

## 2. Philosophical and Theological discussions on the Image and Dignity of the Human Person

Even though there may have been (or may still be) questions as regards the rightful place of children in the social and political structures of the society, there seem not to be doubts about the nature of the child as a human being. If the child is undoubtedly accorded the status of a human and a person, therefore the dignity and rights of the human person in all its ramifications is also valid for the child.

Although the child, like every other human person, is imperfect, this imperfection does not alienate him from the fundamental dignity due to all human beings. A philosophical anthropologist, Arnold Gehlen<sup>1</sup>, related the human imperfection first and foremost to the biological basis of the human being. But as opposed to other animals, the human being is not condemned to his environment. Man lives over and above his environment. From this elevated position, man derives the urge to conquer and cultivate nature. Man must learn to rule himself and to rule the world in order to survive. The human survival strategies are parts and parcel of human anthropology.

Anthropology as a discipline receives most of its content (as science about man) from the comparisons made between humans and animals. Through comparing himself with the animal, the human being experiences his peculiarities and draws conclusions about himself. He can also through these comparisons gain some insights into what he is not. In any case, defining himself with what he is not, may lead to a negation of self, or a lack of understanding of self; – a definition, in the words of Theodor Haering, “aus einer als Defizit verstandenen Differenz”<sup>2</sup> (from a deficient understanding of difference). In such a comparison, the deficient structures of man can quickly take the upper hand in the choice of perspectives. Peter Fonk, interpreting Gehlen, sees this deficiency on the one hand as a constitutional chance for freedom and higher development on the other hand. “...dass die Mängel des Menschen die konstitutionelle Chance der Möglichkeit von Freiheit und Höherentwicklung bedeuten”<sup>3</sup>. The noticeable deficiencies must not always be seen as negative. They can affect something positive if they are seen as an opportunity to improve the human capacity.

Comparing them with human beings, one can say that the animals live from the centre of their environment but are in themselves never the centre. This is because, unlike the human, the animal cannot reflect on its position among be-

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<sup>1</sup> GEHLEN, A., *Der Mensch*, Wiesbaden: Aula, 1986.

<sup>2</sup> HAERING, T., “Zu Gehlens Anthropologie”, in: *Zeitschrift für philosophische Forschung*, VI, 1951-52, 593.

<sup>3</sup> FONK, P., *Transformation der Dialektik: Grundzüge der Philosophie Arnold Gehlens*, Würzburg, 1983, 58.

ings. The human enters the environment with some level of self-consciousness and positionality. He imposes himself and asserts his internal self-consciousness in connection with the external. He makes himself the central object in the environment, and seeks to harmonize and harness everything around him for his existence. No wonder why the child tries to be the master of everything around him, even to the extent of trying to control and command his up-bringer and educator. It is in the human instinct to control; and the human being always wants to be the master of his environment.

Unlike the animal, man does not just react, man acts. Man dictates and likes to set the pace. And in every one of his actions, man sees himself as subject. The human person, in the real sense of the word, does not allow himself to be ruled by biological instincts. Man ‘acts’ because he wants to. In this regard, we must try to acknowledge and connect certain human anthropological categories that function with one another: Positionality, Self-consciousness, Action, Will and Freedom. Thus we can assert that self-consciousness and the will to act in freedom is what differentiates the human from other beings. His ‘Will’ guides his actions and consequently leads his life to freedom. In the words of Gehlen, “Der Mensch lebt nicht, sondern er *führt* sein Leben.”<sup>4</sup> The human does not just live, rather he leads his life. This is among the qualities that constitute the dignity of the human being – which find expression in many languages of different peoples and cultures.

What the African Igbo calls *Ụgwù*, the English calls *Dignity*, the French calls *Dignité*, the German calls *Würde*, in Latin called *Dignitas*, in Greek called *ἀξιοπρεπεία* (Axioprepeia) is a concept that can never be alienated or for any reason distanced from the human being.

