

## DEFENDING HUMAN DIGNITY<sup>1</sup>

Leon R. Kass, M.D.<sup>2</sup>

*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? —Leszek Kolakowski*

In American discussions of bioethical matters, human dignity, where it is not neglected altogether, is a problematic notion. There are disagreements about its importance relative to other human goods, such as freedom or justice. There are differences of opinion about exactly what it means and what it rests on, a difficulty painfully evident when appeals to “human dignity” are invoked on opposite sides of an ethical debate, for example, about whether permitting assisted suicide for patients suffering from degrading illnesses would serve or violate their human dignity. There are also disagreements about the extent to which considerations of human dignity should count in determining public policy.

We friends of human dignity must acknowledge these difficulties, both for practice and for thought. In contrast to continental Europe and even Canada, human dignity has not been a powerful idea in American Public discourse, devoted as we are instead to the language of rights and the pursuit of equality. Among us, the very idea of “dignity” smacks too much of aristocracy for egalitarians and too much of religion for secularists and libertarians. Moreover, it seems to be too private and vague a matter to be the basis for legislation or public policy.

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<sup>1</sup> An abridged version of this paper was presented as a Bradley Lecture at the American Enterprise Institute on February 5, 2007.

<sup>2</sup> Dr. Kass is the Hertog Fellow in Social Thought at the American Enterprise Institute and the Addie Clark Harding Professor in the Committee on Social Thought and the College at the University of Chicago.

Yet, that said, we Americans actually care a great deal about human dignity, even if the term comes not easily to our lips. In times past, our successful battles against slavery, sweatshops, and segregation, although fought in the name of civil rights, were at bottom campaigns for human dignity—for treating human beings as they deserve to be treated, *solely because of their humanity*. Likewise, our taboos against incest, bestiality, and cannibalism, as well as our condemnations of prostitution, drug-addiction, and self-mutilation—having little to do with defending liberty and equality—all seek to defend human dignity against (voluntary) acts of *self*-degradation. Today, human dignity is of paramount importance especially in matters bioethical. As we become more and more immersed in a world of biotechnology, we increasingly sense that we neglect human dignity at our peril, especially in light of gathering powers to intervene in human bodies and minds in ways that will affect our very humanity, likely threatening things that everyone, whatever their view of human dignity, holds dear. Truth to tell, it is beneath our human dignity to be indifferent to it.

As part of its effort to develop and promote a “richer” bioethics, the President’s Council on Bioethics, in its previously published works, has paid considerable attention to various aspects of human dignity that are at risk in our biotechnological age: the dignity of human procreation, threatened by cloning-to-produce-children and other projected forms of “manufacture”; the dignity of nascent human life, threatened by treating embryonic human beings as mere raw material for exploitation and use in research and commerce; the dignity of the human difference, threatened by research that would produce man-animal or man-machine hybrids; the dignity of bodily integrity, threatened by trafficking in human body parts; the dignity of psychic integrity, threatened by chemical interventions that would erase memories, create factitious moods, and transform personal identity; the dignity of human self-command, threatened by methods of behavior modification that bypass human agency; the dignity of human activity and human excellence, threatened by reliance on performance-enhancing or performance-transforming drugs; the dignity of living deliberately and self-consciously, mindful of the human life cycle and our finitude, threatened by efforts to deny or eliminate aging and to

conquer mortality; the dignity of dying well (or of living well while dying), threatened by excessive medical intervention at the end of life; and the dignity of human being as such, threatened by the prospect of euthanasia and other “technical solutions” for the miseries that often accompany the human condition.<sup>3</sup> Beyond these practical issues, the Council has also tried to call attention to the dignity of proper human self understanding, threatened by shallow “scientific” thinking about human phenomena, for example, views of human life that see organisms as mere means for the replication of their genes, the human body as a lifeless machine, or human love and moral choice as mere neurochemical events.<sup>4</sup> In my own personal writings on biology and human affairs, spanning over thirty-five years, I have dealt with many of the same aspects of human dignity and the dangers they face from the new biology, both to our practice and to our thought.<sup>5</sup>

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<sup>3</sup> See, among other places, *Human Cloning and Human Dignity: An Ethical Inquiry* (2002), especially chapter 5, “The Ethics of Cloning-to-Produce-Children,” and chapter 6, “The Ethics of Cloning-for-Biomedical-Research”; *Monitoring Stem Cell Research* (2004), especially chapter 3, “Recent Developments in the Ethical and Policy Debates”; *Beyond Therapy: Biotechnology and the Pursuit of Happiness* (2004), all chapters, and especially the discussion of “The Dignity of Human Activity” in chapter 3, “Superior Performance”; *Reproduction and Responsibility: The Regulation of New Biotechnologies* (2005), especially the section on “The Character and Significance of Human Procreation” in (the introductory) chapter 1, chapter 6 on “Commerce,” and the section on “Targeted Legislative Measures” in chapter 10, “Recommendations”; *Being Human: Readings from the President’s Council on Bioethics* (2004), especially chapter 10, “Human Dignity”; and *Taking Care: Ethical Caregiving in Our Aging Society* (2005), especially chapters 3 and 4, “The Ethics of Caregiving: General Principles,” and “The Ethics of Caregiving: Principle and Prudence in Hard Cases.” All of these books except for *Being Human* are available online, at [www.bioethics.gov](http://www.bioethics.gov).

<sup>4</sup> The readings in *Being Human* were collected and offered to provide the humanistic wherewithal for thinking about and responding to these and other inadequate views of our humanity. See especially the chapters on “The Pursuit of Perfection,” “Are We Our Bodies,” “Among the Generations,” “Why Not Immortality,” “The Meaning of Suffering,” “Living Immediately,” and, of course, “Human Dignity.” This anthology has been republished by W. W. Norton, under the title *Being Human: Core Readings in the Humanities* (2004).

<sup>5</sup> See, among other places, *Life, Liberty, and the Defense of Dignity: The Challenge for Bioethics* (Encounter Books, 2002), especially the Introduction, the discussion of the “Profundity of Sex” in chapter 5, “Cloning and the Post Human Future,” chapter 6, “Organs for Sale: Propriety, Property, and the Price of Progress,” chapter 8, “Death with Dignity and the Sanctity of Life,” and chapter 9, “*L’Chaim* and Its Limits: Why Not Immortality”; *Toward a More Natural Science: Biology and Human Affairs* (The Free Press, 1984), especially chapters 2, 3, and 4 on reproductive technologies and genetic screening, chapter 10, “Thinking About the Body,” and most especially chapter 13, “Looking Good: Nature and Nobility”; an essay on “The Right to Life and Human Dignity,” in Svetozar Minkov, ed., *Enlightening Revolutions: Essays in Honor of Ralph Lerner* (Lexington Books, 2006); *The Hungry Soul: Eating and the Perfecting of Our*

Yet neither the Council nor I have tried to articulate a full theoretical account of human dignity; neither have we tried to reconcile some of the competing views that are held by the various members, all bidding fair to gain our assent. This lecture is offered as a contribution toward the development of such a conceptual account. Specifically, it aims to do three things: to defend a robust role in bioethics for the idea of human dignity; to make clearer what human dignity is and what it rests on; and to try to show the relationship between two equally important but sometimes competing ideas of human dignity: the *basic* dignity of human *being* and the *full* dignity of being (actively) *human*, of human *flourishing*. The spirit and domain of this lecture are philosophical. Application of its conceptual clarification to specific bioethical topics and debates would require additional lectures, though I shall be happy to address them in the question period.

### I. Why Bioethics Must Care About Human Dignity: Traditional and Novel Concerns

Attention to human dignity is important in nearly all arenas of bioethical concern: clinical medicine; research using human subjects; uses of novel biotechnologies “beyond therapy” (especially for so-called “enhancement” purposes); and “trans-humanist” activities aimed at altering and transcending human nature. But because the central ethical concerns in these domains differ, *each realm of bioethics gives special salience to a different aspect of human dignity*.

