

Human Dignity in *Dignitas Personae*: Philosophical and Theological Reflections

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The Congregation for the Doctrine of the Faith has chosen a very provocative title for its recent instruction *Dignitas Personae*. Both “dignity” and “person” are controversial concepts in contemporary bioethics. Perhaps, this provocation is intentional, since many would prefer to dismiss these terms as either useless or the cause of interminable debates. In choosing this title, the Church wishes to emphasize the importance of these notions for any fruitful and meaningful bioethical discussion. In contrast to utilitarian or pragmatic approaches, the instruction places the dignity of the human person as «the center of any ethical reflection on biomedical research» (n. 1).

There have been heated debates surrounding personhood within bioethical circles for years, especially since the legalization of abortion in the 70s by many Western countries. This debate pitted those who defend a substantial metaphysical and Christian understanding of the person against those who relegate personhood to the juridical sphere, as bearer of certain rights. The latter vision is especially common in the Anglo-Saxon tradition. In fact, laws in many countries have purposely shirked away from defining what constitutes a person when they legalize abortion¹.

The popularity of dignity in bioethics is relatively recent. Perhaps those who employ this concept find it relatively neutral and that it can have a wider appeal to ordinary people. However, akin to the debate sur-

rounding personhood, it is not easy to define dignity and give it a commonly accepted foundation. Indeed, recent challenges by secular bioethicists make this task ever more urgent.

Leaving aside the disputes on personhood, this article will focus on the philosophical and theological aspects of human dignity and the challenges it faces, especially in the light of *Dignitas Personae*.

Traditions of Human Dignity

The President’s Council on Bioethics did us a great favor with its recent publication *Human Dignity and Bioethics* which provides invaluable groundwork for those who wish to study the question seriously². The concept of dignity is not univocal and embraces different sources found in classical Greco-Roman writers, the Judeo-Christian tradition, modern philosophy and the recent language of human rights. Stoics such as Seneca and Cicero wished to convey in this word the meaning of excellence. According to this view of dignity, certain human attributes of talents or virtues are highly esteemed by others, even though critics considered this too aristocratic and elitist. The biblical source of dignity draws its inspiration from the creation account. Created in the image of the creator is the source of human dignity—that is, the very fact of being human means one has inherent dignity. Kant also advocated the intrinsic nature of human dignity based on a more secular grounding of individual

freedom and rationality. The famous dictum that “human beings are an end, never a means” finds its origin in Kantian philosophy. In contrast, another modern philosopher Thomas Hobbes proposed dignity to be the value based on one’s contribution to the commonwealth and is therefore not innate but external to the person. All these elements contribute to the “tangled” sources of human dignity³.

In reality, the question at stake is whether human dignity is intrinsic and present by virtue of membership in the human race; or is it something extrinsic, attributed by others, acquired and thus can be lost⁴. The religious camp emphasizes the former view by appealing to the inerasable character of *imago Dei* found in us. Even though dignity has these religious implications, it can be an acceptable concept even among non-believers⁵. Certain secular bioethicists favor the latter position by restricting personhood (and thus human dignity, even though they would shy away from this term) only to those who are self-aware, free and able to choose. Engelhardt is a prime example of this approach coming from a liberal contractualist perspective, while Peter Singer arrives at a similar conclusion from preference utilitarianism⁶. Among pragmatists, the likes of Ruth Macklin and Art Caplan argue that dignity is a useless concept or a social construct, reducible to respect for persons and their autonomy, and a suspect tactic of religionists to smuggle faith into bioethical discussions⁷. Scientific materialism is another challenge to human dignity that attempts to reduce humans to the level of the beasts. For Neo-Darwinians, human beings are not substantially superior to animals. Human soul is non-empirical and thus non-existent; human rationality functions mechanically not unlike a complicated calculation machine; and evolution of animal cultures can explain away complex human behaviors⁸. Considering this, we should not discriminate against animals (*speciesism*) and we ought to confer dignity to the Great Apes⁹. Plants and even Mother Nature itself should receive the status of dignity in some recent amendments of

constitutions¹⁰. In this radical biocentrism, Alan Gregg asserts that, «The world has cancer and the cancer is man»¹¹.

