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Dignity of Human Life in Bioethics

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Abstract

Dignity of human life is widely used in bioethics. There are many controversial topics in bioethics which uses human dignity as the basis of their argument. UNESCO's Universal Declaration of Bioethics and Human Rights placed human dignity, human rights and fundamental freedom as the basic principle of bioethics. Human dignity become a solid and strong foundation for bioethical principles, in which, human being is placed at the center of the development of science and technology and not marginalized.

Keywords: Dignitas; Human Dignity; Human Rights; Fundamental Freedoms; Intrinsic Value; Extrinsic Value; UNESCO

Introduction

The dignity of human life is a very important theme in bioethical discussions because it is related to the core of bioethics itself as the ethic (ethos) of life (bios) in which is discussed the life and death of human beings. The humilit thing in using human dignity in bioethics is that in many bioethical hot topic discussions, both side (pros and cons) use human dignity as the basis for their arguments, for example the pros cons debate on abortion, both sides use human dignity as their basic arguments. The international communities such as the United Nations and the Council of Europe have banned human cloning because it is contrary to human dignity.

Unfortunately, although the dignity of human life is used frequently in many bioethical important issues such as in banning slavery, sex exploitation, cloning, and so on, there is lack of adequate philosophical reflection so that the use of this important notion is irritating and infatigable [1,2]. This fact is not without its reasons. It is difficult to make distinctions about human dignity and its basis, the reality is much more easily grasped when there is a lack of respect or violation of human dignity [3]. In other words, the violation of human dignity is much more readily understood than the attempt to define the dignity of the human being in itself [4,5].

Etymology and Meaning of Human Dignity

The word dignity comes from the Latin word dignitas which means worth, worthiness, merit [6]. The original usages of the word dignitas referred especially to that aspect of virtue or excellence that made one worthy of honor. Dignity, then, referred both to a kind of deserving and to something deserved because of noble or aristocratic persons, noble descendant, achievements or cetera. The word dignity, thus, was closely related to an undemocratic idea. It was not applied to all people but only a limited number of persons [7].

Cicero, (106-43 B.C.) a Roman statesman, orator, and writer, coined the term dignity of human beings and gave a special meaning that was different from the common Greek virtues [8]. According to Cicero, the dignity of a human being lies in the actions that conform to the duty (obligation) [9]. In ancient Rome, the word dignitas meant the things that were obligations for a dignitary in relation with others in propriety of conduct, manners or appearance. A dignitary had to respect his rank and maintain his appearances. As the recompense for his deeds, he had the right to a particular

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Introduction

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respect [9].

Some dictionaries give meaning of dignity: The American Heritage Dictionary gives the definition as follows:

1. The quality or state of being worthy of esteem or respect.
2. Inherent nobility and worth.
3. The respect and honor associated with an important position. Merriam Webster Dictionary gives the definition: (1) formal reserve or seriousness of manner, appearance, or language. (2) the quality or state of being worthy, honored, or esteemed. (3) high rank, office, or position

Briefly, there are two different basic meaning of dignity: related to extrinsic value (respect and honor associated with an important position and high rank, office, or position) and related to intrinsic value (inherent nobility and worth and the quality or state of being worthy, honored, or esteemed). If the first meaning is the original and old meaning of dignity, the second meaning is the new and modern meaning of the dignity. In the modern meaning, the dignity of human life means the inherent nobility and worth of the life or in different value-property of the life of human beings [10]. It is the sublime value of human life that does not depend on external relationship but exists universally in all human beings as long as a human being is a human being.

The important step forward for the modern meaning of human dignity was done by Giovanni Pico della Mirandola. Giovanni Pico della Mirandola (1463-1494) was one of the most brilliant thinkers of the great Renaissance families who laid foundation on human dignity [11]. Pico was a son of the princely house of Mirandola. Firstly, he studied at Bologna and then wondering in some Italian and French universities. He was literate and proficient in Greek, Latin, Hebrew, Chaldee, and Arabic. He synthesized and reconciled Hebrew, classical, and Christian tradition. When he was only 24 years old he challenged the doctors to come to dispute with him on nine hundred grave questions. Pope Innocent VIII suspended the dispute and appointed a commission to examine the theses. Some of the theses were condemned.

One of the most widely read nowadays is "The Dignity of Man". This writing was regarded as the manifesto of humanism. The manifesto later was published in a book under title "Oration on the Dignity of man" [12]. In this book, Pico said that a human being was the most fortunate of living things and deserving of all admiration which surpasses even all the astral and very intelligent beings which dwell beyond the confines of the world [13].