In ancient Rome, this concept had anthropological and political dimensions. Cicero applied the concept ‘Human dignity’ in the sense of “*excellētia et dignitas*” – excellence and dignity of the human nature as opposed to the animal nature. In another sense, he related ‘*dignitas*’ to the dignity of the state; in which case ‘*dignitas*’ is also connected to the state of nobility of the ruling class. The Roman dignity was seen as the dignity of the ‘nobles’, which one inherits and was prone to increase or decrease or even be lost as the case may be. Dignity as an integral political self-consciousness is connected to a certain sense of morality, which shows itself in a reasonable control of passion and responsible behaviour. During the Roman empire, ‘*dignitas*’ was singularly a title for those in political offices; and in the later ancient period, ‘*Notitia dignitatum*’ was ascribed to political and military ranks and people of high wages.<sup>5</sup>

The concept of dignity in the political theology of the middle Ages distanced itself in meaning from the political undertone and sense of dignity from the classical ancient Roman times. The central medieval idea regarding the immortality

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<sup>4</sup> GEHLEN, A., *Ibid*, 165.

<sup>5</sup> SEECK, O., (ed) *Notitia Dignitatum*, 1876.

of dignity is a reverse of the concept arising from Cicero. However, the concept of dignity also faced enough problems in this age. The fundamental sentences like: “Dignitas nunquam perit” from Damasus, and “Dignitas non moritur” from the Roman canonists of the 13<sup>th</sup> and 14<sup>th</sup> centuries prompted the papal and the kingly innovations for trying to immortalise their institutions. The idea was that the office bearer and consequently the bearer of the dignity may well be transitory, but the office and its dignity remain forever.<sup>6</sup>

However the idea of dignity as a theological concept found its ground in the patristic thinking to reflect the perfection of creation. Dignity was ascribed to man as a result of his attribute as ‘God’s image’, which was said to have been damaged through the original sin of Adam and Eve, but regained through salvation in Christ. We shall return to this theological undertone of dignity later.

In another sense, dignity was believed to have been ascribed to man based on his ability to reason and his will to freedom.<sup>7</sup> Meanwhile, the dignity of the moral person, based on the ontology of moral being in the scholastics<sup>8</sup> emerges again in Kant’s idea that every human is a moral being, who possesses reason, and as such dignity. Kant’s interest is (in line with Martin Luther’s theological thought of the equality of all in dignity, justification and grace) to state the one and equal dignity for all humans, – a dignity that must remain inalienable, a sign of a moral being as ‘*homo noumenon*’<sup>9</sup>. In his concept of human dignity, Kant went so far to assert that the human being is an end in itself “*Zweck an sich selbst*”<sup>10</sup> (this is considered in the Catholic teaching as a theological blunder, trying to undermine the place of God in human destiny). Kant emphasized however that the human being has an internal dignity “*dignitas interna*”, which does not just give him a relative value, but rather an internal worth and an absolute value. Kant also advised the educators to make sure that they imbibe in the educated the feeling of self-worth and inner dignity and not just the opinion of other people; the inner value of actions and not just the words.<sup>11</sup>

F. Schiller bought the idea of internalisation of dignity from Kant. He however related the dignity to human education: “*Würde der menschlichen Bildung*”.<sup>12</sup> This is an expression which implies the dignity of a moral being – a being well brought up. He however departed from Kant by attaching the concept “*Beglaubigung*” – certification to his concept of dignity. He tried to relate dig-

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- <sup>6</sup> KANTOROWICZ, H., *The King’s two bodies. A study in medieval political theology*, 1957, 385.  
<sup>7</sup> KONDYLIS, P., “*Würde 11 ‘Dignitas’ in der mittelalterliche Theologie*”, in: *Geschichtliche Grundbegriffe* (Hg. BRUNNER, O./ CONZE, W./ KOSSELEK, R.), 1997, 645-51.  
<sup>8</sup> KOBUSCH, T., *Die Entdeckung der Person, Metaphysik der Freiheit und modernes Menschenbild*, 1993, 257.  
<sup>9</sup> KANT, I., *Metaphysik der Sitten 11: Tugendlehre, Ethische Elementarlehre*, 1797.  
<sup>10</sup> KANT, I., „*Grundlegung zur Metaphysik der Sitten*“, in: *Ausgabe der Preussischen Akademie der Wissenschaften*, Berlin, AA IV, 429.  
<sup>11</sup> KANT, I., *Über Pädagogik* (Hg von T. Dietrich), Bad Heilbrunn 1960.  
<sup>12</sup> SCHILLER, F., *Über Anmut und Würde* (Hg von B. von Wiese), 1962, 294-300.