The flip side of the coin of this materialistic conception is transhumanism. Transhumanists campaign for self-directed evolution of humans to some better form of life by overcoming our present limitations through science and technology, employing artificial intelligence, cybernetics, nanotechnology, regenerative medicine, stem cells, cloning, hybrids, and chimeras, etc.¹² Fortunately, not all secular approaches negate the import of human dignity in bioethics, even though they would not base it on a substantial or metaphysical understanding of human nature¹³. Another strong support of human dignity comes from recent emphases on international human rights. After the tragic experience of the Second World War and the Nuremberg trials, many nations felt the need for a safeguard that will prevent future infringements on human rights. Thus, in 1948 the United Nations signed the *Universal Declaration of Human Rights*. We find in its Preamble these words: «All human beings are born free and equal in dignity and rights». Since then, dignity has appeared in more than thirty-seven constitutions from 1945 to 1997. For instance, the *Charter of Fundamental Rights of the European Union* states that, «Human dignity is inviolable. It must be respected and protected». *The German Basic Law* affirms that, «Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority». This brings us to the most recent UNESCO document *Declaration on Bioethics and Human Rights* that sustains a robust meaning of human dignity¹⁴. Within the current context of multiculturalism, however, there have been some attempts to downplay the universality of these rights¹⁵. Nevertheless, the aforementioned declarations never explicitly defined the meaning, content, and foundations of human dignity. As Mary Ann Glendon describes, the 1948

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Declaration on Human Rights sought after a political consensus rather than provide a moral or philosophical treatise on human nature and the rights and dignities derived from it¹⁶. In spite of this defi-

ciency, the nations affirmed human rights and dignity because man’s inhumanity to man was too fresh in their minds—the Holocaust, slavery, genocide, ethnic cleansings, political murders of dissidents in totalitarian regimes, religious coercion, human trafficking, torture and degradation of prisoners, etc. were some examples. It was with this *via negativa* that they affirmed the existence of universal human rights¹⁷. Polish philosopher Leszek Kolakowski astutely observes: «It is difficult to define what human dignity is. It is not an organ to be discovered in our body, it is not an empirical notion, but without it we would be unable to answer the simple question: what is wrong with slavery?»¹⁸

Dignitas Personae and Human Dignity

After a cursory description of human dignity and its uneven application in bioethics, we can better appreciate how harsh *Dignitas Personae* may sound especially to the secular ears. It is not just the title; “dignity” appears thirty-two times in the body of the instruction, and the word “person” turns up forty-five times. Obviously, the magisterium is consciously trying to assert the substance of these expressions.

Catholic approach to bioethics embraces both reason and faith as compatible and complementary in discovering moral truth. Previous documents from the Congregation for the Doctrine of the Faith on the issues of abortion and euthanasia have followed this methodology, albeit with a greater emphasis on the role of reason¹⁹. *Dignitas Personae* undertakes a similar approach here (n. 3). On the question of the ontological status of the human embryo, the instruction reiterates the position of *Donum Vitae* and avoids the thorny philosophical question on the per-

sonhood of the human embryo. In fact, this is the crux of the question—only persons have humanity and therefore intrinsic dignity. In spite of this outstanding difficulty, the document proceeds to assert, «The embryo has, therefore, from the very beginning, the dignity proper to a person» (n. 5).

On the foundation of human dignity itself, the text makes very scant references to philosophical and natural law arguments, and ignores the current debate that we have delineated. The only argument it employs from reason is the *via negativa* of human rights, providing historical examples of slavery, racism, discrimination and marginalization when certain groups were deprived of their dignity and rights (n. 36).