In clinical medicine, a primary ethical focus is on the need to respect the equal worth and dignity of each patient at every stage of his or her life—regardless of race, class or gender, condition of body and mind, severity of illness, nearness to death, or ability to pay for services rendered. Defenders of human dignity rightly insist that every patient deserves—from every physician, nurse, or hospital—equal respect in speech and deed and equal consideration regarding the selection of appropriate treatment. Moreover, they also rightly insist that no life is

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*Nature* (The Free Press, 1994; University of Chicago Press, 1998), especially chapter 2, “The Human Form: *Omnivorus Erectus*”; and *The Beginning of Wisdom: Reading Genesis* (The Free Press, 2003; University of Chicago Press, 2006), especially chapters 2 and 3 on the anthropology of the Garden of Eden story and chapter 6 on the Noahide Law and its foundations.

to be deemed worthier than another and that under no circumstances should we look upon a fellow human being as if he or she has a “life unworthy of life” and deserves to be made dead. The ground of these opinions, and of the respect for human dignity they betoken, lies not in the patient’s autonomy or any other of his personal qualities or excellences, but rather in the patient’s very being and vitality. Doctors should always respect the life the patient has, all the more because he has entrusted it to their care in the belief that they will indeed respect it to the very last.

Regarding research with human subjects, the major ethical issues concern not only safeguarding the subject’s life and health but also respecting the subject’s humanity, even as he is being treated as an experimental animal. Concern for human dignity focuses on enlisting the human subject as a knowing and willing co-partner in the research enterprise. The solicitation of voluntary informed consent pays tribute to the humanity of the human subject, even as that humanity will be largely overlooked in the research protocol. Bioethicists usually believe that respecting human dignity here means respecting subject autonomy—the freedom of the subject’s will—and so it does; but there is more to it. It involves respecting also the subject’s courage in accepting risks and discomforts, his philanthropic desire to contribute to a worthy cause, and his generosity of time and trouble in embracing activities from which he will receive no direct benefit.

In these domains of clinical medicine and research involving human subjects, appeals to human dignity, while tacitly employing an ideal of proper treatment and respect, function explicitly and mainly as bulwarks against abuse: patients should not be reduced to “thing-hood” or treated as mere bodies; research subjects should not be utilized as mere means or treated only as experimental animals. This “negative” function of the concept of human dignity in these domains makes perfect sense, inasmuch as it is intended—and needed—to restrain the strong in their dealings with the weak. It makes even more sense once we remember the origins of modern biomedical ethics: a concern for human dignity hovers over all of modern biomedical ethics owing to the world’s horror at the Nazi atrocities, atrocities in which German scientists and

German doctors were deeply implicated. They more than lent a hand with eugenic sterilization, barbaric human experimentation, and mass extermination of the “unfit”—all undertaken, mind you, in order to produce “a more perfect human.” The rise to prominence of the idea of “human dignity” in post-World-War-II Europe, expressed in the laws of many nations and especially in the United Nations Declaration of Human Rights, was surely intended to ensure that no human beings should ever again be so abused, degraded, and dehumanized—and, of course, annihilated.

But a more robust notion of human dignity is needed when we turn from these traditional domains of medical ethics to the moral challenges raised by new biotechnological powers and the novel purposes to which they are being put, and when we turn from concerns with abuse of power that the strong inflict upon the weak to concerns with ethically dubious uses of powers that the strong—indeed, most of us—will choose to exercise for and on ourselves. Our desires for a better life do not end with health, and the possibilities of biotechnology are not limited to therapy. Its powers to alter the workings of body and mind are attractive not only to the sick and suffering, but to everyone who desires to look younger, perform better, feel happier, or become more “perfect.”

We have already entered the age of biotechnical enhancement: growth hormone to make children taller; pre-implantation genetic screening to facilitate eugenic choice (now to rule out defects, soon to rule in assets); Ritalin and other stimulants to control behavior or boost performance on exams; Prozac and other drugs to brighten moods and alter temperaments—not to mention Botox, Viagra, and anabolic steroids. Looking ahead, other invitations are already visible on the horizon: Drugs to erase painful or shameful memories or to simulate falling in love. Genes to increase the size and strength of muscles. Nano-mechanical implants to enhance sensation or motor skills. Techniques to slow biological aging and increase the maximum human lifespan. Thanks to these and other innovations, venerable human desires—for better children, superior performance, ageless bodies, and happy souls—may increasingly be satisfied with the aid of biotechnology. A new field of “trans-humanist” science is rallying thought and research

for wholesale redesign of human nature, employing genetic and neurological engineering and man-machine hybrids, en route to what has been blithely called a “post-human future.”

Neither the familiar principles of contemporary bioethics—respect for persons, beneficence (or “non-maleficence”), and justice—nor our habitual concerns for safety, efficacy, autonomy, and equal access will enable us to assess the true promise and peril of the biotechnology revolution. Our hopes for self-improvement and our disquiet about a “post-human” future are much more profound. At stake are the kind of human being and the sort of society we will be creating in the coming age of biotechnology. At stake are the dignity of the human being—including the dignity or worth of human activity, human relationships, and human society—and the nature of human flourishing.

To be sure, the biotechnological revolution may, as the optimists believe, serve to enhance human dignity. It may enable more and more people to realize the American dream of liberty, prosperity, and justice for all. It may enable many more human beings—biologically better-equipped, aided by performance-enhancers, liberated from the constraints of nature and fortune—to live lives of achievement, contentment, and high self-esteem, come what may.

But there are reasons to wonder whether life will really be better if we turn to biotechnology to fulfill our deepest human desires. There is an old expression: to a man armed with a hammer, everything looks like a nail. To a society armed with biotechnology, the activities of human life may come to be seen in purely technical terms, and more amenable to improvement than they really are. We may get more easily what we asked for only to realize it is vastly less than what we really wanted. Worse, we may get exactly what we ask for and *fail* to recognize what it cost us *in coin of our humanity*.

We might get better children, but only by turning procreation into manufacture or by altering their brains to gain them an edge over their peers. We might perform better in the activities of life, but only by becoming mere creatures of our chemists or by turning ourselves into bionic tools designed to win and achieve in inhuman ways. We might get longer lives, but only at the cost of living carelessly with diminished aspiration for living well or becoming

people so obsessed with our own longevity that we care little about the next generations. We might get to be “happy,” but only by means of a drug that gives us happy feelings without the real loves, attachments, and achievements that are essential for true human flourishing. As Aldous Huxley prophetically warned us, in his dystopian novel *Brave New World*, the unbridled yet well-meaning pursuit of the mastery of human nature and human troubles through technology can issue in a world peopled by creatures of human shape but of shrunken humanity—engaged in trivial pursuits; lacking science, art, religion, and self-government; missing love, friendship, or any true human attachments; and getting their jollies from high-tech amusements and a bottle of soma.

This is not the place to argue whether we have more to fear than to hope from biotechnological enhancement or the pursuit of a post-human future. I happen to share Huxley’s worries, and I surely see no reason to adopt the optimism of the transhumanists—especially because they cannot provide a plausible picture of “the new post-human being,” and, worse, can offer no standards for judging whether their new “creature” will be *better* than *Homo sapiens*. But for present purposes, my point is simply this: we cannot evaluate *any* proposed enhancements or alterations of our humanity unless we have some idea of human dignity, some notion of what is estimable and worthy and excellent about being human. In order to know whether change is progress rather than degradation, we need a standard of the *undegraded* and the admirable. We need to understand the nature and dignity of human flourishing in order to recognize both the true promise of self-improvement and the hazards of self-degradation; we need to understand the nature and dignity of human agency and human activity in order to recognize both enhancement and corruption of our ways of encountering the world and one another; we need to understand the nature and dignity of human aspiration and human fulfillment in order to assess not only the means but also the ends that we will be pursuing in the coming age of biotechnology, both for ourselves as individuals and for our society.

Will living until age 200 affect our desires and abilities for living well? Will pharmacologically induced contentment flatten our souls? Will the ties that bind and nurture us

be strengthened or loosened in a world in which we pursue the “perfect” baby? To answer these questions, we need a deep anthropological inquiry, one that can show us the richest account of what a human being is and what he or she can be when they are at their best and thriving, as well as a genuine understanding—not just wild hopes—of what conduces to human flourishing. We need, in short, wisdom about human dignity and what sustains and enhances it—and what destroys it.