nity to gracefulness. This suggests the idea of being worthy of the dignity with which one is accredited to; and this took his concept of dignity back to the ancient Roman time when dignity must have to be earned. Hegel, also, was on the side of the traditional political meaning of dignity of ancient Rome when he related religion with the dignity of the folk.<sup>13</sup>

In the 19<sup>th</sup> and 20<sup>th</sup> centuries, authors like F. Tönnies, taking bearing from ancient Rome's meaning of dignity, highlighted various stages of dignity (a dignity based on class) that originated from the attempt towards the unification of a society<sup>14</sup>. From here, C. Schmitt sees enough reason for advocating the over-personal-dignity "überpersönliche Dignität"<sup>15</sup> of the state, which he connected with his value intentionality. He demands that the individual must give up his dignity for the dignity of the state, which ranks higher in status in his order of gradation. The dignity of the state lies in its ability to uphold itself with laws and rules.

In another sense, Hannah Arendt saw this dignity as something realizable only in the framework of freedom. She sees the status of the state as a political dignity, which offers great opportunity for freedom "Würde des Politischen"<sup>16</sup> – a political freedom, which she felt was to some extent actualized in the American political revolution. The concept of dignity is therefore in the modern times conceived more as dignity of the human being, which C. Taylor connected with the democratic society as a society of "citizen dignity".<sup>17</sup> The institutions in such a society must guarantee the dignity of all humans, including those in the so called lower classes.

Meanwhile, A. Grossmann in his article – "Würde"<sup>18</sup> – draws our attention to the new trend in the use of the word, which no longer limits the concept to human dignity, but rather gives a more fundamental nuance to dignity as arising from nature and God's creation. In the 20<sup>th</sup> century, we are confronted with a philosophy of ecological crises, which ascribes dignity to all of natural beings: human beings, animals, and even plants. From this background, talking of dignity is not restricted to humans; even animals have ontological dignity. In the words of Höhle: "so besitzen das empfindende Tier – und erst recht Ökosysteme – eine ontologische Dignität."<sup>19</sup> Höhle means that an animal, following the ecological systems, has an ontological dignity.

However, all the modern discussions about the dignity of nature or the dignity of creation, does not in my opinion undermine the prominent position of the

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<sup>13</sup> HEGEL, G.W.F., *Vorlesungen über die Philosophie der Religion* (Hg von W. JAESCHKE), 1983, 32.

<sup>14</sup> TÖNNIES, F., *Gemeinschaft und Gesellschaft, Grundbegriffe der reinen Soziologie*, 1991, 14.

<sup>15</sup> SCHMITT, C., *Der Wert des Staates und die Bedeutung des Einzelnen*, 1914, 85.

<sup>16</sup> ARENDT, H., *Über die Revolution*, 1986, 304.

<sup>17</sup> TAYLOR, C., *The Ethics of Authenticity*, London, 1992, 46.

<sup>18</sup> GROSSMANN, A., "Würde" in: *Historisches Wörterbuch der Philosophie*, (Hrsg. von K. Gründer, et.al), Vol.12, Darmstadt 1971- 2007, 1088-93.

<sup>19</sup> HÖHLE, V., *Philosophie der Ökologischen Krise*, 1994, 124.

human person in the class of beings. First and foremost, the discussions about dignity require the human being, his reason and self-consciousness (which probably the other natural beings lack) in order to be carried forward. The human moral autonomy cannot be underrated in any reasonable discussion of dignity.

Today, the dignity of the human person is well acknowledged. It has become a theme that cannot be overlooked – from the Charta of the United Nations and its general declaration of human rights (1948), to the constitutions of different nations. The national constitution of the federal Republic of Germany even begins in the very first article with the sentence: “Die Würde des Menschen ist unantastbar” (Art. 1 Abs. 1). The dignity of the human being is inviolable. This notion forms the basis of the constitutions of most countries; and is really fundamentally applied in the global discussions of most of today’s explosive topics like: Genetic-technology, Atomic-technology, Immigrations and Asylum, protection of unborn babies, and even the formulation of official documents.