Upon closer inspection, it is somewhat surprising that the case it makes for human dignity is eminently theological. One can perceive this departure, for instance, from *Donum Vitae* which contains relatively few theological claims. *Dignitas Personae* categorically affirms that human dignity is intrinsic and present in all human persons from conception to natural death (n. 1), without the slightest consideration of the opposing opinions of attributed dignity. Excluding any dualistic tendency, «the dignity of the body and soul constitutes the human being» (n. 7).

At the risk of committing tautology, it maintains that, «Respect for that dignity is owed to every human being because each one carries in an indelible way his own dignity and value.» Respect for human dignity implies, therefore, protection of human life and integrity of the procreative act which constitutes the basis of marriage and family life (n. 6). The theological foundations of human dignity are manifold. Similar to the above-mentioned sources, the goodness of our creation in the image and likeness of God forms a theological basis of our dignity. This principle manifests God’s plan for humanity in marriage, stewardship of creation and just use of technology²⁰.

Furthermore, the magisterium makes the appeal of intrinsic human dignity from a Christian perspective. The mystery of Incar-

nation has elevated human beings to an even higher level of dignity, as they can now become sons in the Son of God and «sharers in the divine nature» (2 Pet 1:4, n. 7). With incarnation and redemption, marriage too is elevated to the level of sacrament. Marital love can therefore reflect Trinitarian love. Since procreative love of the spouses echoes the creative love of God, love-giving is inseparable from life-giving (n. 9 and 12). Finally, the eschatological dimension is present in this vision of human dignity since our end is to live in eternity with God.

“Yes” to Human Dignity

The instruction’s focus on human dignity is an expression of a great “yes” to humanity. This affirmation is extended especially to culture and science which the Church sees «an invaluable service to the integral good of the life and dignity of every human being» (n. 3). However, every “yes” to human dignity necessarily implies a number of “noes” to actions that are contrary to it (n. 1 and 37). We will analyze the yeses to human dignity with their respective noes under three headings—life, procreation and equality.

Respecting the dignity of every human life means curing it of diseases and protecting it from destruction. Thus, genetic therapy for health reasons can be licit as long as potential benefits outweigh possible harms (n. 26). Accordingly, any procedure that endangers or purposely destroys human lives, particularly in the embryonic stage, would be an affront to human dignity—IVF, cryopreservation, cloning, embryonic stem cell research, preimplantation diagnosis (PGD), intraception and contragestation are specifically mentioned. *Dignitas Personae* finds the utilitarian rationale to use embryos as means for a greater scientific good reprehensible, since it treats them as mere “laboratory materials” which one can manipulate or dispose at will (n. 22 and 28). The question on the use of “biological material” of illicit origin is more delicate (n. 34–35). Finally, a theological perspective of our eternal destiny illustrates an important insight that worldly logic often

misses. The history of salvation demonstrates how God often favors the weak and the small to achieve his plan. Paul expresses this paradox in these words, «God chose those who by human standards are weak to shame the strong... those who count for nothing, to reduce to nothing all those that count for something» (NJB 1 Cor. 1:28). Considering this eternal destiny of all humanity, destruction of its smallest members becomes a great tragedy because it frustrates their fullest realization.

Concerning the dignity of procreation, the teaching restates the inseparability of the unitive and procreative significance inherent in every conjugal act. While the Church is sensitive to the plight of infertile couples, their legitimate desires cannot trump ethics by using means that do not honor the dignity of the marital act (n. 16). Dignity is gravely compromised as well when there is

the «domination of technology over the origin and destiny of the human person» (n. 17). This section raises a critique against the tendency to indiscriminately seek technological solutions to

cure all human woes. In our technological age of Facebook, SMS text messaging, levitating high-speed trains and Atkins diet, it is easy to succumb to the consumerist mentality, seeking quick fixes in health related problems with the latest medical gizmo. Hence, IVF, Intracytoplasmic sperm injection (ICSI) and surrogacy effectively bypass defective reproductive systems to create a baby *a la carte*. Embryonic stem cells and therapeutic cloning promise cures for the incurables. Reproductive cloning will one day eliminate the need for parents and family—as Aldous Huxley predicted this sad scenario in his *Brave New World*²¹. Despite the protean strengths of technology, it cannot completely eliminate human suffering or substitute free human acts. This is true in responsible parenthood, ethical use of reproductive technology and the newer forms of regenerative medicine. The encyclical *Spe Salvi* offers a profound consideration on the