Concerns for human dignity in bioethical matters take mainly two forms: concerns for the dignity of life around the edges (the “life and death” issues) and concerns for the dignity of life in its fullness and flourishing (the “good life” and “dehumanization” issues; the “Brave New World” issues). In the former case are questions regarding what we owe to nascent life (including fetal and embryonic life, *in vivo* and *in vitro*) that has yet to attain full development of human powers, and what we owe to fading or dying human life, life not only past its prime but, in many cases, life with the most human of our powers dwindling to near-nothingness. Especially poignant are those cases in which—often thanks to previous medical successes, and the ease of combating potentially lethal infections—individuals are sustained, often for years, in greatly degraded conditions, incapable of living dignifiedly while dying or having a timely end to their life. In the latter case are questions regarding what makes for true human flourishing and how to keep human life human, in the face of the soul flattening and dehumanizing dangers of a Brave New World. Especially difficult here will be discerning which proposed enhancements of body or mind actually conduce to human dignity and to living well and which do not—and which, tragically, at once improve and degrade.

Depending on which of the two dangers most trouble us, defenders of human dignity will emphasize either the basic dignity of human *being* or the full dignity of being (flourishingly) *human*.<sup>6</sup> If one believes that the greatest threat we face comes in the form of death and

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<sup>6</sup> The justification and meaning of the names given here will be made clearer in sections two and three of this paper. Another set of terms I considered using were “*human dignity*” and “*human dignity*,” the former to stress the horizontal dimension of universal “human-all-too-human”-ness, carried by the term “human,” the latter to stress the vertical dimension of excellence or

destruction—say, in the practices of euthanasia and assisted suicide, embryo research, or even just denial of treatment to the less than fully fit—then one will be primarily concerned to uphold the equal dignity of every still-living human being, regardless of condition. If, conversely, one thinks that the greatest threat we face comes *not* from killing the creature made in God’s image but either from trying to redesign him after our own fantasies or from self-abasement owing to shrunken views of human well-being (à la Nietzsche’s “last man”), then one will be primarily concerned to uphold the full dignity of human excellence and rich human flourishing.

The two aspects of human dignity do not always have the same defenders, especially when concerns for equality and life seem to be at odds with concerns for excellence and living well. Indeed, defenders of one aspect of dignity sometimes ignore the claims made on behalf of the other. Certain pro-lifers appear to care little whether babies are cloned or even “born” in bottles, so long as no embryo dies in the process; and others insist that life must be sustained come what may, even if it means being complicit in prolonging the degradation and misery of loved ones. Conversely, certain advocates of so-called “death with dignity” appear to care little whether the weak and the unwanted will be deemed unworthy of life and swept off the stage, so long as *they* get to exercise control over how *their own* life ends; and patrons of excellence through biotechnological enhancement often have little patience with the need to care, here and now, for those whose days of excellence are long gone. Meanwhile, those who dream of post-human supermen appear to care not a fig either for the dignity of human being or for the dignity of being human, since they esteem not at all the dignity of us ordinary mortals, never mind those of us who are even less than merely ordinary.

Yet there is no reason why all friends of human dignity cannot—and, indeed, should not—be defenders of *all* aspects of human dignity, both the dignity of “the low” and the dignity of “the high.” Yes, there will be times when there will be tensions between them, demanding

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worthiness, carried by the term “dignity.” Once again, the discussion below should clarify matters beyond such attempts at finding the right short-hand phrases.

prudent and loving attention lest we make major mistakes. Yes, each aspect if emphasized single-mindedly may appear to threaten the other: concern for the dignity of human flourishing may appear to look down invidiously on the less than excellent; concern for the dignity of (“mere”) human aliveness may appear willing to level all higher human possibilities. But precisely to avoid the dangers of myopic single-mindedness, we can, and must, defend both the dignity of human *being* and the dignity of being *human*. In fact, as I will suggest at the end, when properly understood, the two notions are much more intertwined than they are opposed. But first, we need to look at each more closely, beginning with the dignity of being human—the dignity of human flourishing, the dignity of living well.

## II. Full Human Dignity: The Dignity of Being Human

Discussions of human dignity are, alas, not generally known for their concreteness. The term itself is abstract and highly ambiguous, as are many of the notions—for example, “human worth” or “high moral standing”—we invoke when trying to explain what we mean by “dignity.” Yet despite these difficulties, we can in fact readily recognize dignity, both when we see it shining and when we see it extinguished. Here are some vivid examples, one positive and one negative.

Among the many moving songs from the American Civil War, one in particular always gives me gooseflesh: the “First Arkansas Marching Song,” written for and sung by a regiment made up entirely of ex-slaves fighting on the side of the Union:<sup>7</sup>

Oh we’re the bully soldiers of the “First of Arkansas,”  
 We are fighting for the Union, we are fighting for the law;  
 We can hit a Rebel further than a white man ever saw,  
 As we go marching on.

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<sup>7</sup> Sung to the tune of “John Brown’s Body.” There are seven verses, of which I use the 1<sup>st</sup>, 3<sup>rd</sup>, and last. For a full text, see <http://www.civilwarpoetry.org/union/songs/arkansas.html>.

(Chorus: Glory, glory, hallelujah, etc.)

We are done with hoeing cotton, we are done with hoeing corn,  
 We are colored Yankee soldiers, now, as sure as you are born;  
 When the masters hear us yelling, they will think its Gabriel's horn,  
 As we go marching on.

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Then fall in, colored brethren, you'd better do it soon,  
 Can't you hear the drums a-beating the Yankee Doodle tune;  
 We are with you now this morning, we'll be far away at noon,  
 As we go marching on.

Debased ex-slaves, only recently hoeing cotton and corn for their masters, transform themselves into brave soldiers “fighting for the Union . . . fighting for the law.” Although formally emancipated by Lincoln’s proclamation months earlier, they were truly lifted up from slavery not by another’s largesse but by their own power and choice. They celebrate here their new estate, singing out their newly found dignity and beckoning others to join the cause. Our heart is stirred by this simple display of noble humanity, especially because it actively reverses their previous degradation and because it fully refutes the dehumanizing conclusions some had drawn from their prior servitude and submissiveness, namely, that anyone who accepts a life in slavery must have a slavish soul. I am particularly moved by the ex-slaves’ dedication to a cause higher than their own advantage. And my imagination thrills to the picture of their marching through Southern towns and past slave-holding plantations, summoning their brethren to affirm their own dignity by putting their lives also in the service of freedom and Union.

Opposite to this example of dignity triumphing over degradation is the self-inflicted dehumanization of Herr Professor Immanuel Rath in the classic German movie, *The Blue Angel* (1930). A strict, upright, gymnasium English teacher, Professor Rath goes to the local night club to reprimand his wayward students who have been attracted there by the siren singer, Lola Lola, and to scold her for corrupting the young. But on entering into her presence, Rath is smitten by Lola's charms, and he returns the next night filled with desires of his own. When he gallantly "defends her honor" against a brutish sea captain seeking sexual favors, Lola, touched by his chivalry on her behalf, invites him to spend the night. Exposed in school the next morning by his students, the honorable professor declares his intention to marry Lola Lola, for which decision he is promptly dismissed from his position. After laughing uncontrollably at his proposal, Lola Lola unaccountably accepts him; yet at the wedding feast, in front of all the guests, Rath is made to cock-a-doodle-do like a rooster in love. The married professor now joins the traveling show, first as Lola's servant, later as a performing clown. Eventually, when the traveling entertainers return to his hometown, Professor Rath is made co-star of the vaudeville show. With her latest lover at her side, Lola forces Rath to play a (cuckolded) crowing rooster while eggs are cracked upon his skull before a full house of roaring spectators, including his former students and neighbors. It is a scene of human abasement that is unbearable to watch.

What human goods and evils are at issue in these two vignettes? Not liberty or equality or health or safety or justice, but primarily the gain or loss of worthy humanity—in short, the display or the liquidation of human dignity. In the first case, degraded human beings knowingly assert their humanity and their manhood, committing their lives to the cause of freedom, union, and law; anyone who is not humanly stunted admires and applauds their nobility, their courage, and their devotion to a righteous purpose higher than themselves. In the second case, an upright and proper man of learning loses, first, his wits and his profession to his infatuation and, finally, every shred of dignified humanity, as he shrinks to impersonate an inarticulate barnyard animal; anyone who is not humanly stunted shudders at his utter degradation, notwithstanding the fact that he brought it on himself.

