

**TANGAZA COLLEGE
THE CATHOLIC UNIVERSITY OF EASTERN AFRICA**

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**THE DIGNITY OF HUMAN PERSON
The Morality of Human Act and the Problem of Moral Judgment:
A Catholic Perspective.**

Supervisor

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A Long Essay Submitted in Partial Fulfillment of the Requirements for the
Baccalaureate in Sacred Theology

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DEDICATION

This Long Essay is dedicated to the victims of WAGGALA Massacre (1984), in Wajir District-North Eastern Province of Kenya, Red Terror or well known as Qey Shibbir (1977-1978) in Ethiopia and The Rwandan Genocide (1994) where an estimated 800,000 people in the small East African nation of Rwanda were murdered.

EPIGRAPH

The Dignity of Human Person is an ideal worth fighting for and worth dying for.

ACKNOWLEDGMENT

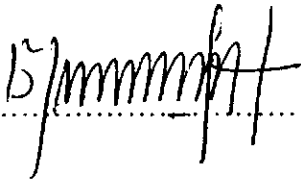
I am greatly indebted to my supervisor Rev. Fr., David Mbugua, O.F.M. Cap., for his valuable and scholarly criticism, comments and useful suggestions on the contents, the first draft, the second, the third and the last draft of the essay. And also, I would like to express my gratitude to all those who assisted me in the carrying on the research. Particular thanks go to my formators and all who assisted me until the dead line of the writing of this work. Great appreciation and heartfelt gratitude goes to Fr., A. Bellagamba, IMC for his encouraging and sacrifice of his spare time in proof reading of this paper. Am also grateful to my family for their moral assistance throughout the writing of this paper

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STUDENT'S DECLARATION

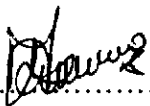
I, the undersigned, declare that this thesis is my original work achieved through my personal reading, scientific research method and critical reflection. It is submitted in partial fulfillment of the requirements for the Baccalaureate Degree in Theology. It has never been submitted to any other College or University for academic credit. All sources have been cited in full and acknowledged.

Signed: 

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This Long Essay has been submitted for examination with my approval as the College supervisor.

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LIST OF ABBREVIATIONS

AMECEA	Association of Member Episcopal Conference in Eastern Africa
art.	Article
CUEA	Catholic University of Eastern Africa
CCC	<i>Catechism of the Catholic Church</i> (11 October 1992)
Cf.	Confer: -Compare
Cor.	Corinthians
DV	JOHN PAUL II, <i>Encyclical Letter, Dominum Vivificantem</i> (11 August 1879)
ed.	edited by
e.g	exempli gratia; for example
EDU	Ethiopian Democratic Union
ELF	Eritrean Liberation Front
EPLF	Eritrean People's Liberation Front
Eph.	Ephesians
GS	<i>Pastoral Constitution on the Church in the Modern World</i> Vatican II, <i>Gaudium et Spes</i> , (7 Dec. 1965)
Gen.	Genesis
i.e.	id est - that is
Jn.	John
JAIL	<i>Journal of African and International Law</i>
Pt.	Peter
Ps.	Psalms
PP	Paul VI, <i>Encyclical Letter, Populorum Progressio</i> , (26 March 1967)
RH	John Paul II, <i>Encyclical Letter, Redemptor Hominis</i> (3 Apr. 1979)
UDHR	<i>Universal Declaration of Human Rights</i> , (10 Dec 1984)
UN	United Nations
WSLF	Woyane People's Liberation Front

GENERAL INTRODUCTION

Social Darwinism was foremost amongst the philosophies impacting views of human dignity in the decades leading up to Nazi power in Germany. Charles Darwinism's evolutionary theory was quickly applied to human beings and social structures. The term 'survival of the fittest' was coined and seen to be applicable to humans. Belief in the inherent dignity of all humans was rejected by social Darwinists. Influential authors of the theory proclaimed that an individual's worth and value were to be determined functionally and materialistically. The popularity of such views ideologically prepared German doctors and nurses to accept Nazi social policies, promoting survival of the fittest humans.¹ Clearly this ideology ignored that human life possesses an intrinsic dignity and value because it is created by God in his own image for the distinctive destiny of sharing in God's own life. And also a failure to believe that all humans are made in the image and likeness of God, which calls man to respect all humans based on an inherent dignity.² Pope John Paul II emphasizes in *Evangelium Vitae* that "...when the sense of God is lost, the sense of man is threatened and poisoned, as the Second Vatican Council concisely states: "...when God is forgotten, the creature itself grows unintelligible."³

The Main Objective

The Aim of this work is addressing the truth about the inherent human dignity, equality and justice, the sanctity of human life, and of a person's rights, regardless of

¹ Cf. DÓNAL P. O'MATHÚNA, *Human dignity in the Nazi era*, 9.

² Cf. JOSEPH FICHTNER, *Man the Image of God, A Christian Anthropology*, 116.

³ *EV*, 24.

ethnicity, religion, gender, status and health; analyzing the culture of violence in contemporary society; proposing ways to establish a culture of peace and promote human dignity amid this culture of violence. Violence is viewed from the behavioral, social, political and moral perspectives. Different systems and human attitudes promote and contribute to a culture of violence. It underlines that the human person must be treated as a subject and fellowman, human dignity must be respected. To accomplish this, there must be: change in human attitudes through respect, understanding and dialogue; moral revolution through justice and responsibility; indeed, the first sentence of chapter one states that 'inherent human dignity' should be recognized.

The vision within Catholic Social Teaching calls us to look first to the common humanity we share and recognize that our humanity and destiny are tied together. In dealing with the issue of human dignity and its effects, we are called and challenged to recognize the inherent worth and dignity of each person, and then take up the challenges that we find ourselves facing. Without such a perspective and focus, no long lasting solutions can be possible and greater number of human lives can be lost in the effort to develop and improve science and technology. Any development either scientific, cultural or social, must recognize that human dignity originates from God and is of God, because we are made in God's own image and likeness (Gen 1: 26). *GS Article 19*, the Pastoral Constitution on the Church in the Modern World, clearly states that human dignity rests above all on the fact that humanity is called to communion with God. The invitation to converse with God is addressed to men and women as soon as they are

born. For if people exist, it is because God has created them through love, and through love continues to keep them in existence.⁴

As I undertake this work, therefore, in the First Chapter we would like to define the term "dignity" emphasizing the holistic understanding of human dignity. We shall also highlight the idea of human dignity in Christian thinking. Human dignity has become also one of the most influential legal concepts of our time; therefore we shall see also the legal perspective of human dignity. In the end we bring about its background from different angles; that are scriptural, religious, philosophical, biological and lastly sociological.

In the second chapter I will fix a steady gaze on those who still lack the opportune help to achieve a way of life worth of human beings, because different factors of human life, like denial of equal dignity and equal rights, in the area of health-care abortion, euthanasia, and in the field of politics we shall see genocide and the whole philosophy of capital punishment. In this chapter also I will evaluate the problem of moral judgment and address the sanctity of human life.