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correct relationship between technological progress and human freedom: «Anyone who promises the better world that is guaranteed to last for ever is making a false promise; he is overlooking human freedom. Freedom must constantly be won over for the cause of good. Free assent to the good never exists simply by itself. If there were structures which could irrevocably guarantee a determined—good—state of the world, man’s freedom would be denied, and hence they would not be good structures at all. What this means is that every generation has the task of engaging anew in the arduous search for the right way to order human affairs; this task is never simply completed... Man can never be redeemed simply from outside. Francis Bacon and those who followed in the intellectual current of modernity that he inspired were wrong to believe that man would be redeemed through science. Such an expectation asks too much of science; this kind of hope is deceptive. Science can contribute greatly to making the world and mankind more human. Yet it can also destroy mankind and the world unless it is steered by forces that lie outside it»²².

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may find allies among secular defenders of human dignity²³. Equality means rejecting any form of discrimination based on biological, psychological, educational, or health-related criteria (n. 8). This mentality is already present in the practice of IVF and related technologies which introduce inequality between parents and their children thus conceived (n. 17). Discrimination multiplies with the new-found ability to screen out genetic “abnormalities” in embryos with PGD, a deplorable practice which the instruction does not hesitate to call eugenics (n. 22). This mentality is now extended to other genetic engineering techniques such as therapeutic cloning and embryonic stem cells where certain traits would arbitrarily be chosen in search of human perfection. The instruction eloquently warns against this “unjust domi-

nation of man over man,” which: «would lead to indirect social stigma with regard to people who lack certain qualities, while privileging qualities that happen to be appreciated by a certain culture or society; such qualities do not constitute what is specifically human. This would be in contrast with the fundamental truth of the equality of all human beings which is expressed in the principle of justice, the violation of which, in the long run, would harm peaceful coexistence among individuals» (n. 27).

Carried to the extreme, making a cloned human being (reproductive cloning) would constitute “biological slavery” since his makers would willfully determine the cloned individual’s genetic makeup beforehand (n. 29). Perhaps it is apt to call this “playing God”. This phrase has captivated the public imagination in spite of its religious undertones²⁴. The theological perspective that we are *created* means that we are not the Creator. Acceptance of our creatureliness is in fact a condition of our freedom and equality, since as creatures we are not in the position to decide the destiny of others²⁵. The recent attempts of creating human-animal hybrids or cybrids is another instance of “playing God,” which in addition to unknown risks in the procedure, poses a severe challenge to “the specific identity of man” and introduces moral ambiguities (n.33). As noted before, this is a grave challenge to human dignity because it blurs the distinction between humans and animals by reducing humanity to the level of beasts.

Conclusion

The discussion on the dignity of the human person with theological predominance is a bold feature of this instruction. We should not be caught by surprise since, after all, a congregation called *Doctrine of the Faith* issued it. Theologian Réal Tremblay has this to say, «This instruction is a courageous document because it speaks of the integral man whom God has thought of for all eternity and modeled progressively in history up until the involvement with his own Son. Perhaps the world of medical science would find these considerations derived from the

world of faith superfluous or even irrelevant, wondering what sense this “intrusion” of faith could have on questions that fall under the competence of reason»²⁶.