And the fundamental reason for the attribute of dignity to the human being is because he is a PERSON.

It is not only in the social and political arena that we see the concept of ‘human dignity’ playing a fundamental role. The concept of human dignity seems to form the fundamental article in most of the world’s public and official religions and beliefs. The prominence of this concept – Dignity – notwithstanding, it seems not to be very clear what human dignity involves, and what we should understand about it. It has already become a problem to see the concept being abused, and applied in different fields of life and forms that do not reflect the worth of the concept. Dignity, as a concept, has become a cheap-coin in the judicial and political arena.<sup>20</sup>

Even the attempts in defining the qualities of dignity surround themselves with complications. Most of the applied words often begin with a prefix alluding to a negation. For example: human dignity is in-alienable, in-violable, unavoidable, un-restrictive, etc. These concepts are in negativity, and do not in actual fact say what dignity really is. They merely determine ‘ex negativo’ what dignity should not be.

On a more positive note, we can see dignity as “the state or quality of being worthy of honour”<sup>21</sup>; and this quality is due to every human being – irrespective of the biological, cultural and religious, physical and psychological, political and social status.

Negative or positive descriptions notwithstanding, the concept of human dignity has a very powerful claim to the nature of man. In acknowledgement of the

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<sup>20</sup> OTTMANN, H., „Die Würde des Menschen, Fragen zu einem fraglos anerkannten Begriff”, in: *Rationalität und Prärrationalität* (hg. Jan Beaufort und Peter Precht), Würzburg, 1998, 167-181.

<sup>21</sup> Collins English Dictionary, (ed. Treffry, D. et.al), England, 1998, 438.

wide spectrum of the concept of dignity, and the difficulty in determining its range of thought in the existing different worldviews and anthropologies, Theodor Heuss – the first president of the federal republic of Germany after the second world war – spoke over the norm of dignity as a thesis that is not yet interpreted – “nicht interpretierte These”.<sup>22</sup> He means here to say that human dignity is so embracing that we cannot just interpret it only with a worldview or a theory.

We have already pointed out above that in the ancient times, dignity as a concept had a noble origin, and always stood for someone special and distinguished in the society. It was more of a social and political recognition; a concept of prestige and honour. In this sense, the king, the queen, or a person of high rank and majesty had dignity. In this view, H. Drexler defined ‘Dignitas’ as rank, position of worth, prestige and influence in official life.<sup>23</sup> Such a definition cannot accord dignity to every human being; and when it does, not in equal measure. As a concept of rank, the logic of dignity therefore is that of proportional justice and merit, instead of the logic of universal equality. Such an idea will only end up in upholding grades and stages of human dignity, with the consequence of a classification of human beings.

It is then a problem to associate this ancient understanding of dignity with the concept of equality and universality of all human beings for which dignity is known today. From this background, we can neither restrict dignity to the ancient meaning nor rid dignity totally of the ancient usage; we should rather accept, following the submissions (based on or borrowed from the original idea of Kant) of W. Dürig<sup>24</sup>, E. Bloch<sup>25</sup>, W. Maihofer<sup>26</sup>, R.P. Horstmann<sup>27</sup>, that dignity is a concept that stands for aristocracy as well as democracy, excellence as well as equality. In today’s understanding, dignity is no longer restricted to the social and political worth of individual persons, rather it refers to the dignity of the human being as a person and it remains an attribute for all humans without exception. If dignity must be seen as a distinguishing factor, it should only be applied in explicating the special place of the human being in nature as opposed to other beings that are not human.

The first attention that was paid to man as a being with extra dignity could be traced to the time of the Stoics, who based their assumption of human dignity on: human reason, morality and the generality of human beings as children of God. This idea of human dignity arising from man having the image of God

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<sup>22</sup> HEUSS, T., *Jahrbuch des öffentlichen Rechts der Gegenwart* 1, 1950/51, 49.

<sup>23</sup> DREXLER, H., „Dignitas“ in: *Das Staatsdenken der Römer*, (Hg. R. Klein) Darmstadt 1966, 232.