"Christ's love impels us," (2 Cor. 5:14) for "he who sees his brother in need and closes his heart against him, how does the love of God abide in Him?" (1 Jn. 3:17). In chapter three which is the last chapter of this essay, I will underline the moral responsibility of each one towards the respect of inalienable human dignity as the foundation of creating a just social structure. Appreciating the equal dignity and rights of every one, we shall figure out and discuss whatever concerns the dignity of man,

⁴ Cf. GS, 19.

whatever contributes to a genuine community of peoples, through clear understanding of the human person as the heart of human society and whose dignity is deeply rooted in its relationship to God.

CHAPTER ONE: THE DIGNITY OF HUMAN PERSON

1.0 Introduction

‘Inherent human dignity’ must be recognized. This Chapter aims to provide the historical and conceptual background necessary for informed critical engagement with the ideas and arguments related to the topic. It begins considering the term dignity and the holistic understanding of human dignity as a particularly powerful and important moral, religious, philosophical, social and political, stressing, examining, explaining it as value claims with powerful social, political and economic implications. It continues exploring the foundations of human dignity from religious, scriptural, philosophical, and biological perspectives. It closes with a very brief analysis of sociological understandings of human dignity.

1.1 Understanding the Term Dignity

1.1.1 What is Dignity?

“Dignity” is a difficult word to define. Dignity is a word for “worth” rooted in the Latin *dignus* or *dignitas* meaning “due a certain respect or worthy of esteem and honor.”⁵ A fundamental inalienable dignity inheres in every human person by virtue of his uniqueness, in distinction from all other men, and from all other natural creatures. Each human being has a free will, and is capable of acts of reflection, insight, and choice. Each person is an originating source of action, has control over his own life, and is responsible for his own actions. Immanuel Kant (1724-1804) treated dignity as a concept of universal human application when he writes: act so that you treat humanity,

⁵ EDWARD, P. CRONAN, *The Dignity of the Human Person*, 18.

whether in your own person, or in that of another, always as an end and never as a means only.⁶ To treat a person as an end is to respect his dignity by allowing him the freedom to choose for himself. A person who has dignity, has the capacity to give direction to his life, and deserves respect from other rational creatures.

Often it has denoted the honor of rank so that it referred merely to the status of a dignitary. Dignity in this sense is nothing more than a privilege or prerogative or even simply a sense of decorum. Thus interpreted, dignity is a distinction gained by action or status. It will be a property attributed only to select individuals of the human species.⁷ But since the Enlightenment “dignity has increasingly meant the worth of being human. *Dignitas* became closely associated with *humanitas* as to be construed its synonym.”⁸ This guides us to be able to say what dignity is; by describing the fundamental meaning of being human. Thus the loss of dignity and even the very meaning of dignity are issues over which many human beings fight and willing to die. For this reason, dignity has become the key concept in the world wide struggle for human rights.

Today dignity is a term used in moral, ethical, scientific and political discussions to signify that a being has an innate right to respect and ethical treatment. It is an extension of the Enlightenment-era beliefs that individuals have inherent, inviolable rights, and thus it closely related to concepts like virtue, respect, self-respect, autonomy, human rights and enlightened reason.⁹ No one can deny that, it is a term with a very long philosophical history; however, it is rarely defined outright in political, legal, and

⁶ Cf. IMMANUEL, KANT, *The Critique of Judgment*, 86.

⁷ Cf. JURGEN MOLTSMANN, *On Human Dignity: Political Theology and Ethics*, iv.

⁸ JURGEN MOLTSMANN, *On Human Dignity: Political Theology and Ethics*, vi.

⁹ Cf. GABRIEL MARCEL, *The Existential Background of Human Dignity*, 68.

scientific discussions. It is generally proscriptive and cautionary. In politics it is usually synonymous with 'Human Dignity', and it is used to analyze or critique the treatment of oppressed people and vulnerable groups. In some cases it has been extended to apply to cultures and sub-cultures, religious beliefs and ideals, animals used for food or research, and even plants. In some colloquial settings it is used to suggest that someone is not receiving a proper degree of respect, or even that he is failing to treat himself with proper self-respect. But despite the fact that dignity is a word on everyone's lips, it remains elusive.¹⁰

1.2 Human Dignity

Bioethics teaches us that dignity has two related meanings. It's a property we notice in some people more than in others, having to do with gravity, seriousness, unflappability wisdom and (formerly) rank or position. It's also a property all human beings are said to possess, by virtue of which they are to be treated decently, no matter what. The second property is the one we are discussing here. Human dignity is understood in the context of human nature that includes rationality and free will, characteristics that are intrinsic to every person. Each individual embodies a human nature and therefore has dignity from his very beginning. A man's fundamental dignity as an autonomous and sovereign chooser and actor is non-negotiable and cannot be repealed, negated, or diminished by any person, group of people, government, or any other institution. Each person has a worth or dignity that should be respected under any and all circumstances or conditions. Pope Pius defines human dignity as something that is

¹⁰ Cf. JURGEN MOLTMANN, *On Human Dignity: Political Theology and Ethics*, iv.

inherently a person's God-given inalienable rights that deserve to be protected by government and promoted by the community. Dignity is a permanent and inseparable quality of autonomous human beings, because they can use their minds to judge what is right and what is wrong.¹¹

When we think of Human Dignity with respect to Catholic Theology, we will always find ourselves going back to the basics- the Bible for the answer. Catholic Theology has traditionally argued for the dignity of the human person from two theological bases- Creation and Redemption. The first base, creation, is of special importance because God created man in his likeness, in the Garden of Eden to be in fellowship with Himself and, with a higher, if not a special, status in creation. And secondly, God is not a God who made humanity and now watches us run to our destruction like a scientist watching a lab rat. Rather, God played an active role in human history-to the point where he was willing to be a redeemer, to offer forgiveness for us through his life and blood. These two bases show somehow humans possessing a special status in creation, whether it is because of our species, or spiritual connection with God. God himself gave a higher value to humanity-taking the effort to make us with His hands, from the dust, and breathing life into us. Human Dignity is in itself enshrined as the corner stone of society from the very beginning, as ordained by God through creation, and later through his covenants with his people. Thus all social institutions, governments, states, laws, human rights and respect for persons, originate in the dignity of man or his personhood. Thus his dignity serves to be the 'foundation, cause and end of all social institutions.

¹¹ Cf. <http://socyberty.com/philosophy/human-dignity-a-question-of-definition/>

Every human person deserves a certain respect, and this respect is based on the idea of natural rights. The dignity of the human person is a necessary prior assumption from which rights derive. Human rights derive from the inherent dignity of the human person.¹² “To have dignity is to have the capacity to claim one’s natural rights, to control ourselves, and to direct our own lives.”¹³ Dignity is thus something shared by all people regardless of the abilities they possess, positions they hold, or social status they claim. Therefore, human dignity is the intrinsic worth that belongs to a human being in his capacity as a responsible person. People require a social order that respects the dignity and freedom of every individual, so that they may have the opportunity to develop of their own accord and to work toward their own flourishing and happiness. Immunity from coercion makes human flourishing possible. Human dignity provides the foundation for free men and for a free society. When human dignity is preserved, then inalienable rights are possible. What I wish to emphasize is that a careful examination of active receptivity can help us formulate our conception of man and what we have called human dignity. Indeed, the time has come to deal directly with this notion of dignity.