It is indeed courageous to defend human dignity with a robust Christian theological viewpoint. Certainly, the Church has always advocated faith and reason as two wings that lead us to the contemplation of truth²⁷. However, when one wing of a bird flaps more than the other wing, it would only fly in circle without going anywhere. Perhaps for the sake of being inclusive and dialog with the secular crowd, Catholic bioethicists have preferred to use the common language of philosophy without making much appeal to faith. In addition, the challenge some moral theologians raised on the specificity of Christian ethics has left a bitter taste for those who want to dabble in bioethics with theological insights²⁸.

Protestant theologian Stanley Hauerwas is of the opinion that religious communities should not be afraid to make strong affirmations from their theological position on life issues. He believes that translation of substantial theological concepts to weaker, neutral, and non-sectarian ones as ineffectual at best and a sell-out of Christianity at worst²⁹. By maintaining a distinctive voice, religious and theological bioethics can provide deeper analysis on the questions of life, death, suffering and procreation that secular bioethics may not be able to address. *Dignitas Personae* has just done that and I believe the document is stronger, more credible and ultimately prophetic because of it.

Note

¹ See M. G. HAINS - J. FLEMING, «What Rights, If Any, Do the Unborn Have Under International Law?», in *Australian Bar Review* 16 (1997), 181-198.

² See Vv.AA., *Human Dignity and Bioethics*, President's Council on Bioethics, Washington DC, 2008.

³ See A. SCHULMAN, «Bioethics and the Question of Human Dignity», in *Human Dignity and Bioethics*, 3-18; D. SULMASY, «Dignity and Bioethics: History, Theory and Selected Applications», in *Human Dignity and Bioethics*, 469-504.

⁴ Sulmasy gives a third category of inflorescent dignity that is neither intrinsic nor attributed. It refers to the expression of human excellence that is akin to the Stoic conception of dignity. See D. SULMASY, «Dignity and Bioethics...», 473-474.

⁵ The Catholic magisterium first employed the term dignity in *Gaudium et Spes* and has since frequently used it in documents pertaining to human sexuality and life issues. The term is very popular in Protestant circles, especially among the evangelicals. See for example, C. COLSON - N. M. DE S. CAMERON (eds.) *Human Dignity in the Biotech Century: A Christian Vision for Public Policy*, InterVarsity Press, Downers Grove, IL 2004; Center for Bioethics and Human Dignity, in www.cbhd.org.

⁶ See P. SINGER, *Rethinking Life and Death: the Collapse of our Traditional Ethics*, St. Martin's Press, New York 1995; H. T. ENGELHARDT, JR., *The Foundations of Bioethics*, OUP, NY 1996².

⁷ See R. MACKLIN, «Dignity is a useless concept», in *British Medical Journal* 327 (2003), 1419-1420; A. CAPLAN, «Dignity is A Social Construct», in *bmj.com* (24 Dec 2003), in www.bmj.com/cgi/content/extract/327/7429/1419.

⁸ See B.F. SKINNER, *Beyond Freedom and Dignity*, Bantam Vintage, New York 1972; S. PINKER, «The Moral Instinct», in *New York Times*, (January 13, 2008), 32-37, 52-58; R. DAWKINS, *The Selfish Gene*, Oxford University Press, New York- Oxford, 2006³; Vv.AA., «Declaration in Defense of Cloning and the Integrity of Scientific Research», in *Free Inquiry* 17: 3 (2004), 11-12.

⁹ See P. SINGER, *Animal Liberation: A New Ethics for our Treatment of Animals*, New York Review - Random House, New York 1975.

¹⁰ See G. NAIK, «Switzerland's Green Power Revolution: Ethicists Ponder Plants' Rights», in *Wall Street Journal Online*, (October 10, 2008) in <http://online.wsj.com/article/SB122359549477921201.html>; P. TAYLOR, «The Ethics of Respect for Nature», in *Environmental Ethics* 3 (1981), 197-218.

¹¹ A. GREGG, «A Medical Aspect of the Population Problem», in *Science* 121 (1955), 682, cited in C. RUBIN, «Human Dignity and the Future of Man», in *Human Dignity and Bioethics*, 162.