<sup>24</sup> DÜRIG, W., “Dignitas”, in: *Reallexikon für Antike und Christentum* 3, 1957, 1023 ff.

<sup>25</sup> BLOCH, E., *Naturrecht und Menschliche Würde*, Frankfurt a/M, 1961.

<sup>26</sup> MAIHOFFER, W., *Rechtsstaat und Menschliche Würde*, Frankfurt a/M, 1968.

<sup>27</sup> HORSTMANN, R.P., “Menschenwürde”, in: *Historisches Wörterbuch der Philosophie*, Bd5, Darmstadt, 1980, 1123-1127.

goes back to the Christian thinkers like St. Ambrose (in his *Dignity of the Human condition*). The original idea, however, stems from the biblical creation narrative. Meanwhile, the thinkers of the Renaissance, (for example, Picco della Mirandola), were emphasizing the talents that man received from God as the source of his dignity. Blaise Pascal related human dignity to his thinking faculty. “Man is born to think, that is his dignity”<sup>28</sup>. Kant paid great attention to the inner worth of the human person, seeing him as an “end in itself”, and as such a being of dignity. All these still buttress the fact that reason, morality, thinking or whatever talent from God as forming the bases for human dignity.

The truth is that it is difficult to agree on any qualities that make up human dignity, because these qualities arise from particular points of view: either religious or secular worldviews; or theologies or philosophies of the Renaissance, which cannot stand for the generality of human dignity. Moreover, the dignity of the human person cannot be based on mere qualities, since the absence of any of those qualities in any human being may put his dignity into question. The child, for example, may not possess at an early age all the accredited qualities in human standards, and the old or the sick may have lost some of these qualities, but they remain human with all the dignity due to human beings. Therefore, man is due to his dignity just in virtue of his being human.

Henning Ottmann<sup>29</sup> sees at this juncture some danger to the concept of human dignity, if dignity is associated with rank and distinction, or when dignity is connected with what one can do or does.

The first is the danger of ‘*Speciesism*’. This occurs when human dignity is ranked to be in a specific aspect of the human being. This theory was propagated by Peter Singer<sup>30</sup> in the attempt to preferring one animal species to the other, or preferring the human species to the other living beings. This formulation was influenced by the modern image of man, who should be seen as ‘the lord of nature’, and not just one of the living beings. René Descartes (1596-1650) saw rationality as one of these distinguishing qualities of the human being. “*Ego cogito, ergo sum*” – ich denke, also bin ich.<sup>31</sup> The concept of rank or distinction as a property of human dignity can only lead to the exclusion of the human being from the rest of nature. That is the danger. Other beings may have their dignity as creatures, which the human being perhaps from the subjective perspective may not be willing to acknowledge.

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<sup>28</sup> PASCAL, B., *Pensees*, question 146.

<sup>29</sup> OTTMANN, H., „Die Würde des Menschen, Fragen zu einem fraglos anerkannten Begriff“, in: *Rationalität und Prärrationalität* (hg. Jan Beaufort und Peter Precht), Würzburg, 1998, 167-181.

<sup>30</sup> SINGER, P., *Befreiung der Tiere*, München, 1982.

<sup>31</sup> DESCARTES, R., “*Die Prinzipien der Philosophie*”, Kap. 1. Über die Prinzipien der menschlichen Erkenntnis, Elsevier Verlag Amsterdam, 1644.

Another danger is that of the *degeneration of sense*, and the *negativity or emptiness of content*. If there are qualities, which enhance human dignity, there are also aspects of man, which can threaten to rob him of this dignity. Man is not only free, autonomous, reasonable, self-conscious as defined in his dignity; he could also be defined in the awareness of his mortality and finity.<sup>32</sup> One may also try to define dignity from the point of view of human imperfection, wrong-doings, ability to commit crime, immorality and the possibility of his making mistakes. If human dignity is to be defined with his ability and what he can do, what about these negative aspects of the human being? Do they add to or subtract from the dignity of man? This question leads us to the next danger in associating dignity with rank and distinction.