We must admit that at present what is called the dignity of the human being, is described in terms of Kantism. According to Kant “the inalienable value of man, lies in the very fact that he is a rational being,”¹⁴ and so his faculty of understanding and comprehending the intelligible order of the world, and of conforming to certain maxims

¹² Cf. ENRIQUE DUSSEL, *It is Denial and Recognition in a Specific Context of Liberation*, 84.

¹³ EDWARD, P. CRONAN, *The Dignity of the Human Person*, 52.

¹⁴ GABRIEL MARCEL, *The Existential Background of Human Dignity*, 128.

considered as universally valid.¹⁵ However, it is my own profound belief that we cannot succeed in processing the mysterious principle at the heart of human dignity unless we succeed in making explicit the properly sacral quality peculiar to it, a quality which will appear all the more clearly when we consider the human being in his nudity and weakness—the human being as helpless as the child, the old man, or the pauper.¹⁶

Everything we have said leads us to think that if human dignity can today be fully recognized without our necessarily falling into the old groove of abstract rationalism, “it is on condition that we place ourselves in the perspective of fraternity and not of equalitarianism.”¹⁷ Here we must return to a thought I conveyed earlier in this discussion. I think it would be wrong, or at any rate unwise, to claim that human dignity is the concern only of those, whatever their form of worship may be, who explicitly recognized God as Father of all men, this dignity appearing as the very mark of the “*imago-dei*.”¹⁸

There is a temptation perceived by many men of our time to be almost irresistible, to argue from the fact of man’s morality that he is negligible as an individual, and to transfer to the collective and society that regard of which he has been

¹⁵ Cf. GABRIEL MARCEL, *The Existential Background of Human Dignity*, 128.

¹⁶ Cf. GABRIEL MARCEL, *The Existential Background of Human Dignity*, 128.

¹⁷ GABRIEL MARCEL, *The Existential Background of Human Dignity*, 133.

¹⁸ *Harper’s Bible Dictionary*, 418 “Imago Dei”, is a key word for understanding the divine-human relationship in biblical thought. The exact meaning of the phrase in Gen. 1:26-27 and 9:6 is problematic, and numerous suggestions have been proposed. To speak of human beings (“Adam”) as created in the image of God apparently refers primarily to the bodily form (the Hebrew term for “image” usually denotes a concrete likeness) but also to the spiritual attributes the physical body symbolizes. The plural pronouns of Gen. 1: 27-28 indicate that male and female share equally in the image of God and connect this idea to the two-fold commandment (“Be fruitful and multiply....and have dominion over....”, so that both in nature and functions human beings are understood to reflect their Creator., 4-5.

judged positively unworthy. The paradox which we consider briefly in here is that we can, on the contrary, find in man's finitude itself the principle of his essential dignity. How is this possible? We have to take as a point of departure that fact that "man is the only being known to us who knows himself to be mortal."¹⁹ In any case, we must not fail to note that the fact of this knowledge of one's own mortality involves the same determinateness with regard to value that we drew attention to earlier: from this ambiguous situation we can emerge only on condition that we pass beyond the limits of the ego.

1.3 Human Dignity in Christian Thought

The dignity and value of humanity is established in Creation, but is fully realized and expressed in the invitation to become a "new creature" in Christ (2 Cor. 5:17).

In *Redemptor Hominis*, Pope John Paul writes,

...we can and must immediately reach and display to the world our unity in proclaiming the mystery of Christ, in revealing the divine dimension and also the human dimension of the Redemption, and in struggling with unwearingly perseverance for the dignity that each human being has reached and can continually reach in Christ, namely the dignity of both the grace of divine adoption and the inner truth of humanity...²⁰

The anthropological focus of the Holy Father is an essential element of his thought, reflecting his use of the phenomenological method. Man, created in the image of God, has a unique, inherent value. It was always God's plan that men, despite being

¹⁹ GABRIEL MARCEL, *The Existential Background of Human Dignity*, 137.

²⁰ *RH*, 11.4.

creatures, would freely participate in his inner life. "Of all visible creatures only man is able to know and love his creator"²¹

In *Dominum et Vivificantem* John Paul II states:

"[God] has revealed to man that, as the 'image and likeness' of his Creator, he is called to participate in truth and love. This participation means a life in union with God, who is eternal life."²² The Holy Father returns to this understanding of dignity many times, using the word with a profound meaning. Man's dignity is not rooted in his temporal existence, but in where he has come from and where he is called to go. This calling is found in the revelation of Christ. In his writings, the Pontiff refers often to a phrase in *Gaudium et Spes*: "Christ, the new Adam, in the very revelation of the mystery of the Father and his love, fully reveals man to himself and brings to light his most high calling"²³

At times acknowledging his debt to Eastern sources, John Paul II writes with profundity and insight about the reality of divinization. In the Trinitarian theology and other theological reflection he addresses four key features of this vital doctrine: divinization, the adoption of man into God's family, revelation of the inherent dignity of man; it is possible only through the central mystery of the Incarnation; the Redemption is the concrete way in which the Incarnate One paved the way for man's divinization; and the divine grace, given to man, is the inner life and love of the Triune God and comes to man through the Mystical Body of Christ, the Church.

²¹ *GS*, 12. 3.

²² *DV*, 37. 1.

²³ *GS*, 22.

If man had no value in the eyes of God, Christ would not have come and taken on flesh and died. So man's dignity rests in the Redemption and within the salvific economy man becomes a "new creature." In this dimension man finds again the greatness, dignity and value that belong to his humanity. In the mystery of the Redemption man becomes newly 'expressed' and, in a way, is newly created.²⁴

The first root of human dignity in the long tradition of Christian thinking, is that of the human person as *image of God*. First, it appears in the first book of the Bible (*Genesis*, 1:26). It is echoed down through all the Fathers of the Church and its great spiritual writers, and also by the great medieval philosopher-theologians, such as St. Thomas Aquinas. He sums up the common opinion, roots this image in the possession by the human being of a spiritual soul, endowed with intellect and free will, which allows man to know and love God directly--beyond the power of any non-rational animal.

The second root of dignity in the human being is the fact that each human person is ordered, as to his final end, to direct personal union with God himself, in the 'beatific vision.' This means that there is a very special providence of God over each human person that is not true of lesser creatures not capable of such immediate personal union with God. Hence, since this is God's own providential ordering for each person's life, no created being has the right to interfere with this divine ordering of the very nature of the human being, by using him as an instrument for its own created purposes, whether this be king or state or human group of any kind. Therefore the human person, as regards this aspect of his journey, transcends the claims of all human authority, political or otherwise, cultural, social and so forth. These accords a special dignity to the human

²⁴ *RH*, 10.1

person which all other created persons must respect and not deliberately or undeliberately interfere with.

There is a third root of human dignity which St. Thomas gives special attention to— one that is not as well known in the Christian tradition outside of Thomism itself— but which I consider an especially powerful one for motivating a human response; and freedom is absolutely central in this one. As Aquinas begins the Second Part of his *Summa Theologiae*, on the return of man to God through the moral life, prefixes it with a special prologue to the whole moral life of man, in which man acts as an image of God.²⁵ This is also a clear indication that the human dignity must be respected at all cost.

