and Mill did not use the word "dignity," but their followers have recently talked about dying with dignity. By this they mean people's entitlement to die when they want to, without interventions from health professionals.[22] This antipaternalistic reading of the concept has been criticized by the advocates of the other alternatives,[23] but the dispute cannot be settled in purely linguistic terms.

For the followers of Bentham and Mill, the basis of our dignity, or moral worth, is in our ability to suffer.[24] Respect for dignity means that we have an

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obligation to prevent and not to bring about unnecessary suffering. But because this is *all* there is to dignity, one offshoot is that not all human beings should be treated with equal respect. Embryos and fetuses are not sentient during the early stages of their development, and they do not possess all the rights more full grown humans do. Another offshoot is that some nonhuman beings do have rights that are based on their dignity. All animals who can suffer are equally entitled to respectful and humane treatment, regardless of their species.

According to the utilitarian view, dignity cannot be limited to humanity or rationality, and it cannot be based on theological or biological considerations. Its foundation is the empirical phenomenon of suffering, and its protection is aimed at promoting the well-being of sentient, including human, animals.

The Dignity of Important Beings

The Catholic, Kantian, genetic, and utilitarian accounts proceed from the assumption that dignity is equally possessed by at least intelligent adult human beings. This, however, is a relatively recent connotation for the term. According to more traditional views, dignity is an extraordinary quality that gives its bearers rank and importance over others.

There are two reasons why these antiegalitarian ideas should be taken seriously. The first is political. Only one-fourth of the world's population is even nominally Christian, and if this minority tries to dictate how the majority ought to understand ethical concepts, one possible outcome is the rejection of the allegedly "universal" declarations of the United Nations.

The second reason for the extension is philosophical. Aristotle's original idea was to be sensitive to the beliefs and attitudes that prevail in real-life societies and communities. This idea has been developed by "communitarian" thinkers, who provide Western philosophical grounds for respecting antiegalitarian notions of dignity that are popular in some other cultures.

The variety of these notions is, of course, broad. However, some of the features where they differ from the previous candidates are that in many of them men are favored to women, hereditary nobility to common folk, and, in some cases, certain animals to the needs of people. Nonetheless, the terms "dignity," "worth," and "value" can be employed in ethical arguments.

How to Use "Dignity" as a Means

The word "dignity" can mean many things in modern bioethical discussions, especially in the global forums. Yet people from different cultures can embrace the international declarations where the term appears. Should this be seen as a threat or an opportunity?

I submit that it can be seen as a threat, if people try to monopolize the use of the term and insist that those who understand it differently should not use it. It would be easy for, say, a utilitarian to concede that "dignity" is a particularly Kantian concept, and then go on to say that "suffering" is ethically more important anyway. Then, the only point on which the opposing parties could quarrel would be the choice of words.

It could, however, also be seen as an opportunity, given that the parties could muster some conceptual leniency toward each other. If nobody tries to seize the concept once and for all, creative discussions can continue at two separate

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levels. People can debate the merits of different notions of dignity, and they can argue the relative significance of opposing concepts in ethical disputes.

Although it is probably true that dignity should never be used as a mere means, the concept of dignity could in this way be used as a means to further understanding between people and cultures.

Notes

1. Adopted by the General Conference of UNESCO at its twenty-ninth session, 1997 Nov 11. On the significance given to the document, see, for example: Dennis C, Gallagher R, Campbell P. Everyone's genome. *Nature* 2001;409:813.
2. See, for example: Broberg M, Bresson Ladegaard Knox J, eds. *Dignity, Ethics, and Law: Bibliography*. Copenhagen: Centre for Ethics and Law; 1999.
3. These principles were first formulated in 1979 by: Beauchamp TL, Childress JL. *Principles of Biomedical Ethics*, 4th ed. New York: Oxford University Press, 1994; and extensively explained and defended in, for example: Gillon R, ed. *Principles of Health Care Ethics*. New York: Wiley; 1994. For critical European comments, see, for example: Holm S. Not just autonomy: the principles of American biomedical ethics. *Journal of Medical Ethics* 1995;21:332–8; Häyry M. Ethics committees, principles, and consequences. *Journal of Medical Ethics* 1998;24:81–5; Takala T. What is wrong with global bioethics? on the limitations of the four principles approach. *Cambridge Quarterly of Healthcare Ethics* 2001;10:72–7.