With these examples of dignity and its degradation before us, let me try to specify what I think we should mean by the “dignity of being human.” On anyone’s account, the idea of “dignity” conveys a special standing for the beings that possess or display it. This fact is hardly an accident, for the term “human dignity” carries the lofty colorations attached to the idea of “*dignity*” itself: human dignity is dignity of the peculiarly human sort.

Both historically and linguistically, “dignity” has always conveyed something elevated, something deserving of respect. The central notion, etymologically, both in English and in its Latin root (*dignitas*),<sup>8</sup> is that of worthiness, elevation, honor, nobility, height—in short, of excellence or virtue. In all its meanings it is a term of distinction; dignity was not something that, like a nose or a navel, was to be expected or found in every living human being. *Dignitas* was, in principle, “aristocratic,” less in the sense of social class, more in the sense of human excellence (*aristos*, from the Greek, means “best”). Even in democratic times, as the soldiers of the First of Arkansas make clear, “dignity” still conveys the presence and active display of what is humanly best.

Before attempting further specification of dignity’s substance, let me address a couple of objections that I anticipate even to what little I have already said. Some people complain that all notions of dignity are merely social constructs, projections of the prejudices of (aristocratic) societies and conferred or attributed from the outside—as are honor and office. In the same

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<sup>8</sup> Additional linguistic evidence may enrich our inquiry. *Dignitas* means (1) a being worthy, worthiness, merit, desert, (2) dignity, greatness, grandeur, authority, rank, and (3) (of inanimate things) worth, value, excellence. The noun is cognate with the adjective *dignus* (from Greek and Sanskrit roots *DEIK* and *DIC*, meaning “to bring to light,” “to show,” “to point out”), literally, “pointed out” or “shown,” and hence, “worthy” or “deserving” (of persons), and “suitable,” “fitting,” “becoming,” or “proper” (of things). “Dignity,” in the Oxford English Dictionary, is said to have eight meanings, the four relevant ones I reproduce here: (1) The quality of being worthy or honourable; worthiness, worth, nobleness, excellence (for instance, “The real dignity of a man lies not in what he has, but in what he is,” or “The dignity of this act was worth the audience of kings”); (2) Honourable or high estate, position, or estimation; honour, degrees of estimation, rank (for instance, “Stones, though in dignitie of nature inferior to plants,” or “Clay and clay differs in dignity, whose dust is both alike”); (3) An honourable office, rank, or title; a high official or titular position (for instance, “He...distributed the civil and military dignities among his favorites and followers”); (4) Nobility or befitting elevation of aspect, manner, or style; becoming or fit stateliness, gravity (for instance, “A dignity of dress adorns the Great”).

spirit, others object that notions of dignity that appeal to excellence necessarily deny human dignity to many or most people, because they are essentially *comparative*. But if carefully examined, these complaints are not justified. Yes, societies accord honor to human excellence—and, yes, different societies esteem different virtues differently—but in many (if not most) cases the virtues esteemed are truly marks of superior humanity: the fireman who rushes into a burning building to save a child or the soldier who falls on a grenade to save his buddies is deserving of our admiration, and he will win it in many if not all societies. Mother Theresa and the Dalai Lama justly earn nearly universal applause; Saddam Hussein and Pol Pot justly earn nearly universal condemnation. The dignity of the First of Arkansas is displayed from within, not conferred from without; the dehumanization of Immanuel Rath is self-evident and intrinsic, not stipulated or attributed.

Although we often do contrast the virtue of one person with the vice of another—as I have just done—such judgments of excellence and its opposite are, in fact, only *accidentally* comparative. When we recognize the superior dignity of Mother Theresa we do so not by comparing her against Saddam Hussein or even against merely moderately virtuous human beings. We judge not that she is better than others (as we do in competitive sports)—though, in fact, it happens that she is—but rather that she measures up to and even exceeds a high standard of dignified and excellent conduct. We are not comparing individuals against each other; we are measuring them against a standard of goodness. Proof: courageous or generous deeds would still be courageous or generous deeds—equally dignified and equally honorable—even if *everyone* practiced them regularly. Thus, the seemingly inegalitarian nature of dignity grounded in excellence of character is not *in its essence* undemocratic, even if ethical virtue is not, in fact, displayed equally by everyone. Indeed, the fact that most of us esteem and honor conduct better than our own is strong evidence that we do not feel ourselves diminished by it. On the contrary, just as taste honors those who *appreciate* genius almost as much as it honors those who *display* genius, so the appreciation of exemplary human dignity honors also the dignity of those who can

recognize and esteem it. Excellence is only accidentally invidious; and the need to make discriminating judgments is no reason to shy away from caring for dignity.

The trouble with dignity is not that dignity is conventional rather than natural, ascribed or attributed rather than intrinsic, or that it involves making discriminations of worthiness that, alas, find some people lacking. The serious difficulty in speaking about dignity is entirely substantive: *Which* intrinsic excellences or “elevations” are at the heart of human dignity and give their bearers special worth and standing? Let me review some candidates, beginning with the dignity of heroes.

Although they did not have the term, dignity as honor linked to excellence or virtue would certainly be the view of the ancient Greeks. In the world of the poets, the true or full human being, the hero who drew honor and prizes as his dignity, displayed his worthiness in noble and glorious deeds. Supreme was the virtue of courage: the willingness to face death in battle, armed only with your own prowess, going forth against an equally worthy opponent—think Achilles against Hector—who, like you, sought a victory not only over his adversary but, as it were, over death itself. This heroic dignity, esteemed because it does not hide from the affront of our mortality but goes forward to meet it face to face, is poles apart from our bourgeois fear of death and love of medicine, though, paradoxically, it honors the human body as a thing of beauty to a degree unsurpassed in human history. Heroic excellence, following the Socratic turn, was later supplanted in Greek philosophy by the virtue of wisdom; the new hero is not the glorious warrior but the man singularly devoted to wisdom, living close to death not on the field of battle but by a single-minded quest for knowledge eternal.

Yet attractive though these candidates are (we can still read about Achilles and Socrates with admiration), the Greek exemplars are of little practical use in democratic times and, especially, in bioethical matters. True enough, courage and wisdom still contribute to dignity, and they are admirable beyond the confines of war or philosophical pursuit. For example, part of what we mean by “dignified dying” is seen in the courage with which death is faced and in the degree to which the dying person knows the score and does not shrink from the grim truth.

Nevertheless, the dehumanization evident in Huxley's *Brave New World* is not primarily that it lacks glorious warriors or outstanding philosophers (or artists or scientists or statesmen)—*though the fact that they are not appreciated in such a world is telling*. The basic problem is the absence of kinds of human dignity more abundantly found and universally shared.

In Western philosophy the most high-minded attempt to supply a teaching of universal human dignity belongs to Kant, with his doctrine of respect for *persons*. Persons, *all* persons or rational beings (human or not), are deserving of respect not because of some realized excellence of achievement but because of a universally shared participation in morality and the ability to live under the moral law. However we may finally judge it, there is something highly dignified in Kant's effort to find a place for human freedom and dignity in the face of the Newtonian world view that captures even the human being, omitting only the rational will. And, in its content, there is something austere and dignified in the Kantian refusal to confuse reason with rationalization, duty with inclination, and the right and the good with happiness (pleasure). Whatever persists of a non-utilitarian ethic in contemporary academic bioethics descends largely from this principled moralistic view.<sup>9</sup> Never mind that, for most people, human "autonomy" no longer means living under the universalizable law that self-legislating reason prescribes for itself, but has come to mean "choosing for yourself, whatever you choose," or even "asserting yourself authentically, reason be damned." Lurking even in this debased view of the "autonomous person" is an idea of the human being as something more than a bundle of impulses seeking release and a bag of itches seeking scratching. "Personhood," understood as genuine moral agency, may indeed be threatened by powers to fiddle around with human appetites through psychoactive drugs or computer chips implanted in brains. We are not wrong to seek to protect it.