*Human dignity associated with achievement:* By the definition of human dignity, no one thinks of human imperfections, or of man's ability to do evil. What is often emphasized is the catalogue of human positive achievements, which distinguish the human being from other beings. The disadvantage of defining dignity with achievement is that it automatically reduces the circle of people involved to only those who can achieve. If we must reckon with autonomy and reason, self-consciousness and morality in defining dignity, children and the youth are not yet so autonomous; and those who are psychologically sick are not so reasonable, but no one may deny these people their human dignity. Associating dignity with what one can achieve only calls back the ancient concept of 'Dignitas' with its proportional justice, gradation and classification of dignity. And these gradations and classifications cannot satisfactorily represent the demands of human dignity.

*Dignity as potentiality:* Sometimes we modify our quest for achievement by claiming the ability to achieve. In this sense, dignity is not defined with achievement, rather with the ability and human potentiality to achieve. It is at this level that one tries to justify the dignity of the child with the child's potentiality to reason, autonomy, self-consciousness and morality; or the proper handling and respect accorded the dead based on the recalled awareness of their days of activity, reason, autonomy and self-consciousness. This alone cannot make for human dignity, because the modifications cannot help in cases where the potentiality is lacking. For example, a child that is imbecile or that has any incurable disease has no guarantee for attaining full reason or autonomy, even at a future age. So, we cannot accept that human dignity solely depends on mere qualities, abilities and their potentialities. Human dignity is more than that.

*Human dignity as membership to the species of being called human:* Such a definition of dignity is often found in judicial commentaries. Such a definition alienates the concept – dignity from achievements, qualities and abilities and attaches dignity to a person as long as he belongs to the biological species of being called human. In a commentary on the basic constitution of Germany, we read: "Wer

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<sup>32</sup> OTTMANN, H., Ibid, 173.



von Menschen gezeugt wurde und wer Mensch war, nimmt an der Würde des Menschen teil.”<sup>33</sup> Whoever is/was procreated by a human being, and is/was a human being, takes part (or participates) in human dignity. The concept – taking part or participating – is vague. It sounds as if human dignity were an ideology, in which different people may take part. Moreover, even as a group or species of human beings, one participates in a group according to one’s ability. And this opens the door for levels of participation, and consequently, levels or grades of dignity – a classification of human dignity that we may not accept.

However, this vague formulation of words notwithstanding, we must have to accept this definition as being more profound than others. Human dignity is due to any one who is or was in the category of beings called human. This definition is neutral and depends neither on any quality, ability, potentiality or conditions nor on individual worldviews or anthropologies.

On the other hand, we must also acknowledge that the mere fact of belonging to the category of beings called human is not absolutely enough to explain human dignity; otherwise human dignity would hang only on biological bases. Should this be the case, then, only the manipulations of the human biological integrity would therefore count as endangering human dignity. This would have the consequence of putting into question the classification of other social and political evils like: denial of freedom, slavery, genocide, torture, and all other forms of human humiliation and degradation as factors damaging human dignity. So, over and above the fact that man is biological and has his dignity as human, we must add that human dignity requires the consciousness of human beings themselves in preserving, maintaining and upholding its status. Human dignity cannot uphold itself, it requires human efforts.

Human nature lays the basis for human dignity; but the human being must play his part to uphold this integrity. From here we see that human dignity must be viewed fundamentally as a double-edged concept: *Having dignity* and *earning (deserving) dignity*. “Würde-Haben und Würde-Verdienen.”<sup>34</sup> On the one hand, earning dignity through achievements and abilities is not enough. Also, having dignity as a member of the human species, on the other hand, is incomplete. None of these aspects alone is satisfactorily sufficient for human dignity. Both of them – having dignity and earning dignity – go hand in hand as human dignity. Nonetheless, human dignity must be protected from human abuses and idiosyncrasies.

Basically, the images that man had of himself and his dignity necessitated the formulations of the concepts of human rights as we understand them in modern times. This means that these rights are due to man, not in virtue of their formulations, but because they are due to man as human. If dignity is to be merely de-

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<sup>33</sup> MAUNZ, T/ DÜRIG, G., *Kommentar zum Grundgesetz für die Bundesrepublik Deutschland*, Art.1, Abs. 1, Rn.23.