Another reality is that man is made to the image of God, because he is an intellectual being endowed with free choice, and having dominion over his own self. Therefore, after having spoken about God the exemplar, it remains that we consider His image, i.e., man. In a word, the human person is the image of God in his moral life, not by obeying the commandments of God (as many Christian moralists maintain) since God himself does not obey the commandments of anyone else, but precisely by freely ‘exercising providence’ over his own life. For just as God is provident over the whole universe, so man is his image by actively exercising providence over his own little turf, that part of the universe that he controls, namely, his own life.²⁶

This is an extremely revelatory text. It makes clear that freedom itself is the central piece of man's imaging of God in the moral sphere, and in this is rooted a central part of

²⁵ Cf. THOMAS AQUINAS, *Summa Theologiae*, XII, 72.

²⁶ Cf. THOMAS AQUINAS, *Summa Theologiae*, XII, 73.

his dignity as an image of God. So freedom is after all, one of the central pillars of the human person's dignity before God and man in the Christian tradition and of his corresponding right to respect from all. But, of course, this dignity of freedom follows only from its rooting in our special relation to God. Thomist moralists have always been proud of the fact that moral evil does not consist essentially in disobeying the commandments of God, but rather in deliberately diverging from our final end and thus rejecting God's call to us to act as his image in freely exercising providence over our own journey toward our final end, union with God.²⁷ If we turn now to liberal democracy's attempt to ground the dignity of the human person, we discover first, that its central pillar is a purely secular notion of freedom, as the radical autonomy of the human will over its own choices and actions, intrinsic to human nature itself, without reference to any authority outside itself, higher or lower. Freedom is a self-grounding value. This is the fundamental affirmation of Immanuel Kant, whom Kraynak takes to be the key philosophical spokesman for the Enlightenment and the political philosophy of liberal democracy. But such a notion of freedom, without reference to any further good or value, is intrinsically ambiguous. For if autonomous freedom is cut off from any reference to truth and the good in the context of our God-given human nature, it can easily be radicalized, pushed all the way, to become the right to autonomous choice of the very meaning of our own human life itself. This is what constitutes authentic human happiness, what is the final end, if any, appropriate to our God-given nature. This in turn leads easily to a radical relativism about human values, then finally to skepticism as

²⁷ Cf. THOMAS AQUINAS, *Summa Theologiae*, XII, 73.

to whether we can truly know what objective human values and appropriate goals for human action really are.²⁸

Not a few thinkers in this tradition now draw the obvious conclusion that the moral attitude most congenial to the spirit of liberal democracy is relativism, even skepticism, about anything like a God-given human nature or any ultimate human values, or built-in final end to be pursued. But any society where the majority of its members come to think that way, will soon slip into moral chaos. But then liberal democracy itself will not be able to survive, having lost the shared unity needed to agree on enough common good for the society to be rationally self-governing and not just a battle ground for conflicting special or individual interests.

In a word, human freedom is meaningful, intelligible, not in isolation, but only in the context of our human nature as freedom for value, freedom to pursue authentic human goods. In the last analysis, it means the power to freely govern ourselves in the journey toward our God-given final end and total fulfillment, union with God himself. Freedom is not a self-sufficient, self-explanatory value by itself. It is 'freedom-for-the good'. It does not make sense, for example, to value an act of rape and murder simply because it is done freely. The present Pope has gone out of his way on numerous occasions to warn against the tendency in our modern culture to separate freedom from truth, from objective human goodness, thus leading a person or society that practices this into a self-centered, self-destructive relativism of all human values. Thus freedom, as understood by liberal democracy and its principal philosophical spokesman,

²⁸ Cf. PIUS M. SSENTUMBWE, *Dynamics of World Peace: Holy See and UN Cooperation*, 137.

Gabriel Marcel argues that Immanuel Kant, in the last analysis, unable to ground adequately its own actual existence and meaningfulness, and especially unable to ground authentic human dignity. This cannot be done without grounding human nature itself in its relation to a transcendent divine Source as both its origin and its final end. What I am trying to show is that freedom has in fact been one of the central pillars grounding human dignity in the Christian tradition itself, clearly enough expressed in St. Thomas himself, and that we do not need recourse to Kant or any others in the secular Enlightenment tradition of liberal democracy to bolster this up, nor is it wise to do so.²⁹

However, I still think that with all we know now from history, and deeper understanding of the authentic roots of human dignity under God, we can make a good case that the form of government that is most congenial to the expression of the Christian vision, must be one that allows some significant measure of active participation of the human person to fulfill the call of God to act as his image in maturely and freely exercising providence over his own journey toward his final, God-given end.

1.4 Legal Perspective of Human Dignity

Not only is the right to dignity proclaimed in national constitutions and international human rights agreements, but it is asserted with increasing frequency that dignity is the basis of all human rights and should be used as a guide to their interpretation. Ethiopia is one of the countries which has recently embraced dignity as a constitutional right, a supreme value and a guide to constitutional interpretation. The

²⁹ Cf. GABRIEL MARCEL, *The Existential Background of Human Dignity*, 142.

dignity-based jurisprudence of Ethiopian Constitutional. Court has sparked a lively debate on dignity's relationship to other values (particularly equality) and the capacity of dignity to constrain constitutional decision-making.³⁰ Kenyans have endorsed a new Constitution, largely supported by human rights activists in the country, as the new law that upholds human dignity and promotes equality for all. Human dignity is the fundamental principle of the Kenyan Constitution which was promulgated in 27th August 2010. Article 28, reads that every human person has inherent dignity and the right to have that dignity respected and protected.³¹ This backs-up the inviolability human dignity. Therefore, to respect and protect it shall be the duty of all state authority. Human dignity is thus mentioned even before the right to life. This has a significant impact on Kenyan law-making and jurisdiction in both serious and trivial matters.

Human dignity has become one of the most influential legal concepts of our time. It is commonly believed that human dignity is at the base of the international human rights culture, sparked by the Universal Declaration of Human Rights.³² This approach also reconstructs the content of the concept of human dignity in a comparative perspective and assess the merits of its recent fundamental critique. "Human dignity" has become an integral part of the vocabulary of comparative constitutionalism. Not only is the right to dignity proclaimed in national constitutions and international human rights agreements, but it is asserted with increasing frequency that dignity is the basis of

³⁰ Cf. FASSIL NAHUM, *Constitution for Nation of Nations: Ethiopian Prospect*, 112.

³¹ Cf. http://www.primeminister.go.ke/DOCS/the_proposed_constitution_of_kenya.pdf

³² Cf. <http://en.wikipedia.org/wiki/Dignity>

all human rights and should be used as a guide to their interpretation. It is part of the positive legal catalogues of fundamental rights in different constitutional systems. It has been incorporated in supranational and international human rights law by courts, even if the respective system does not contain an explicit reference to it.