Yet Kant's respect for persons is largely formal, abstracting from how persons actually *exercise* their freedom of will. If, as he suggests, universal human dignity is grounded in the

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<sup>9</sup> The respect for persons so widely celebrated in the canons of ethics governing human experimentation is in fact a descendant of Kant's principle of human autonomy and the need to protect the weak against the powerful.

moral life, in that everyone faces and makes moral choices and is capable of living under the moral law, greater dignity would seem to attach to having a *good* moral life, that is, on choosing *well* and on choosing *rightly*. Is there not more dignity in the courageous than in the cowardly, in the moderate than in the self-indulgent, in the righteous than in the wicked, in the honest man than in the liar?<sup>10</sup> Should we not distinguish between the basic dignity of *having* freedom and the greater dignity of *using it well*?

But there is a deeper difficulty with the Kantian dignity of “personhood.” It is finally inadequate for our purposes, not because it is undemocratic or too demanding, but because it is, in an important respect, *inhuman*. Precisely because it dualistically sets up the concept of “personhood” in *opposition* to nature and the body, it fails to do justice to the concrete reality of our embodied lives, lives of begetting and belonging no less than of willing and thinking. Precisely because it is universalistically rational, it denies the importance of life’s concrete particularity, lived always locally, corporeally, and in a unique trajectory from zygote in the womb to body in the coffin. Precisely because “personhood” is distinct from our lives as embodied, rooted, connected, and aspiring beings, the dignity of rational choice pays no respect at all to the dignity we have through our loves and longings—central aspects of human life understood as a grown togetherness of body and soul. Not all of human dignity consists in reason or freedom.

It is, I note in passing, easy to see why the notion of “*personal* dignity” is of limited value in the realm of bioethics. Although the bioethics of personhood is very good at defending those aspects of human dignity tied to respect for autonomy against violations of human will, including failures to gain informed consent and excessive paternalistic behavior by experts and physicians, this moral teaching has very little to offer in the battle against the dehumanizing hazards of a

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<sup>10</sup> This is not to say that one should treat other people, including those who live immorally and eschew dignity, as if they lacked it. To the contrary, it may be salutary to treat people on the basis of their capacities to live humanly and with dignity, despite even great fallings short or even willful self-degradation. Yet this would require that we expect and demand of people that they behave worthily and that we hold them responsible for their own conduct.

Brave New World. For it is, in fact, perfectly comfortable with embryo farming, surrogate motherhood, cloning, the sale of organs, performance-enhancing drugs, doctoring of memory, chemical happiness, man-machine hybrids, and even extra-corporeal gestation—Why?—because these peculiar treatments of the body or uses of our embodiments are no harm to that homunculus of personhood that resides somewhere happily in a morally disembodied place. *Pace* Kant, the answer for the threat to human dignity arising from sacrificing the humanly high to the humanly urgent, the soul to the body, is not a teaching of human dignity that severs mind from body, that ignores the urgent, or that denies dignity to human bodily life as lived. The defense of what is humanly high requires an equal defense of what is seemingly “low.”

The account of *human* dignity we badly need in bioethics goes beyond the said dignity of “persons” to embrace the worthiness of embodied human life, and therewith of our natural desires and passions, our natural origins and attachments, our sentiments and repugnances, our loves and longings. What we need is a defense of the dignity of what Tolstoy called “real life,” life as ordinarily lived, everyday life in its concreteness. Our theories about human dignity need to catch up with its widespread, not to say ubiquitous, existence.

As we learn from everyday life, the dignity of being human is perfectly at home in ordinary life, and I would add, in democratic times. Courage, moderation, generosity, righteousness, and the other human virtues are not solely confined to the few. Many of us strive for them, with partial success, and still more of us do ourselves honor when we recognize and admire those people nobler and finer than ourselves. We frequently give our wayward neighbors the benefit of the doubt, and we strongly believe in the possibility of a second chance. No one ever knows for sure when a person hitherto seemingly weak of character will rise to the occasion, actualizing an ever-present potential for worthy conduct. No one knows when, as in the case of the ex-slaves of the First of Arkansas, human dignity will summon itself and shine forth brightly. With suitable models, proper rearing, and adequate encouragement—or even just the fitting occasion—many of us can be and act more in accord with our higher natures.

In truth, if we know how to look we find evidence of human dignity all around us, in the valiant efforts ordinary people make to meet necessity, to combat adversity and disappointment, to provide for their children, to care for their parents, to help their neighbors, to serve their country. Life provides numerous hard occasions that call for endurance and equanimity, generosity and kindness, courage and self-command. Adversity sometimes brings out the best in a man, and often shows best what he is made of. As the example of Tolstoy's Ivan Illich shows, even confronting our own death provides an opportunity for the exercise of admirable humanity, for the small and great alike.

Beyond the dignity of virtue and the dignity of endurance, there is also the simple but deep dignity of human activity—sewing a dress, throwing a pot, building a fire, cooking a meal, dressing a wound, singing a song, or offering a blessing made in gratitude. There is the simple but deep dignity of intimate human relations—bathing a child, receiving a guest, embracing a friend, kissing one's bride, consoling the bereaved, dancing a dance, or raising a glass in gladness. And there is the simple but deep dignity of certain ennobling human passions—hope, wonder, trust, love, sympathy, gratitude, awe, and reverence for the divine. No account of the dignity of being human is worth its salt without them. And no technologically driven world of the future that fails to safeguard the dignity of everyday life deserves our assent.

### III. Basic Human Dignity: The Dignity of Human Being

The humanity that shines forth in human beings, whether in the great or in the small, is always something that arouses our admiration and our respect. Even when universalized, it retains the character of excellence or worthiness. Yet there are partisans of human dignity who will have none of these judgments of excellence or worth. Even when they gladly acknowledge the difference between virtue and vice, they are loath to say that one person lives a life more worthy than another. They insist that human dignity, rightly understood, is something all human beings—the base as well as the noble, the wicked as well as the righteous—enjoy *equally*, simply by virtue of their human *being*. Why do they do so, and what can we make of this claim?

To begin with, they assert the equal dignity of every human being for certain express purposes, limited ones to be sure, but crucial for any decent society: to prevent the display of contempt, and especially “*capital*” contempt with lethal consequences, for those who do not “measure up.” They seek to insure a solid level of human worth that no one can deny to any fellow human being; they wish to lean against the widespread tendency to treat the foreigner and the enemy, the misfit and the deviant, or the demented and the disabled as less human or less worthy than oneself—and especially as unworthy of basic respect and continued existence. And, following the unspeakable horrors perpetrated in the twentieth century, they wish at the very least to provide a moral barrier against the liquidation of human beings—whether in genocide or in euthanasia—often practiced by those who act in the name of their own sense of superior worth.

But even granting the soundness of the purpose—which I embrace wholeheartedly and without reservation—*asserting* that we all have “equal dignity” does not, by itself, make it so. Mere assertion will not convince the skeptic nor refute the deniers of human dignity. We need to examine the grounds for thinking that all human beings—dignified or not in their conduct—actually have, or should be treated *as if they had*, full and equal human dignity.

The first—and perhaps best—ground remains practical and political, not theoretical and ontological. If you or your government (or my doctor or health maintenance organization) wants to claim that I am, for reasons of race or ethnicity or disability or dementia, subhuman, or at least not your equal in humanity, and, further, if you mean to justify harming or neglecting me on the basis of that claim, the assertion of universal human dignity exists to get in your way. The burden of proof shifts to you, to show why I am not humanly speaking your equal: *you* must prove why you are entitled to put a saddle and bridle on me and ride me like a horse, or to deny me the bread that I have earned with the sweat of my brow, or to dispatch me from this world because I lead a sub-human existence. You will, in fact, face an impossible task: you will be unable to prove that you possess God-like knowledge of the worth of individual souls or carry the proper scale of human worth for finding me insufficiently “weighty” to deserve to continue

to breathe the air. In this approach, I offer not a metaphysically grounded proof but a rhetorically effective demonstration—shown precisely by my asserting my equal dignity—that I, like you, am a somebody, like you born of woman and destined to die, like you a member of the human species each of whose members knows from the inside the goodness of his own life and liberty.

Mention of life and liberty reminds us that, for Americans *as* Americans, the doctrine of human equality and equal humanity has its most famous and noblest expression in the Declaration of Independence. It is, in fact, to the principles of the Declaration that some people repair in seeking to ground the dignity of human being, and it makes some sense to try to do so. We Americans, in declaring ourselves a separate people, began by asserting our belief in the self-evident truth, “That all men are created equal.” However human beings might differ in talent, accomplishment, social station, race, or religion, they are, according to the Declaration, self-evidently equal, at least in this: “That they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness.”