The status of the highest dignity of human beings among any other creation can be traced in the creation of human beings. When the Creator created the universe, he gave some

of his creatures an intelligent and immortal soul but he found that it is only in human beings which might be moved with love at its beauty and smitten with awe at its grandeur. The Creator wanted to create such a being and He bethought himself to bring forth man and gave the man everything He had created [13]. One of the most distinctive states of human beings, according to Mirandola, was the free will. It served to shape man own being and fashion his own life in the form that he would prefer, while the other creatures were defined and restricted within laws of nature or instinct. It is important that this freedom should be ultimately guided by theoretical knowledge because without it, freedom would be worthless. The important point of freedom according to Mirandola was that man himself could choose what he willed to be [13].

The highest-minded attempt to explore the foundation and the universality of human dignity was Immanuel Kant (1724-1804). Kant's opinion on human dignity was new because - as we have discussed before that the concept dignity for human beings previously applied only to limited persons with special quality in society [7]. The central doctrine of Kant's extensive discourses on human dignity is the respect of a human being as a person who is the subject of morally practical reason [14]. According to Immanuel Kant, a man being is exalted neither by nature nor by God but by subjection to self-made law, announced and certified by conscience. Because of this, all persons deserve of respect, not because of their achievements that they had made but because of a universally shared participation in morality and the ability to live under the moral law [15]. Kant insisted that human dignity does not come from external element of human life (extrinsic value) but it is the absolute inner worth of a human being (intrinsic value). Human dignity is also not an additional or it is added sometime during the life of human being by somebody or an institution but it is embedded in the very existence of human beings. Human being is regarded as a person and is exalted above any price. All living beings have price, but only human beings have dignity [14-16]. That is the reason human being who possesses dignity "is not to be valued merely as a means to the ends of others or even to his own ends, but as an end in himself" [14].

One of the most important characters of Human dignity is rational beings who exist as an end in himself [16]. For Kant, rationality is a fundamental element of human dignity because without rationality, a being is unable to be an end in itself, cannot be conscious of its existence, and cannot self-reflect. As a rational being, human beings could examine the various beliefs, goals, intentions, and acts, even to examine his existence. For Immanuel Kant rationality went beyond mere intelligence. Intelligence is the ability to produce beliefs and actions in conformity with circumstances. In this case, animals have this intelligence because if animals are hungry, they have the capacity to produce the acts that move

them to look for something to eat. As rational being, human being goes further. He has the ability to evaluate, to compare, to re-examine his beliefs and acts so that he can be accepted or rejected in order to be suitable to the new considerations. The reception or the rejection of external stimuli based on his rationality and not merely his instinct. Human being even goes further because he has the capacity to evaluate and re-examine the basis itself so that it can be changed or re-accepted according to the new considerations [16].

In our time, some of important international documents on human dignity are coming from The International Covenant on Civil and Political Rights 1966 (ICCPR) and The International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR). In the preamble of both documents said, "Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. Recognizing that these rights derive from the inherent dignity of the human person."

The preamble of the two documents acknowledges that human beings have inherent dignity. It means that human dignity is not an additional or it is added sometime by someone or institution, but it is embedded in the very existence of human beings. The existence of human dignity cannot be separated from the existence of human being. It exists simply because human being is human being [17].

Relation between Human Dignity and Bioethics

The most authoritative document on human dignity in bioethics is article 3.1 of The Universal Declaration on Bioethics and Human Rights (UDBHR) by UNESCO. It says, "Human dignity, human rights and fundamental freedoms are to be fully respected." With this statement, UNESCO gives 3 fundamental principles of bioethics. The rest of the UNESCO principles in that declaration (article 4 to 28) are the application of the three fundamental principles.

From the preamble of the declaration, we know that the aim of the declaration is to anchor human dignity, human rights and fundamental freedoms as the basic principle of bioethics, "In dealing with ethical issues raised by medicine, life sciences and associated technologies as applied to human beings, the Declaration, as reflected in its title, anchors the principles it endorses in the rules that govern respect for human dignity, human rights and fundamental freedoms." Although there are three basic principles of Bioethics proposed by UNESCO: human dignity, human rights and fundamental freedoms, in this article, we will discuss only human dignity.

The three principles of UDBHR, actually, are the application of article 3 of the Universal Declaration of Human Right (UDHR) into bioethics. The article said, "Everyone has the right to life, liberty and security of person." The UDBHR does not describe the meaning of human dignity. Since there is close relationship between UDBHR and UDHR, we can trace the meaning of human dignity in UDHR. In the preamble of UDHR, it is said "Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom."

In the case this close relationship among different international declarations, Richard Magnus stated, "It emphasises that dignity is an unconditional worth that every human being has regardless of their intellectual or moral abilities. Thus, every human being is entitled to fundamental rights and freedom, and they should be protected from any harm to their dignity even though they have consented to such acts" [18].

As previously described human dignity as two meaning: related to extrinsic value (The respect and honor associated with an important position and high rank, office, or position) and related to intrinsic value (inherent nobility and worth and the quality or state of being worthy, honored, or esteemed). In the bioethical discussions what we mean by human dignity is the second meaning which is related to intrinsic value of human beings. It has many consequences in bioethics.