Here it is clear that human dignity is inviolable. It must be respected and protected. The dignity of the human person is not only a fundamental right in itself, but constitutes the real basis of fundamental rights. The 1984 Universal Declaration of Human Rights enshrined this principle in its preamble; whereas 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. It results that none of the rights laid down in that Charter may be used to harm the human dignity of another person, and that the dignity of the human person is part of the substance of the rights laid down in it. It must therefore be respected, even where a right is restricted. Human dignity and the right to dignity, is nowadays accepted as the highest human value. Actual protection of human rights requests logically clear legal concepts legally established or thoroughly discussed in legal doctrine that would be equally understood.³³

1.5 Foundations of Human Dignity

Here we are going to examine and analyze some backgrounds or rather foundations of human dignity. Human dignity is based on factors inherent to his nature however we are going to see some of them to back up our arguments as far as human dignity is concerned.

³³ Cf. EDWARD, P. CRONAN, *The Dignity of the Human Person*, 73.

1.5.1 Scriptural Foundation

Bernard Haring states that the existence of the human being cannot be explained historically except through Christ, who is the ideal according to which we have been created and recreated. We are created in the eternal image of the Logos, the Word of God, and re-created by the Redemption through the same Christ Jesus.³⁴ Man is so thoroughly after God's image that he is formed by God directly, without the intervention of any other creature. And thus there is nothing more intimately connected with God than man.

Genesis 1: 26 and 5:1 teach that human beings were created in the image (*tselem*) and after the likeness (*Demuth*) of God. Being in the image of God, the human being possesses the dignity of a person, who is not just something, but someone. He is capable of self knowledge, of self-possession and freely giving himself and entering into communion with other persons.³⁵ And he is called by grace to a covenant with his Creator, to offer him a response of faith and love that no other creature can give in his stead.³⁶ "Man is created in the image of God"³⁷, therefore, of all visible creatures only

³⁴ Cf. BERNARD HARING, *The Law of Christ*, vii.

³⁵ Cf. CCC, 357.

³⁶ Cf. CCC, 356.

³⁷ MATTHEW HENRY, *Commentary On the Whole Bible*, 4 "Man is created in the image of God", man was made in God's image and after his likeness, two words to express the same thing and making each other the more expressive; image and likeness denote the likest image. Man's creation was more signal and immediate act of divine wisdom and power than that of the other creatures. Hitherto, it had been said "Let there be light," and "Let there be a firmament," and "Let the earth, or waters, bring forth" such a thing; but now the word of command is turned into a word of consultation, "Let us make man, for whose sake the rest of the creatures were made: this is a work we must take in to our own hand.... Man was to be a creature different from all that had been hitherto made. ... and therefore God himself not only undertakes to make him, but is pleased so to express himself as if he called a council to consider of the making of him: Let us make man. The three persons the Trinity, Father, Son, and Holy Ghost, consult about it and concur in it.....therefore God's image upon man consists in knowledge, righteousness, and true holiness, Eph. iv.24; Col. iii.10.

man is able to know and love his creator. He is the only creature on earth that God has willed for his own sake, and he alone is called to share, by knowledge and love in God's own life. For this he was created, and this is the fundamental reason of his dignity. The fundamental message of sacred scripture proclaims that the human person is a creature of God (cf. Ps 139:14-18), and sees in his being in the image of God the element that characterizes and distinguishes him.³⁸

Aquinas in *Summa Theologiae* quotes St. Augustine who writes:

*Hoc excellit in homine quia Deus ad imaginem suam hominem fecit, propter hoc quod dedit ei mentem intellectualem, qua praestat pecoribus.*³⁹

Which means whatever lacks intelligence is not after God's image. He ascribes God's image to the soul in terms of three things: Mind, awareness, and love. Now mind is not an activity, but rather a power, or even the essence of the rational soul. So God's image is not to be looked for in terms of activities.⁴⁰

1.5.2 Religious Foundation

Human dignity is a central consideration of Protestantism and Catholicism. All human beings, says the church, in as much as they are created in the image of God, have the dignity of a person. Human dignity is also a central consideration of Judaism. Talmud cautions against public charity to avoid offending the dignity of the recipient. Edward Cronan says "let human dignity be light in his eyes; for the respect due to man

³⁸ Cf. GS, 19.

³⁹ THOMAS AQUINAS, *Summa Theologiae*, XII, 52.

⁴⁰ Cf. THOMAS AQUINAS, *Summa Theologiae*, XII, 73.

supersedes a negative rabbinical command.”⁴¹ In Islamic view the most explicit affirmation of human (*karamah*) is found in the Qur’an. Qur’an 17: 570 says “We have bestowed in dignity on the children of Adam (*laqad karamnna bani Adama*) ...and conferred upon them special favors above the greater part of our creation.” Human dignity is a state in which all humans have equal potential, but which can only be actualized by living a religious life pleasing to the eyes of God (Qur’an 7:11). The Book elaborates further the manifestation of human dignity by declaring for instance, the spiritual ranking of human beings above those of the angels. The 1990 Cairo Declaration on Human Rights in Islam, states that True Faith is the guarantee for enhancing such basic human dignity along the path to human perfection.⁴² Many religions are inspired by the concept of human dignity. Many theologians contend that persons are sacred and have an intrinsic dignity, because they have been created in the image of God. However, one does not have to be religious in order to recognize and to emphasize the inherent dignity of the human person. A man's inherent dignity, along with the other natural laws, derives from the nature of man and of the creation. Because natural law can be derived from what is inherent in human nature, it would be valid even if God did not exist. What I mean here is the universality of natural law, that is to say, it applies to the entire human race, and is in itself the same for all. Every man, because he is a man, is bound, if he will conform to the universal order willed by the Creator, to live conformably to his own rational nature, and to be guided by reason.

⁴¹ EDWARD, P. CRONAN, *The Dignity of the Human Person*, 42.

⁴² Cf. <http://www1.umn.edu/humanrts/instree/cairodeclaration.html>

Roman Catholicism's rich teaching on the inherent dignity of the human person is a good example of the fruits born from the church's effort to speak to the modern world. Viewed from the theological perspective, the teaching on the dignity of the human person is a way in which the Church can articulate her traditional teaching on the created status of the human person to the contemporary world. At its core, the church's teaching on the dignity of the human person reaffirms that human worth ultimately is something that is given to human beings by God. By grounding human dignity in the theological truth that the human person is created in God's image, the Catholic Church emphasizes that, though fallen, the human person is still called to communion with God.⁴³ What is too frequently overlooked by some philosophers and theologians of the Enlightenment era, however, the Catholic Church has found in the teaching on human dignity an effective means of preaching and theologically sound way to address modern human beings, who increasingly understand themselves as endowed with certain basic rights. This is particularly important counteract the brutal experience of totalitarianism in the last century. By consistently speaking 'the truth about man' in language that is readily recognizable to modern human beings, the Catholic Church particularly during the pontificate of John Paul II, has been able to provide an effective antidote to totalitarianism's systematic denial and obliteration of basic human dignity. Catholic theology has always had to address the question of the human person's dignity. Through her meaningful affirmation of the spiritual and moral implications of the dignity of the human person, the Catholic Church was able to play a vital role in exposing the great

⁴³ Cf. *GS*, 19.