I yield to no one in my admiration of these passages, and they have always seemed to me to be, exactly as claimed, self-evidently true—neither requiring proof nor admitting of proof, yet evident on their face. But they do not go far enough in providing a ground for the *equal dignity* of human being as such. True, some interpreters of these passages, placing great weight on the words “*created*” equal and “*by their Creator,*” suggest that human beings have dignity because God, in creating humankind, *gave* it to them. But the text does not say that the Creator gave all men dignity; indeed, it does not speak of equal dignity but of equal rights. The thrust of the assertion of human equality atop the list of self-evident truths (whose enumeration is ultimately intended to reach and establish a right of revolution against governments that fail to safeguard rights) falls forward onto the claim of equality of unalienable rights: all human beings *qua human* possess so-called natural rights—rights not dependent on positive law or human agreement—the rights to life, to liberty, and to pursue (that is, “practice”) happiness as each person sees fit.

The relation between possessing rights and possessing human dignity is, however, still unclear. If one traces the pedigree of the idea of natural rights back to their sources in Hobbes and Locke, one discovers that these rights rest not on anything humanly lofty (such as dignity) but instead on something humanly low (namely, self-love). The natural “right to life” in its 18<sup>th</sup> Century meaning is not a right *to be* or *to stay alive* or even a right *not to be killed or harmed*. It is rather a right to practice active self-preservation, the right to defend, protect, and preserve your life not only against those who threaten your life but also in the face of those who would deny the rightfulness of your liberty to do so (for example, by insisting that you must “turn the other cheek”). The right to life is a (negative) right against interference with acts of self-preservation; and it rests, in short, on the precariousness of human life, the equal “kill-ability” of every human being, and especially on the self-conscious passion that each of us legitimately has for our own continued existence.

It follows that human dignity is *not* the foundation of these inalienable rights, nor is dignity ours by virtue of the mere fact that we possess them. Human dignity is to be found, rather, in *asserting* your rights, and, even more, in *standing up* for them, in defending your rights and the rights of fellow human beings against those who threaten or deny them or who interfere with their exercise. The true manifestation of dignity in the American Founding is found at the end of this revolutionary declaration, as the signers declare, “And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, *we mutually pledge to each other our lives, our fortunes, and our sacred honor*” (emphasis added). *Having* equal natural rights is neutral (or less) with respect to dignity; *exercising* them in the face of their denial carries the dignity of self-assertion; *defending* with one’s life and honor the rights of a whole people is high dignity indeed.

Some people suggest that our equal dignity resides not in our rights but in that more fundamental truth that makes rights necessary: our common mortal fate and our consciousness of

this fact.<sup>11</sup> But as was true with rights, so with vulnerability: our equal human dignity cannot reside in our equal mortality or our equal capacity to suffer. There is, truth to tell, *nothing* dignified in vulnerability as such or in the fact of suffering per se; a sufferer *as sufferer* merely undergoes, merely receives—as passive patient—what is inflicted by the active “agent,” natural, human, or divine. To be sure, for Christians, Christ on the Cross may be regarded as the supreme exemplar of human dignity, notwithstanding the fact that the image of the crucified man-God is, deliberately, a complete inversion of what would ordinarily and everywhere be regarded as “dignified” or “elevated.” But even here, it is not suffering *as such* but suffering understood and accepted as *sacrificial* and as *redemptive* that alone makes the crucified Jesus the epitome of dignity. Self-inflicted suffering or self-mutilation for no higher purpose is utterly undignified, and there is no dignity in being merely an object to which something happens, no dignity in being “a patient” in the sense of being passive. If there is dignity to be found in the vicinity of suffering, it consists either in the purpose for which suffering is borne or in the manner in which it is endured. The virtue of “patience” in the presence of suffering is itself anything but passive. Dignity with respect to suffering, like dignity with respect to rights, is a matter of virtue and strength of soul. Not everyone has it, and it therefore cannot be the basis of the equal dignity of human being.

A deeper ground for our equal human dignity—natural and ontological, not merely political—may perhaps be found in our equal membership in the human species. All members of the class *Homo sapiens* are equally members of that class, and share thereby in whatever standing and dignity adheres to the class as a whole, especially, for example, in contrast with the dignity of other animals. There is surely something to this suggestion. Even when we condemn or show contempt for another person—and even when such condemnation and contempt are

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<sup>11</sup> Consider, for example, Pascal: “Man is but a reed, the feeblest in nature, but he is a thinking reed. The universe need not arm itself to crush him. A vapor, a drop of water, is sufficient to slay him. But were the universe to crush him, man would still be nobler than that which kills him, for *he knows that he dies*, while the universe knows nothing of the advantage it has over him. Thus our whole dignity consists in thought.” (*Pensées*, 347; emphasis added.)

richly deserved, as, for example, for a Stalin or a Hitler—we cannot help but notice that he is, alas, “one of us.” Indeed, the condemnation comes precisely from the great gap between his despicable deeds and what we have good reason to expect from another member of our species; we do not find fault with lions and tigers for *their* predatory and lethal conduct.

As it happens, the recognition of the human “species-form” or *gestalt*—upright posture, eyes to the horizon, hands fit for grasping, fingers for pointing, arms for embracing or cradling, and mouths fit for speaking and kissing no less than for eating—functions silently yet surely to elicit a primordial recognition from our fellow species members. Such mutual identification is the basis of hospitality to strangers, acts of good Samaritans, or even just a nod of recognized human kinship when we pass one another on the street. The salutary reminder of common humanity, even in the face of severe deformity or degradation, puts a limit on possible tendencies to banish another human being, in thought or in deed, from the realm of human concern and connectedness or even from the world of the living. Our almost untutored ability to recognize the *humanum* in the other prevents many an outrage and many a violation, and it encourages many a sympathetic word and many a charitable deed.

So far so good. Yet once again, trouble comes if we are compelled to answer just what it is about membership in *Homo sapiens* that justifies allowing our “species pride” or sense of special worthiness to serve as guarantor of the inviolability of our life and being. The (higher) animals too are not without their special dignity and special standing.<sup>12</sup> Thus, the dignity that attaches to us as human beings cannot be grounded simply in our being alive or in being members of a closed interbreeding population; the same properties, to repeat, belong also to chimpanzees and cheetahs and kangaroos. Once again, the elevated moral status of the human species must turn on the special capacities and powers that are ours and ours alone among the creatures.

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<sup>12</sup> For beautiful presentations of this point, see Adolf Portmann, *Animal Forms and Patterns* (Faber and Faber, 1964; paperback, Schocken Books, 1967) and *Animals as Social Beings* (Viking Press, 1961).

Thus, to speak of dignity as predicable of all human beings, say in contrast to animals, is to tie dignity to those distinctively human features of human animals, such as the capacities for thought, image-making, freedom and moral choice, a sense of beauty, love and friendship, song and dance, family and civic life, the moral life, and the impulse to worship. Yet once we introduce these material properties, we will be hard pressed not to assess the dignity of particular human beings in terms of the degree to which they *actually manifest* these attributes and activities of life. For the universal attribution of dignity to human beings on the basis of the specific attributes of our humanity pays tribute only to human *potentiality*, to the *possibilities* for human excellence. Because, as the scholastics rightly taught, “actuality” is prior—both in speech *and* in being—to “potentiality,” *full* dignity, or dignity properly so-called, will depend on the *realization* of these possibilities.

For partisans of the “equal dignity of human being,” the search for its content has reached a troubling point: the ground of our dignity lies in the humanly specific potentialities of the human species, but this basic dignity is not *dignity in full*, is not the *realized* dignity of fine human *activity*. Questions again arise regarding the dignity of those members of our species who have lost or who have never attained these capacities, as well as those who use them badly or wickedly. The horizontal ground of the egalitarian dignity of human being appears to be shifting in the direction of the vertical scale of being (more and less) actually and actively human.