   Close competitors to "dignity" in European bioethics include "solidarity" and "precaution." These three form a unity that could be called the "European Catechism," as opposed to the "American Mantra" of the Georgetown philosophers. Whereas dignity is usually brought up to challenge autonomy as the paramount ethical ideal, solidarity is set against (the "American concept of") justice and precaution with the utilitarian or free-market determination of benefits and harms. See, for example, the special issue on "Solidarity in Health Care": Houtepen R, ter Meulen R, eds. *Health Care Analysis* 2000;8:329–411; and the special issue on "The Precautionary Principle and Its Implications for Science": Kaiser M, ed. *Foundations of Science* 1997;2.
4. There are two traditional "European" readings, and presumably countless others, of which I sketch here only three. A full analysis of the uses and meanings of "dignity" would be an enormous undertaking. The word in its Latin and Latin-derived forms has been around for almost as long as the European culture, and equivalent *concepts* can be found in other languages and other cultures. For some of the "European" uses, see, for example, note 2, Broberg, Bresson Ladegaard Knox 1999; Becker GK. In search of humanity: human dignity as a basic moral attitude. In: Häyry M, Takala T, eds. *The Future of Value Inquiry*. Amsterdam: Rodopi; 2001:53–64.
5. One thing to be noted is that dignity is not a very old concept in modern *philosophy*. For instance, Frederick Copleston's comprehensive nine-volume *History of Philosophy*. (Tunbridge Wells, UK: Burns and Oates; 1946–1975) makes no reference to it. And given that this work explains reliably almost everything in philosophy, I can only conclude that in the 1940s, 1950s, 1960s, and 1970s, when the book was originally written and published, "dignity" was not a proper word in the philosopher's vocabulary.
6. See note 2, Broberg, Bresson Ladegaard Knox 1999:109–10, 113, 116.
7. Adopted by the United Nations General Assembly, resolution 217 A (III), 1948 Dec 10.
8. Some have suggested that there is a continuum from documents like *The Declaration of the Rights of Man and of the Citizen*, issued in France in 1789. But this is probably not the right place to begin this particular story because in that document the term was used in another sense altogether. The word "dignity" is there, but the meaning is "honors," or "positions of honor." Others have made an ideological link to the *United States Declaration of Independence*, with its emphasis on individual rights. But the word "dignity" does not appear in this document at all.
9. Tonti-Filippini N. The concept of human dignity in the international human rights instruments. In: de Dios Valdo Correa J, Sgreccia E, eds. *Identity and Statute of Human Embryo*. Vatican City: Libreria Editrice Vaticana; 1998:381–404, at 389.
10. See note 2, Broberg and Bresson Ladegaard Knox 1999.
11. Pope Leo XIII, *Rerum Novarum*, 1891 May 15, n. 32, quoted from: see note 9, Tonti-Filippini 1998:388. The deleted passage marked by the ellipsis is: "To consent to any treatment which is

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calculated to defeat the end and purpose of his being is beyond his right; he cannot give up his soul to servitude. . . ."