¹² See L. SILVER, *Remaking Eden. Cloning and Beyond in a Brave New World*, Avon, New York 1998; J. FLETCHER, *Humanhood: Essays in Biomedical Ethics*, Prometheus Books, New York 1979; J. GLOVER, *What sort of people should there be? Genetic engineering, brain control and their impact on our future world*, Penguin, New York 1984.

¹³ See for instance, F. FUKUYAMA, *Our Posthuman Future: Consequences of the Biotechnology Revolution*, Picador, New York 2002; J. HABERMAS, *The Future of Human Nature*, Polity, Cambridge 2003.

¹⁴ See P. WEITHMAN, «Two Arguments from Human Dignity», in *Human Dignity and Bioethics*, 435-436.

¹⁵ C. BORGONO, «Bioética global y derechos humanos:

ador, New York 2002; J. HABERMAS, *The Future of Human Nature*, Polity, Cambridge 2003.

¹⁴ See P. WEITHMAN, «Two Arguments from Human Dignity», in *Human Dignity and Bioethics*, 435-436.

¹⁵ C. BORGONO, «Bioética global y derechos humanos: ¿una posible fundamentación universal para la bioética? Problemas y perspectivas», *Acta Bioethica*, forthcoming.

¹⁶ See M.A. GLENDON, «Foundations of human rights: The unfinished business», in *American Journal of Jurisprudence* 1 (1999), 1-14.

¹⁷ See P. WEITHMAN, «Two Arguments from Human Dignity», 438.

¹⁸ Cited by L. KASS, «Defending Human Dignity», in *Human Dignity and Bioethics*, 297.

¹⁹ CONGREGATION FOR THE DOCTRINE OF THE FAITH, *Declaration on procured abortion*, 1974; ID., *Iura et bona - Declaration on Euthanasia*, 1980.

²⁰ For a complete development of Catholic thought on human dignity and human rights, see INTERNATIONAL THEOLOGICAL COMMISSION, *Propositions on dignity and rights of the human person*, Furrow Trust, Maynooth, 1985 [1983].

²¹ See A. HUXLEY, *Brave new world*, Perennial Classic, New York 1998 [1932].

²² BENEDICT XVI, Encyclical *Spe Salvi*, n. 24-25.

²³ Habermas argues that genetic engineering could in-

roduce generational inequalities that undermine the liberal foundation of contemporary democracies. See J. HABERMAS, *The Future of Human Nature*.

²⁴ See L.S. CAHILL, «'Playing God': religious symbols in public places», in *Journal of Medicine and Philosophy* 4 (1995), 341-346.

²⁵ See G. MEILAENDER, «Human Dignity: Exploring and Explicating the Council's Vision», in *Human Dignity and Bioethics*, 263-265.

²⁶ R. TREMBLAY, «I criteri della fede esaltano quella della ragione», in *L'Osservatore Romano*, Italian daily edition (March 6, 2009), 7. Translation from Italian by author.

²⁷ See JOHN PAUL II, Encyclical *Fides et Ratio*, n. 1.

²⁸ See S.J. THAM, «The Secularization of Bioethics», in *National Catholic Bioethics Quarterly* 3 (2008), 443-454; C.E. CURRAN - R.A. MCCORMICK (eds.), *Readings in Moral Theology*, No. 2: *The Distinctiveness of Christian Ethics*, Paulist Press, New York 1980.

²⁹ S. HAUERWAS, «Communitarians and Medical Ethicists: or 'Why I am None of the Above'», in *Christian Scholar's Review* 3 (1994), 293-299; ID., «How Christian Ethics became Medical Ethics: the Case of Paul Ramsey», in A. VERHEY (ed.), *Religion and Medical Ethics: Looking back, looking forward*, William B. Eerdmans Publishing Co., Grand Rapids, Michigan 1996, 61-80.