“lie” of communist totalitarianism. The prime principle of Catholic social teaching is the correct view of the human person.

"Being in the image of God, the human individual possesses the dignity of a person, who is not just something, but someone. He is capable of self-knowledge, of self-possession and of freely giving himself and entering into communion with other persons. And he is called by grace to a covenant with his Creator, to offer him a response of faith and love that no other creature can give."⁴⁴

1.5.3 Philosophical Foundation

There was in fact a school of philosophy in ancient Greece and Rome, the Stoics, who believed in dignity as a genuine possibility for all human beings claim their dignity, regardless of their circumstances, social standing or accomplishments. For the Stoics, human beings have dignity because they possess reason, and the best life, the life according to nature, is available to anyone who chooses to live in a thoughtful, or reflective way. And what our reason dictates above all is that everything necessary for our happiness and peace of mind is within our control; despite poverty, illness, or oppression it is always possible to live in a dignified way. Nothing that anyone can say or do to you, can rob you of your dignity and integrity. For the Stoics, dignity is profoundly democratic reality, in that it is just as likely to be found among wretched as among the lofty.⁴⁵

⁴⁴ CCC, 2234.

⁴⁵Cf. <http://www.scribd.com/doc/3977931/human-dignity-and-bioethics-USA-Presidential-Commission>

Thomas Hobbes (1588-1697) understands dignity and honor accrued by the one who have power. In honoring and valuing ourselves we are putting a value on the social power structure in which we are involved. The manifestation of the value we set in one another is commonly called Honor and Dignity.⁴⁶ He argues that “to value a man at a high rate, is to honor him; at low rate, is to dishonor him.”⁴⁷ But high and low, in this case, is understood by comparison to the value that each man puts on himself. For Hobbes, dignity is not a value inherent in the person; rather it is bound up with power and domination. The one who has no power has no recognition and therefore no dignity.

Thus Hobbes develops a remarkable construction which is meant to represent the foundation of concepts of honor and dignity. He divides the concept of dignity and honor into two parts; this expresses the split at that stage in the development of bourgeois society; honor and dignity belong either to the world of bourgeois trading, in which market values are what matter, or they are honors bestowed by the state.⁴⁸ In Hobbes philosophy’s new mixed relationships appear in the category of virtue; absolute virtues are no longer to be found in the social treaty in which the principles for survival are laid down; they are incorporated into the contract of rule which first ensures peace, which again takes away from individuals all freedom and subjective rights accrued from nature. The exchange of commodities and the relationships of recognition between people over the changing market value, which is expressed in the price, can protect against the wolf’s nature (*homo homini lupus*), the war of all against all, the description

⁴⁶ Cf. OSKAR NEGT, *The Unrepeatable Changes in Cultural Concept of Dignity*, 30.

⁴⁷ OSKAR NEGT. *The Unrepeatable Changes in Cultural Concept of Dignity*, 30.

⁴⁸ Cf. OSKAR NEGT, *The Unrepeatable Changes in Cultural Concept of Dignity*, 32

Hobbes gives to this natural state of society, only by stripping people of power and transferring absolute power to the state.⁴⁹

A philosopher of Renaissance, Pico Della Mirandola, granted dignity to ideas and to beings. In his "Oration on the Dignity of man", he told hostile clerics about the dignity of the liberal arts and about the dignity of the glory of angels. He said that "a man should emulate the dignity and glory of the angels by exercising philosophy."⁵⁰ A philosopher of the age of Enlightenment (17th and 18th centuries), Immanuel Kant held that there were things that should not be discussed in terms of value, and that these things could be said to have dignity.⁵¹ Some values are necessarily relative, because the value of something depends on the observer's judgment of that thing. Things that are not relative-that are ends in themselves in Kant's terminology are by extension beyond all value, and a thing is an end in itself only if it has a moral dimension; if it represents a choice between right and wrong. Specifically with respect to human dignity, which his writings brought from relative obscurity in Western philosophy into a focal point for philosophers, Kant held that "free will" is essential and human dignity is related to human agency, the ability of humans to choose their own actions.⁵²

Philosophers of the late 20th century, who have written significant works on the subject of dignity, include Mortimer Adler and Alan Gewirth. Gewirth's views on human dignity are typically compared and contrasted with Kant's, for like Kant he theorizes that human dignity arises from agency. But while sharing Kant's view that

⁴⁹ Cf. OSKAR NEGTE, *The Unrepeatable: Changes in Cultural Concept of Dignity*, 34

⁵⁰ http://en.wikipedia.org/wiki/Oration_on_the_Dignity_of_Man

⁵¹ Cf. EDWARD, P. CRONAN, *The Dignity of the Human Person*, 22.

⁵² Cf. EDWARD, P. CRONAN, *The Dignity of the Human Person*, 38.

rights arise from dignity, Gewirth Alan (1912–2004) the twentieth-century moral philosopher best known for his attempt to complete the Kantian project and show that rationality requires morality, focused far more than Kant on the positive obligations that dignity imposed on humans, the moral requirement not only to avoid harming but to actively assist one another in achieving and maintaining a state of well being.⁵³ The key to the dignity of every human person, for Kant, is that he is an end-in himself, thus not an instrument for anyone else to use for his own ends. No reference to any further good or value, even divine, is apparently needed. In this care, generally speaking, ‘dignity’ should not be confused with value, even though Heidegger says that thinking against values is not to suggest that all things that are taken to be values, such as culture, art, science, the dignity of man, the world, God, have no value.⁵⁴

1.5.4 Biological Foundation

We humans share a biological longing to belong, to be loved. When that nurturing is not provided we become most vulnerable. Biologically every living being is assigned to only one species, e.g., *Homo sapiens*, regardless of its developmental stage. Such species differentiations are genetically determined. Its (a living being’s) designation (to a species) is determined not by the stage of development, but by the sum total of its biological characteristics-actual and potential- which are genetically determined. Therefore, the biological dimension of the human persons share with all living organisms the need to maintain themselves homeostatically in a dynamic relation

⁵³ Cf. JURGEN MOLTSMANN, *On Human Dignity: Political Theology and Ethics*, x.

⁵⁴ Cf. ENRIQUE DUSSEL, *It is Denial and Recognition in a Specific Context of Liberation*, 95.

with their environment, to grow and mature to full biological development as individuals, and to continue the Species through reproduction.⁵⁵

1.5.5 Sociological Foundation

Man is a social being. Community with others not only helps him secure such basic goods as knowledge and life itself, but is itself a basic element in his well-being and fulfillment as a person. Each one's life is deeply affected by the society in which he lives; each has a duty to share in the task of shaping and conserving a just and humane social order. The social nature of a human being is indispensable because God created human beings as social beings. The whole social teaching of the Church on the social nature of the human being rests on two fundamental principles. First, a person cannot find fulfillment unless he has some community with others, community in which he serves and is served, loves and is loved. Second, a person cannot find fulfillment without making his own deep personal commitment with God. That's, man is indeed a social being. He is a social being who is also a person with a transcendent dignity, a being called to an immediate personal relationship with God.⁵⁶ The social life is not something added on to man. Hence, through these dealings with others, through reciprocal responsibilities and through conversation with his brothers, he develops all his gifts, and is able to rise to his destiny.⁵⁷ Even in relations to the fullest temporal community, the political community, the human person has transcendence.⁵⁸ It is precisely because of man's supra-temporal destiny that no person can be simply

⁵⁵ Cf. *Documentation on the Right to Life and Abortion*, 16.