Having now come at human dignity from two directions—beginning the first time from the dignity of flourishing humanity at its heroic peak, and beginning the second time from the dignity of human life at its primordial level of mere existence—we note a curious coincidence: the more “aristocratic” account could not help but be universalized and democratized, once we learned how to find virtue and read worthiness in the doings of everyday life; and the more “egalitarian” account could not help but introduce standards of particular excellences, once we were forced to specify what *it is* about human beings that make them worthy of special dignity. This convergence of the two accounts invites the suggestion that the two aspects of dignity

actually have something to do with one another, indeed, that they may be mutually implicated and interdependent. The final section of this paper briefly offers several suggestions as to how and why this might be true.

#### IV. The Dignity of Being “In-Between”: Human Aspiration, Transcendent Possibilities

Let me suggest three aspects of the relationship between the dignity of human being and the dignity of being human: mutual dependence; the ground of human aspiration; and intimations of transcendence.

First, the (lower) dignity of human being and the (higher) dignity of being human are mutually interdependent, but in different ways. The flourishing of human possibility—in each of its many admirable forms—depends absolutely on active human vitality, that is, on the goodness and worth of life as such. The humanly high depends *for its very existence* on the humanly low, on the mere existence and well-working of the enlivened human body. One image for this relation of dependence is that between ceiling and floor: no floor, no ceiling.<sup>13</sup> But the architectural comparison is misleading, for it suggests independent and separate “structures” piled one atop the other, whereas the living relation between the high and the low is—no surprise—*organic* and *integral*: the human being, in every stage of life and degree of health, is a psychophysical unity, with all its powers and all aspects of its activity grown-together and interconnected.

As a consequence, just as the higher human powers and activities depend upon the lower for their existence, so the lower depend on the higher for their standing; they gain their worth or dignity mainly by virtue of being integrated with the higher—because the nature of the being is human. What I have been calling the *basic* dignity of human *being*—sometimes expressed as the “sanctity of human life,” or the “respect owed to human life” as such—in fact depends on the *higher* dignity of being *human*.

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<sup>13</sup> I have myself used half of such an image, in speaking about “basic” dignity, the dignity of the base or foundation, though the counter-pole I have employed, “full dignity,” is not architectural.

This mutual dependence of the two aspects of human dignity can be clearly illuminated if we ask why murder is wrong, why we (and all civilized people) hold innocent life to be inviolable—a subject I have explored elsewhere.<sup>14</sup> Particularly helpful is a philosophical examination of the biblical story of the Noahide law and covenant (Genesis 9), where a paradigmatic law against murder is explicitly promulgated for all humankind united, well before there are Jews or Christians or Muslims. Unlike the more famous enunciation of a similar prohibition in the Ten Commandments (“Thou shalt not murder”; Exodus 20), the earlier formulation offers a specific reason why murder is wrong.<sup>15</sup>

The prohibition of murder—or, to be more precise, the institution of retribution for shedding human blood—is part of the new order following the Flood. Before the Flood, human beings lived in the absence of law or civil society. The result appears to be something like what Hobbes called the state of nature, characterized as a condition of war of each against all. Might alone makes right, and no one is safe; in consequence the world descends into chaos. The Flood washes out human life in its *natural* (that is, uncivilized) state; immediately after the Flood, primordial law and justice are instituted, and nascent civil society is founded.

At the forefront of the new order is a newly articulated respect for human life,<sup>16</sup> expressed in the announcement of the punishment for homicide:

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<sup>14</sup> “Death with Dignity and the Sanctity of Life,” in *Life, Liberty, and the Defense of Dignity*, and “Elementary Justice: Man, Animals and the Coming of Law and Covenant,” in *The Beginning of Wisdom: Reading Genesis*, both cited above.

<sup>15</sup> Non-religious readers may rightly express suspicion at my appeal to a biblical text for what I will claim is a universal or philosophical explanation of the taboo against murder. This suspicion will be further increased by the content of the text cited. Nevertheless, properly interpreted, I believe the teaching of the passage stands free of its especially biblical roots, and offers a profound insight into the ground of our respect for human life.

<sup>16</sup> This respect for human life, and the self-conscious establishment of society on this premise, separates human beings from the rest of the animals. This separation is made emphatic by the institution of meat-eating (9:1-4), permitted to men here for the first time. (One can, I believe, show that the permission to eat meat is a concession to human blood lust and voracity, not something cheerfully and happily endorsed.) Yet, curiously, even animal life must be treated with respect: the blood, which is identified as the life, cannot be eaten. Human life, as we shall see more clearly, is thus both continuous and discontinuous with animal life.

*Whoever sheddeth man's blood, by man shall his blood be shed; for in the image of God was man made. (9:6)*

In this cardinal law, combining speech and force, the threat of capital punishment stands as a deterrent to murder and provides a motive for obedience. But the measure of the punishment is instructive. By equating a life for a life—no *more* than a life for a life, and the life only of the murderer, not also, for example, of his wife and children—the threatened punishment implicitly teaches the *equal* worth of each human life. Such equality can be grounded only in the equal *humanity* of each human being. Against our own native self-preference, and against our tendency to overvalue what is our own, blood-for-blood conveys the message of universality and equality.

But murder is to be avoided not only to avoid the punishment. That may be a motive, which speaks to our fears; but there is also a reason, which speaks to our minds and our loftier sentiments. The fundamental reason that makes murder wrong—and that even justifies punishing it homicidally!—is man's divine-like status.<sup>17</sup> Any man's *very being* requires that we respect his life. Human life is to be respected more than animal life—Why?—because man is more than an animal; man is said to be god-like. Please note that the *truth* of the Bible's assertion does *not* rest on biblical authority: man's more-than-animal status is in fact performatively proved whenever human beings quit the state of nature and set up life under such a law—as only the god-like animal can do. The law that establishes that men are to be law-abiding both insists on, and thereby demonstrates the truth of, the superiority of man.

How is man god-like? Genesis 1—where it is first said that man is created in God's image—introduces us to the divine *activities* and *powers*: (1) God speaks, commands, names, and blesses; (2) God makes and makes freely; (3) God looks at and beholds the world; (4) God is concerned with the goodness or perfection of things; (5) God addresses solicitously other living

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<sup>17</sup> The second part of verse 6 seems to make two points: man is in the image of God (that is, man is god-like), and man was made thus by God. The decisive point is the first. Man's creatureliness cannot be the reason for avoiding bloodshed; the animals too were made by God, yet permission to kill them for food has just been given. The full weight rests on man's *being* "in the image of God."

creatures. In short: God exercises speech and reason, freedom in doing and making, and the powers of contemplation, judgment, and care.

Doubters may wonder whether this is truly the case about God—after all, it is only on biblical authority that we regard God as possessing these powers and activities. But even atheists recognize that we human beings have them, and that they lift us above the plane of a merely animal existence. Human beings, alone among the earthly creatures, speak, plan, create, contemplate, and judge. Human beings, alone among the creatures, can articulate a future goal and bring it into being by their own purposive conduct. Human beings, alone among the creatures, can think about the whole, marvel at its many-splendored form and articulated order, wonder about its beginning, and feel awe in beholding its grandeur and in pondering the mystery of its source.

A complementary, preeminently moral, gloss on the “image of God” is provided—quite explicitly—in Genesis 3, at the end of the so-called second creation story:

Now the man is become *like one of us* knowing good and bad. . . . (3:22; emphasis added.)<sup>18</sup>

Human beings, unlike the other animals, distinguish good and bad, have opinions and care about their difference, and constitute their whole life in the light of this distinction. Animals may suffer good and bad, but they have no notion of either. Indeed, the very pronouncement, “Murder is bad,” constitutes proof of *this* god-like quality of human beings.

In sum, the human being has special dignity because he shares in the godlike powers of reason, freedom, judgment, and moral concern, and, as a result, lives a life freighted with moral self-consciousness above the plane of a merely animal existence. Speech and freedom are used, among other things, to promulgate moral rules and to pass moral judgments, first among which is that homicide is to be punished in kind because it violates the dignity of such a moral being. We

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<sup>18</sup> In the first creation-story, Genesis 1-2:3, man is created straightaway in God’s likeness; in this second account, man is, to begin with, made of dust, and he *acquires* god-like qualities only at the end, and then only in transgressing.

reach a crucial conclusion: the *inviolability* of human life rests absolutely on the higher *dignity*—the god-like-ness—of human beings.