12. This is not explicitly stated in the quoted passage, but it is an essential part of the Catholic approach to modern bioethics.
13. A useful summary of this view in the ethics of medicine and healthcare is provided by: Quinn KP. Method in Catholic bioethics. *Kennedy Institute of Ethics Journal* 2000;10:353–63.
14. Kant I. The metaphysical principles of virtue [Metaphysische Anfangsgründe der Tugendlehre; 1797:434–5]. In: Kant I. *Ethical Philosophy*, 2nd ed. Ellington JW, trans. Indianapolis, Ind.: Hackett; 1994:97. This volume also includes an introduction by W. A. Wick. The deleted passage marked by the ellipsis is: "can measure himself against each member of his species." Kant's original German word is *Würde* ("worth" or "value"), but he also drags, from time to time, along the Latin term "dignitas" in brackets.
15. See, for example: Hakker H. Ethical responsibility in prenatal genetic diagnosis. *Biomedical Ethics* 1997;2:78–85; Seifert J. *What Is Life? The Originality, Irreducibility, and Value of Life*. Amsterdam: Rodopi; 1997; Delkeskamp-Hayes C. Respecting, protecting, persons, humans, and conceptual muddles in the bioethics convention. *Journal of Medicine and Philosophy* 2000;25:147–80; Reuter L. Human is what is born of a human: personhood, rationality, and an European convention. *Journal of Medicine and Philosophy* 2000;25:181–94; Hołówka J. Permissibility of embryonic research. In: Friele MB, ed. *Embryo Experimentation in Europe: Bio-Medical, Legal, and Philosophical Aspects*. Bad Neuenahr-Ahrweiler, Germany: Europäische Akademie; 2001:75–97; also see note 4, Becker 2001.
16. See, for example: Wessels U. Genetic engineering and ethics in Germany. In: Dyson A, Harris J, eds. *Ethics and Biotechnology*. London: Routledge; 1994:230–58, 237–8, 241–3.
17. Articles 1, 2, 11.
18. See, for example: Harris J. Is cloning an attack on human dignity? *Nature* 1997;387:754; Labib K. Don't leave dignity out of the cloning debate. *Nature* 1997;388:15; Kahn A. Cloning, dignity, and ethical revisionism. *Nature* 1997;388:320; Shapiro D. Cloning, dignity, and ethical reasoning. *Nature* 1997;388:511; Harris J. Cloning and bioethical thinking. *Nature* 1997;389:433.
19. Labib has replied to this that there "really is a fundamental difference between a naturally occurring identical twin, and a child that would be the clone of the person it would look to as its father or mother" (see note 18, Labib 1997:15), but it is not clear what he means by this. Is he predicting that the clone's life would be miserable? Then by all means ban cloning, but leave "dignity" and "uniqueness" out of it, and also ban other instances of reproduction where the future child's life could be unhappy. Or is he saying that the *naturalness* of twinning can be contrasted with the *unnaturalness* of cloning? If so, then see, for example: Häyry M. Categorical objections to genetic engineering: a critique. In: Dyson A, Harris J, eds. *Ethics and Biotechnology*. London: Routledge; 1994:202–15.
20. The argument from dignity is probably used in this context for political reasons. In the preface of the declaration, Federico Mayor praises the text for striking a balance "between safeguarding respect for human rights . . . and the need to ensure the freedom of research." In other words, people's feelings are soothed by a ban on cloning, and scientists can continue their work on other aspects of the human genome, whatever the implications on the lives of human beings at the early stages of their development.
21. Bentham J. *An Introduction to the Principles of Morals and Legislation* [orig. 1789]. Burns JH, Hart HLA, eds. London: Methuen; 1982; Mill JS. *On Liberty* [orig. 1859]. O'Grady J, ed. Ware, UK: Wordsworth; 1996; Mill JS. *Utilitarianism* [orig. 1861]. Sher G, ed. Indianapolis, Ind.: Hackett; 1979.
22. See, for example: Fraser SI, Walters JW. Death—whose decision? euthanasia and the terminally ill. *Journal of Medical Ethics* 2000;26:121–5.
23. See, for example: Karjalainen J-M. Justice, dignity, autonomy: a letter to an old friend on the quality of life. In: Mortensen V, ed. *Life and Death: Moral Implications of Biotechnology*. Geneva: Lutheran World Federation and WWC Publications; 1995:69–85, at 80–1.
24. Bentham extended the requirement of equality even wider than Kant, Pope Leo XIII, or Eleanor Roosevelt, when he wrote about cruelty to animals (see note 21, Bentham 1982:283, n. b):

> The day *may* come, when the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny. The French have already discovered that the blackness of skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may come one day to be recognized, that the number of legs, villosity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient for abandoning a sensi-

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> tive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason, or, perhaps, the faculty of discourse? But a full-grown horse or dog, is beyond comparison a more rational, as well as a more conversible animal, than an infant of a day, or a week, or even a month, old. But suppose the case were otherwise, what would it avail? the question is not, Can they *reason*? nor, Can they *talk*? but, Can they *suffer*?

Some contemporary writers seem to think that in this passage Bentham somehow degrades human infants. It is equally possible, and even more plausible, however, to see the crux of the argument elsewhere. As soon as beings (human or nonhuman) can suffer, they should be protected against atrocities. This is not quite the protection that defenders of human embryos are aiming for, but it is at least more than the protection of only Kantian rational beings who can find the moral law in themselves and respect it in others.

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