<sup>34</sup> OTTMANN, H., op.cit., 175.

fined with achievements or ability, then, one is expected to justify his dignity with his achievements and ability, and any failure would raise the fear of not deserving the dignity; but if on the other hand it is acknowledged that one already has dignity endowed on him from nature without his merits; then, one must not be afraid of any position of ability or inability for the justification of his dignity. On this basis, the concept of human dignity must be freed from the claims of deserving dignity solely arising from the achievements of the subject. Furthermore, we must take into consideration that the weaknesses and inabilities of the human being, as an imperfect being, also belong to human dignity without reducing it. So, every human being deserves dignity even with inabilities, and without achievements.

Briefly, both sides of the coin as regards the concept of dignity (having and earning or deserving dignity) compliment each other. That means: 'having dignity' is primary and fundamental. 'Earning dignity' is secondary, and must be seen as an addition and a follow-up to having dignity. Both cannot be dichotomized from each other.

The idea of *deserving dignity* accompanying that of *having dignity* is well understood in the Igbo-African anthropology where "Mmadu" (concept for human being) implies also the act of adding beauty to human life (Mma-ndu). There is here a presupposition that life and the corresponding dignity is endowed on all human beings, and then calls up a challenge for all humans to adopt and maintain this dignity. The idea of endowment here entails that the concept of human dignity (just as is usual in the African worldview) is not without transcendence. This is the line of argument we also find in the concept of dignity from the western philosophical perspective of R. Spaemann<sup>35</sup> who argued that the concept of dignity as endowed on all human beings from nature can only be justified or argued from the point of view of theology and metaphysics.

Human dignity without transcendence is unthinkable. It is only the transcendental quality of human dignity that can guarantee its inalienability and its illimitable and unforfeitable character. These qualities of human dignity have natural links to the transcendence, which no one can just arbitrarily cut. "Wo das Fenster zur Transzendenz verschlossen wird, löst sich der Begriff der Menschenwürde auf."<sup>36</sup> Where the window to transcendence is closed, then the concept of human dignity will disappear. Theologically expressed, the human being is *imago dei*: "...man was created to the image of God, as able to know and love his creator, and as set by him over all earthly creatures, that he might rule them, and make use of them, while glorifying God."<sup>37</sup>

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<sup>35</sup> SPAEMANN, R., "Über den Begriff der Menschenwürde", in: *Menschenrechte und Menschenwürde*, (Hrsg. BOECKENFOERDE, E-W. / SPAEMANN, R.) 1997, 295.

<sup>36</sup> FONK, P., „Abwägbare Menschenrechte – Antastbare Menschenwürde?“ in: *Ethica* 13, 2005, 11.

<sup>37</sup> *Gaudium et spes* Nr.12, in: *Vatican Council 11*, The Conciliar and Post Conciliar Documents (ed. Flannery, A.), 1981.

In the biblical history of creation, the human being sees himself as the image of God. No other creature or thing, following this concept, can represent God more as the human being. This human image has also some moral consequences attached to it. In the Judeo-Christian religion for example (Gen 9, 6), the taboo on the spilling of human blood (murder) is based on and related to the human image of the 'likeness of God'. Whatever does harm to the human person is considered as offensive to God. The psalmist extolled the dignity of man and gave man a very high and an elevated image. "What is man that you are mindful of him, mortal man that you care for him? Yet you have made him little less than God, and crowned him with glory and honour. You have given him dominion over the works of your hands; you have put all things under his feet" (Ps. 8: 5-8). Also, the Christian consciousness of the miracle of God assuming the nature of man in Christ Jesus shades a new light at the dignity of man. The encyclical, "Pacem in terris" explained the dignity of the human person in the light of the truth of revelation. The human person is saved through the blood of Christ, and became through his grace sons and daughters of God and heirs of his glory.<sup>38</sup>

From this biblical image of man, we can go deeper to explore the biblical image of the child. The Old Testament sees the child as a blessing from God. We take just one example from Jacob who sees his little son Joseph as his old-age-gift from God. This is the reason why he loved and favoured him more than his brothers (Gen.37:3). Even the hatred of the brothers of Josef against the little boy (Gen. 37:4) was later noticed to be a blessing in disguise to the family of Jacob. Without this hatred, he would not have been sold to Egypt (Gen. 37:12-36), where he served as a slave (Gen. 39: 1-21), and a prisoner (Gen. 39:22-40:23). It was from here that he was brought to explain Pharaoh's dreams (Gen. 41:1-36), and was rewarded with the throne of Egypt (Gen. 41: 37-57), from where he was able to save the lives of his family (Gen. 42-47). Hence, the child is a blessing, a treasure and the guarantee for the future of the family.