⁵⁶ Cf. *PP*, 15.16.

⁵⁷ Cf. *GS*, 25.

⁵⁸ Cf. *GS*, 76.

subordinated to the good of any society and that all persons are basically equal. It is true that all men are not alike from the point of view of varying physical power and the diversity of an intellectual and moral resources,. Nevertheless, with respect to the fundamental rights of the person, every time of discrimination, whether social or cultural, whether based on sex, race, color, social condition, languages , or religion, is to be overcome and eradicated as contrary to God's intent.⁵⁹ Because all men, having a rational soul and being created in God's image, have the same nature and origin, and because all men having been redeemed by Christ, enjoy the same divine calling and destiny.⁶⁰

Conclusion

As we come to the conclusion of this chapter, I would like to emphasize that the respect for human dignity can in no way be separated from obedience to the principle of social order. It is necessary to consider every neighbour without exception as another self, taking into account first of all his/her life and the means necessary to live in dignity. A just society therefore can become a reality only when it is based on the respect of transcendent reality of the human person. Dignity of human beings is an essential concept in the society as well as in the morality, because through it the quality and honor of the people can be determined, and from the sense of dignity the concept of human rights can also be measured. There is a common belief that the dignity of human beings can be measured through commercial / economic status of the people of the society and the G.N. P (Gross National Profit) of the particular state to be used as an

⁵⁹ Cf. *GS*, 29.

⁶⁰ Cf. *GS*, 29.

instrument to measure of quality of human life. But it is not absolutely correct. The quality of human life is a very complex phenomenon. It is not only confined in the commercial or economic system, rather it touches the various spheres of the people i.e. health, food, education, liberty, equality, franchise of the citizens and so on. We have a need to know, how people are enabled to live in society in a dignified manner.

CHAPTER TWO: THE ABUSE OF HUMAN DIGNITY AND HUMAN RIGHTS IN THE MODERN ERA

2.0 Introduction

In the first part of this Chapter we are going to identify as principal roots of the widespread violation of human rights- and therefore, especially where the violation of human dignity is well exhibited, in denial of equal rights, abortion, euthanasia, genocide, and death penalty. The second part treats some norms which determine or measure the morality of human act and embraces what the traditional moral theology lists as the three sources of the morality of human act.

2.1 Discrimination: Denial of Equal Rights

Before we systematically and morally analyze how human dignity and rights are abused in every human society, it is better to have an adequate understanding of what the human rights are.

2.2 Human Rights

Human rights are based on the dignity of the human person. The recognition of human rights by all people today is a credible and convincing sign that rights and duties are part of the human nature. If Christianity, therefore, makes a firm affirmation for the common dignity of women and men rooted in the fact that they are all the children of one Father in heaven, who loves everyone of them equally, that all are created to be co-creators and co-redeemers with God and ultimately called to one destiny (heaven), then this faith gives a solid foundation for the respect of human rights and duties.⁶¹

⁶¹ Cf. J. BAITU, *Christian Ethical Principles and Societal Problems in Sub-Saharan Africa*, 10.

A number of features distinguish human rights from other types of rights. Firstly, they are inherent in the human nature. Thus, they are not like such other rights as, for instance, contractual rights or tortious liability rights, which are only given by law. Without a legally enforceable contract the contractual right does not exist; and without tortious liability on the part of law, the right to human right is grounded on the very human nature as their source.⁶²

Human rights are also said to be equally applicable to all. The discussion of this feature of human rights needs not detain us here; as the centre of more discussion is in the main subsequent parts of this paper. Whatever, the evolution of the concept of human rights may be, the history of human rights is depicted as “a history of the long and determined struggle for freedom and human dignity”⁶³ a journey from shadow to light, from politics to law. It has been marked by ideological point-scoring and intense conflict between the Western liberal and other conceptions of human dignity.⁶⁴

Human rights/human dignity conceptualizations, in traditional pre-colonial African societies for instance, existed not in an individualistic notion, as presented today in the various international human rights agreements, but on collective rights of the kin group and community. As eloquently noted elsewhere, this conception of human rights lies in the philosophical perspective that human beings are social beings, as opposed to individualism. Society is a web of relations social, economic, cultural and

⁶² Cf. J. DONNELLY, *Universal Human Rights in the Theory and Practice*, 10.

⁶³ I. SHIVJI, *Constitutional and legal systems of Tanzania: A Civics Source Book*, 89.

⁶⁴ Cf. I. SHIVJI, *Constitutional and legal systems of Tanzania: A Civics Source Book*, 89.

political-which have been constructed historically as different interests in society interactions, clash and contradict giving birth to new relations.⁶⁵

Another reality that depicts an unbiased history of human rights, and one often ignored, is a struggle for human dignity in societies subjected to tyranny and Western imperialism. Some of the most important events which preceded the 1945 UN human rights developments include the anti-colonial struggles in Africa, Asia and Latin America, and anti-slavery campaigns both in Africa and throughout other parts of the world, where slavery and slave trade prevailed.⁶⁶

In these historical events whereby slavery and slave trade prevailed and colonial ideology was strong, the human being was subjected to gross and extreme violations of human rights in the form of cruelty, enslavement and colonization. It was from such inhuman and oppressive acts that the anti-colonial crusades by countless resisters from Kenya's Mau Mau under Jomo Kenyatta, Ghana's Kwame Nkurumah, India's Mahatma Ghandi, and others, stood up against the oppressors and demanded for respect to human dignity. Unfortunately, these important historical struggles have been entombed, overlooked, or rejected in the construction of the true genesis of human rights.⁶⁷ Fundamental Human Rights are not gifts from the state or any social institution. They are inherent in a person by reason of being human and therefore existing prior to the state and law.⁶⁸ In many countries modern constitutions have endorse fundamental

⁶⁵ Cf. I. SHIVJI, *Constitutional and legal systems of Tanzania: A Civics Source Book*, 89.

⁶⁶ Cf. M. NOWAK, *Introduction to International Human Rights Regime*, 2.

⁶⁷ Cf. M. NOWAK, *Introduction to International Human Rights Regime*, 2.

⁶⁸ Cf. M. NOWAK, *Introduction to International Human Rights Regime*, 2.

rights; and this does not mean that the rights are thereby created; rather, it is evidence of their recognition and the intention that they should be enforceable in courts of law.⁶⁹

2.3 Categories of Human Rights

Here we are going to deal with two main categories of human rights: These are individual human rights, which essentially entitle each person to certain fundamental goods; and, corporate human rights, which focus on the common good or human solidarity.

2.3.1 Fundamental human rights

This category comprises the most fundamental human rights to life and bodily integrity, legal equality and protection, protection of privacy, rights of immigration and emigration, marriage and family, property, freedom of expression, religion and association, and political participation. Fundamental human rights are rights, which belong to everyone as a consequence of being human.” They are thus independent of laws. The existence of human rights means that every human being is entitled to certain inherent, inalienable and legally enforceable rights protecting him or her from interference by the state and by private persons.