Yet man is, at most, only *godly*; he is not God or a god. To be an image is also to be *different* from that of which one is an image. Man is, at most, a *mere* likeness of God. With us, the seemingly godly powers and concerns just described occur conjoined with our animality. God's image is tied to blood, which is the life.

The point is crucial, and (like the previous insight about man's superior dignity) stands apart from the text that teaches it: everything high about human life—thinking, judging, loving, willing, acting—depends absolutely on everything low—metabolism, digestion, respiration, circulation, excretion. In the case of human beings, “divinity” needs blood—or “mere” life—to sustain itself. And because of what it holds up, human blood—that is, human life—deserves special respect, beyond what is owed to life as such: the low ceases to be the low. (Modern physiological evidence could be adduced in support of this thesis: in human beings, posture, gestalt, respiration, sexuality, and fetal and infant development, among other things, all show the marks of the co-presence of rationality.) The biblical text elegantly mirrors this truth about its subject, subtly merging both high and low: though the *reason* given for punishing murder concerns man's *godliness*, the *injunction* itself concerns man's *blood*. Respect the god-like; don't shed its blood! Respect for anything *human* requires respecting *everything* human, requires respecting human *being* as such.

In a word, the wanton spilling of human blood is a violation and a desecration, not only of our laws and wills but of being itself. There is, finally, no opposition between the dignity of human *being* (or “the sanctity of life”) and the dignity of being *human*. Each rests on the other. Or, rather, they are mutually implicated, as inseparable as the concave and the convex. Those who seek to pull them apart are, I submit, also engaged in wanton, albeit intellectual, violence.<sup>19</sup>

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<sup>19</sup> The rest of the essay, “Death with Dignity and the Sanctity of Life,” goes on to explore the implications of this insight for specific ethical questions regarding end-of-life care and end-of-life decision-making. Arguments are made as to why euthanasia and assisted-suicide cannot be defended by appeals to human dignity.

The dignity of being human depends not only for its *existence* on the presence and worth of human vitality; our dignity's full realization in admirable human activity depends for its *active pursuit* and *attainment*—the second aspect of their relationship—on human *aspiration*, which, although directed toward the high, is driven by sources in animate vitality itself. Everything humanly high gets its energizing aspiration from what is humanly low. Necessity is not only the mother of invention; it is also the mother of excellence, love, and the ties that bind and enrich human life. Human life is lived always with and against necessity, struggling to meet and elevate it, not to eliminate it. Like the downward pull of gravity without which the dancer cannot dance, the downward pull of bodily necessity and fate makes possible the dignified journey of a truly human life. It is a life that will use our awareness of need, limitation, and mortality to craft a way of being that has engagement, depth, beauty, virtue, and meaning—not despite our embodiment but *because* of it.<sup>20</sup> Human aspiration depends absolutely on our being creatures of need and finitude, and hence of longings and attachments. Pure reason and pure mind have no aspiration; the rational animal aspires in large part because he is an animal.

This discovery gives rise to what might seem to be a paradox: human dignity is ours in part because of our “animality,” because we are not incorporeal minds, angels, or gods. Indeed, once again it is our in-between status—at once god-like *and* animal—that is the deep truth about our nature, the ground of our special standing, and the wherewithal of our flourishing. Yet, at the same time, human dignity is not on all fours with the dignity of the other animals, even if it is linked to theirs and belongs to us only because we, like they, are embodied creatures.

Perhaps the most profound account of human aspiration is contained in Socrates' speech about *eros* in Plato's *Symposium*. *Eros*, according to Socrates' account, is the heart of the human soul, an animating power born of lack but pointed upward. *Eros* emerges as both self-seeking and overflowingly generative: it is said to be the longing “for the good to be one's own always,” as well as “of giving birth and immortality.” At bottom, *eros* is the fruit of the peculiar

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<sup>20</sup> For an elaboration of these “blessings of mortality,” see my “*L'Chaim* and Its Limits: Why Not Immortality?” in *Life, Liberty, and the Defense of Dignity: The Challenge for Bioethics*.

conjunction of and competition between two conflicting aspirations conjoined in a single living body, both tied to our finitude: the impulse to self-preservation and the urge to reproduce. The first is a self-regarding concern for our own personal permanence and satisfaction; the second is a self-forgetting—and, finally, self-denying—aspiration for something that transcends our own finite existence, and for the sake of which we spend and even give our lives.

Other animals, of course, live with these twin and opposing drives. And, as Socrates suggests, *eros* is a ruling power also in the lives of other animals. But *eros* in the other animals, who are *unaware* of the tension between these twin and opposing drives, manifests itself exclusively in the activity of procreation and the care of their offspring—an essential aspect of the dignity of all animal life. Socrates speaks of the noble self-sacrifice often displayed by animals on behalf of their young. And I would add that all animal life, by one path or another, imitates the “noble” model of the salmon, swimming upstream to spawn and die.

But *eros* comes fully into its own as the arrow pointing upward only in the human animal, who is conscious of the doubleness in his soul and who is driven to devise a life based in part on the tension between the opposing forces. Human *eros*, born of this self-awareness, manifests itself in explicit and conscious longings for something higher, something whole, something eternal—longings that are ours precisely because we are able to elevate the aspiration born of our bodily doubleness and to direct it upwards toward the good, the true, and the beautiful. In the human case, the fruits of “erotic giving-birth” are not only human children, but also the arts and crafts, song and story, noble deeds and customs, fine character, the search for wisdom, and a reaching for the eternal and divine—all conceived by resourcefulness to overcome experienced lack and limitation, and all guided by a divination of that which would be wholly good and lacking in nothing.

Aspiration, I am suggesting, is the mother of all aspects of the dignity of being human. Though born of our frailty and bodily neediness, it is sired also by a divine spark to which—miraculously—Being has prepared the human animal to recognize and pursue. This transcendent

possibility is the third aspect of the relationship between what is humanly low and what is humanly high; indeed, it is a possibility that points us to what is high, indeed highest, simply.

Once again, an ancient story shows us the point. In the Garden of Eden, the serpent tempts the woman into disobedience, by promising her that if she eats from the forbidden tree of the knowledge of good and bad her eyes will be open and she “will be as gods, knowing good and bad.” But, as the text comments with irony, when the human pair disobeyed “their eyes were opened and they saw that they were naked.” Far from being as gods, they discovered their own sexuality, with its shameful implications: their incompleteness, their abject neediness of one another, their subjection to a power within them that moves them toward a goal they do not understand, and the *ungodly* bodily ways in which this power insists on being satisfied—not standing upright contemplating heaven but lying down embracing necessity.

As in Socrates’ account, the discovery of human lowliness is the spur to rise, but here it comes in two stages, one purely human, the other something more. First, the human beings, refusing to take their shame lying down, take matters into their own hands: “and they sewed fig leaves and made themselves girdles.” Covering their nakedness, out of a concern for approbation one from the other, human lust is turned into *eros*, into a longing for something more than sexual satisfaction. Shame and love are born twins, delivered with the help of the arts of modesty and beautification.

But there is more. Immediately after covering their nakedness, reports the text, “they heard the voice of the Lord God walking in the Garden,” the first reported instance of human recognition of and attention to the divine. For it is only in recognizing our lowliness that we human beings can also discover what is truly high. The turn toward the divine is founded on our discovery of our own lack of divinity, indeed, of our own insufficiency.

It is a delicate moment: having followed eyes to alluring temptations, promising wisdom, human beings come to see, again through their eyes, their own insufficiency. Still trusting appearances but seeking next to beautify them, they set about adorning themselves, in order to find favor in the sight of the beloved. Lustful eyes gave way, speechlessly, to admiring ones, by

means of intervening modesty and art. Yet sight and love do not alone fully disclose the truth of our human situation. Human beings must open their ears as well as their eyes, they must hearken to a calling, for which sight and the beautiful beloved do not sufficiently prepare them. The prototypical human pair, opened by shamefaced love, is in fact able to hear the transcendent voice.

Thus, *awe* is also born twin to shame, and it is soon elaborated into a desire to close with and to have a relationship with the divine. The dignity of being human, rooted in the dignity of life itself and flourishing in a manner seemingly issuing only in human pride, completes itself and stands tallest when we bow our heads and lift our hearts in recognition of powers greater than our own. The fullest dignity of the god-like animal is realized in its acknowledgement and celebration of the divine.