Since human dignity is based on the intrinsic value of human beings, so all human beings have equal dignity and equal rights. The equal dignity makes it imperative not to use human beings merely as mean to achieve something. In this case, Immanuel Kant in many places of his books said clearly, "For all rational beings stand under the law that each of them is to treat itself and all others never merely as a means, but always at the same time as an end in itself" [16].

Bioethics as an ethics of life has the first duty to protect human being from being abused, whether by degrading them as merely a tool or using them for something out of themselves. The scandals of medical research in past (The Doctors' Trial and Tuskegee Syphilis Study) become witnesses of the danger of human abuse in medical trial. The danger persists until now although in different level. In this case, the IRB has to place more attention to all proposals of healthcare research and during research.

Article 3.1 of the UNESCO's Universal Declaration on Bioethics and Human Rights (2005) rightly said, "Human

dignity, human rights and fundamental freedoms are to be fully respected." Any science and technology which degrade human dignity, human rights, and fundamental freedom, must be abandoned because science and technology are for human beings. Human beings are not for science and technology. Human being must be place in the center of the development of science and technology and not be place in the outsider. All development and progress of science and technologies finally must be evaluated based on human dignity, human rights, and fundamental Freedom. They cannot be contrary to the three principles.

Article 3.2 of the same declaration stated, "The interests and welfare of the individual should have priority over the sole interest of science or society." Any kind of research which violates human dignity, human rights, and fundamental freedom must be stopped because it degrades human beings. Although research may give big benefit to science and society, if the research is conducted by neglecting the interest and welfare of research subject, the research must be stopped. The good fruit and benefit of research may not justify the bad research. The Doctors' Trial and Tuskegee Syphilis Study gave clear example that how violation of human dignity cannot be approved although the fruit of the research gave benefit to society and science. From the Nuremberg Code we learn that principles of utilitarianism in ethical research have been replaced by principles of human dignity.

We see, human dignity become a solid and strong foundation for bioethical principles, in which, human being is placed at the center of the development of science and technology. Science and technology must be at the service of the human person so that final criteria for science and technology is not its utilities but on human dignity. For that reason, what is technically possible is not for that very reason morally admissible. It needs to pass bioethical clearance based on human dignity, human rights and fundamental freedoms. Marginalization of human being means the degradation of human dignity and cannot be accepted in bioethics.

We can find some examples of the application of human dignity in bioethics either in individual's opinion or in international treaties or declarations. Steven Malby in his article, "Human Dignity and Human Reproductive Cloning" [19] said that human cloning should be banned because it is contrary to human dignity. Ludvig Beckman has an interesting argument on application of human cloning in bioethics. He noticed that there are some controversies and vagueness regarding concept of human dignity and its application on bioethics but finally he said that "Commonly agreed on core view of human dignity ... that can act as the benchmark in the development of international bioethical standards." Roberto Andorno applied human dignity in in patient care.

In his interesting article [20], under the subtitle: "Human dignity as a moral standard of patient care", he said clearly, "dignity as a standard for patient care embodies a much more concrete and context specific vision of the patient as a 'person'".

There are some international treaties and declarations on the application of human dignity in bioethics, such as human reproductive cloning. Human reproductive cloning is not permitted because it is contrary to human dignity. The article 11 of The Universal Declaration on the Human Genome and Human Rights (1997) by the UNESCO stated, "Practices which are contrary to human dignity, such as reproductive cloning of human beings, shall not be permitted. States and competent international organizations are invited to cooperate in identifying such practices and in taking, at national or international level, the measures necessary to ensure that the principles set out in this Declaration are respected."

Council of Europe in 1998 issued a treaty number 168 which banned human cloning because it is contrary to human dignity. The title of the protocol is Additional Protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, on the Prohibition of Cloning Human Beings. We can understand from the title of the protocol that the human cloning is prohibited because it is against human dignity.

Conclusion

There are some discussions on the concept of human dignity in the history of its existence but now it is clear enough for the basic of bioethics. The core issue of its application on bioethics is to maintain the position of human being in the center development of science and technology. The Dignity of human beings cannot be marginalized or reduced. The rapid development of science and technology tends to reduce human beings only as a tool to achieve their goals. In fact, science and technology must be at the service of the human person and not human person for science and technology.

In this case, the final criteria for bioethical issues regarding science and technology are human dignity which is closely related with the respect for human life. UNESCO rightly said, "The interests and welfare of the individual should have priority over the sole interest of science or society." (Article 3.2 of UDBHR). It means that all scientific and technological development which is contrary to interest and welfare of individual has to be stopped. What is technically possible is not for that very reason morally admissible. Science and technology have to pass bioethical clearance which respect, defense, and promote human dignity.

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