The New Testament also presents a good image of the child. In the birth of the child Jesus, the child is seen as a saviour and hope to all Mankind (Lk. 1:26-35). "Today in the town of David, a saviour has been born to you; he is Christ the lord" (Lk. 2:11). Jesus himself, later as a teacher, taught his disciples how important the young people are; and what a central position they occupy in the kingdom of God. "People were bringing little children to him, for him to touch them. The disciples scolded them, but when Jesus saw this he was indignant and said to them, 'let the little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs. In truth I tell you, any one who does not welcome the kingdom of God like a little child will never enter it.' Then he embraced them, laid his hands on them and gave them his blessing".

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<sup>38</sup> JOHN XXIII, *Pacem in terris*, Nr. 10, in: AAS 55/5, 1963, 257-304.

(Mk. 10:13-16). This single example shows how the child is cherished and what image and central place it occupies in the biblical tradition. Even the Christian religious imagination of angels as babies has a lot to say about the image of the child and his dignity. Here the child (in the image of an angel) is presented as innocent and holy, agent of peace and harmony between man and God; and as guardian angels offer security and protection to mankind. What a beautiful projection of the child. No wonder some parents in Igbo-land/Africa call their children: *Ginikanwa* – i.e. what is more precious than a child?

It is also from the human fundamental image of the ‘likeness of God’ that the concept of human equality in dignity arose. All human beings bear the image of God and as such equal before God. Not even the social differences have the capacity to undermine this equality in dignity. “There is no more Jew or Greek, no more slaves or freeman, no more man or woman; for you are all one in Christ Jesus.” (Gal 3, 28; 1Kor 12, 13; Kol 3, 11). The qualification for human dignity has no connection with nationality, race, colour, religion, language, culture, sex or age; rather it is based on the act of being human.

This equality in nature and dignity leads to the idea of brotherliness of humanity. With such prerequisites, the human family sees itself as one, and can in solidarity pursue a common goal and destiny. To ensure the dignity and unity of humanity, a political bond is needed in which the dignity and rights of human beings are guaranteed. Such a bond can also be historically traced back to biblical thinking of bond or covenant (for example, the books of Exodus and Deuteronomy), which was aimed at securing the dignity and relationship between the human and his creator as well as the common good and social life in the community. The human species, with all the social differences (rich and poor, healthy and sick, strong and weak, indigenes and foreigners, highly educated and less educated, couples and singles, orphans and widows, workers and the unemployed, old and young) requires a bond that guarantees living together in community with rights and obligations, and enhances freedom and security. Human dignity must be protected against aggressions and perpetrations.

Meanwhile, according a theological or transcendental link to the concept of human dignity is not just a religious affair or the affair of any individual worldview; but rather an issue of relevance in the modern society. It was already a popular issue in the time of Hobbes and Rousseau, and belonged to what they called civil religion in their secularized society. There is no better and alternative way to protect human dignity. If it were to be a humanly accorded dignity, there is no reason why it could not be also manipulated by human beings to suit their purposes. Man is a being that must be protected from himself; and as such, a metaphysical justification of human dignity and the regulations of human rights would help in limiting the human claims of sovereignty and omnipotence.

The varied faces of the anthropological, philosophical and theological discussions, and especially the Christian-Biblical image of the child as a human person, having human dignity, and created in the image of God – *imago Dei* – are not very much different from the African traditional image of the child, because in the African worldview, the human being in his dignity and person, and human life (concretized in the birth of a new child) are seen as gifts of God; – the creature of (*Chukwu*) the great God, who is also called (*Chineke*) God the creator, and is seen as being practically behind every human phenomenon. The good image and position of the child arising from the central place of man in the order of beings in the African worldview is of high interest to our work. After all, *Gini-kanwa* – what is more precious than a child?