2.3.2 Corporate Human Rights

The second category includes: rights to social security, work, free choice of employment, just remuneration and family wages, rest and holidays, social insurance, education and formation in respect to human rights, participation in cultural life, and protection of a secure social and international order.

⁶⁹ Cf. ANDREW MOLLEL, *African Culture versus Human Rights*, 32.

The above mentioned rights have to be respected and promoted without losing sight of their hierarchy, some rights being more fundamental than others. For example, the right to life is of utmost importance because all other rights depend on it. The demand for equality in the enjoyment of rights deserves special attention. This is based on the fact that all people are daughters and sons of the same Father, and are equally redeemed by Jesus Christ.⁷⁰ “Equal rights for minority groups, women, children, handicaps, deserve greater attention in our postmodern times.”⁷¹ Therefore, any kind of discrimination against these groups is incompatible with the dignity of the human person and the welfare of society. It is an obstacle to the full realization of human dignity. If this universal understanding of human rights is to bring about a common normative basis for the modern society to live together in justice and peace, regardless of their differences, it has to be redressed in conformity with the Christian view of humanity.⁷²

2.4 Discrimination

Discrimination occurs in any situation or area in which a group of individuals is mistreated based on something else other than human dignity. Usually it happens when membership in a society is based on a distinct group, category, or class. Such categories include ethnicity, sex, religion, disability and so forth. Therefore, discrimination is an act that indicates or implies the inferiority of persons evaluated. It can be viewed as favorable or unfavorable, depending on whether a person receives favors or

⁷⁰ Cf. J. BAITU, *Christian Ethical Principles and Societal Problems in Sub-Saharan Africa*, 12.

⁷¹ J. DONNELLY, *Universal Human Rights in the Theory and Practice*, 10

⁷² Cf. J. DONNELLY, *Universal Human Rights in the Theory and Practice*, 10.

opportunities, or is denied of them. However, discrimination is usually considered unfavorable. Here we are going to discuss unfavorable discrimination.⁷³

2.4.1 Unfavourable Discrimination

Discrimination involves a favored treatment for the dominant, group, or upper class. Members of this group are expected to have and usually do have the best education, jobs, health care, social status and public services. As a result, their beliefs of superiority are strengthened. They do not consider the system unfair. Likewise, subordinate or oppressed group may have a sense of inferiority that is reinforced by the system that denies the social, political, cultural and economic benefits enjoyed by others. This kind of discrimination discourages the equality, as it ought to be in people. Equality in this context means the realization of rights that a person has been denied as a result of cultural, institutional, behavioral, or attitudinal discrimination.

What some consider as discrimination may appear perfectly neutral to others. Discrimination can occur in almost any area of human being's social life. It is particularly evident in housing, education, transportation and all public facilities. It causes one person to be rejected unjustly, while another is accepted and rewarded unjustly.⁷⁴ "Discrimination, in whatever way we describe it, is evil."⁷⁵ It implies two or more standards for judging and treating people. It regards a person frustrated, and deprived of the human rights. When there is discrimination, no more can we consider the presence of justice and peace.

⁷³ Cf. J. MILTON YINGER, "Social Discrimination" *Encyclopedia of Social Science*, 448.

⁷⁴ Cf. C. M. KIMBOWA, *Education for Justice and Peace*, 42.

⁷⁵ C. M. KIMBOWA, *Education for Justice and Peace*, 42.

The relationships among all people must be regulated in accordance with the principle of peace and justice. But it is crystal clear the dominant group uses unjust laws, force, and customs in social life against the subordinate group. When we come across such reality, has the principle of Peace and Justice been eliminated? “Do not do unto others what you do not want others do unto you been obliterated?” This is the strongest and most golden principle, which forces us to respect others.

In any society or culture in which religious minorities, HIV victims, orphans, disabled and ethnic minorities exist in community with the other members of their group the right to equality and respect for inherent human dignity of everyone must be recognized. “Everyone shall have the right to recognition everywhere as a person before the law”⁷⁶ These principles point at values that we must take into consideration. They tell us also how to act towards these values and so forth. But they may not be able to tell us everything. There is still a lot that we can learn from the wisdom enshrined in this principles. Discrimination violates both revealed and natural principles. Living in a pluralistic world of diverse communities of influence, there is good news and bad news. Discrimination in any area of life violates the principle of Rights, justice (equality). When people are discriminated on the basis of gender, race and social conditions and so on, is denial of one’s right. “With respect to the Fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, color,

⁷⁶ ALLEN O. MILLER, *A Christian Declaration of Human Rights*, 182.

social condition, language or religion, is to be overcome and eradicated as contrary to God's intent,"⁷⁷ a call from, and based on, revealed principles.

Human rights including socio-economic issues have become the focal point of international relations. They are, after all, the guarantee to domestic, regional, and international peace stability. Sixty five years ago the world was staggering to recover from the ravages of the Second World War. Much of Europe lay in ruins. Most of the major cities of Japan had perished in the flames of incendiary bombs. Then Hiroshima and Nagasaki were incinerated in the first hostile use on Nuclear weapons. The human capacity to destroy had grown beyond the power of imagination and out of control. The nations of the world gathered in San Francisco to create a new instrument for global co-operation declaring in the preamble to the Charter of the United Nations. We, the people of the United Nations determined: to save succeeding generations from the scourge of war, which twice in our life time has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights in the dignity and worth of the human person, in the equal rights of men and women and nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in large freedom. Where-as 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.⁷⁸ Article 1 says, all human beings are born free and equal in dignity and rights. They are endowed with reason and

⁷⁷ ABBOT GALLAHER, *Human Dignity*, 227.

⁷⁸ Cf. C.DALE WHITE, *Making a Just Peace: Human Rights and Domination Systems*, 12.

conscience and should act towards one another in a spirit of brother-hood. Article 3 clearly expressed the universality of human rights. "Human Rights," unlike other "Rights," which can be earned, purchased, or granted by others, come with birth. Everyone person without exception is entitled to them by virtue of being human. United Nations also defines human rights as follows "Human Rights are the rights and freedoms that allow us to fully develop and use our human qualities, our intelligence, our talents, and our conscience and to satisfy our spiritual and other needs. They belong to everyone and are the equal and inalienable rights of all members of the human family."⁷⁹

2.5 Abortion

In his book *causing death and saving life* Jonathan Glover quotes, John Grigg and Dee Wells in the Guardian, 29 October 1973, and 19 October, 1973 respectively.

John Grigg says,

I do not believe a fertilized ovum is human life in the commonsense meaning of the term: I believe human life begins at birth. Or more technically, when a foetus is sufficiently developed to be capable of living if removed from the mother's womb. That human life begins at the moment of conception is a religious tenet that makes no claim whatsoever to scientific truth.⁸⁰

While Dee Wells argues that abortion is the destruction of life after conception and before birth. It is bounded by non-conception on the one hand and by infanticide on the other.⁸¹ Those who defend at least some abortions tend to focus on the early stages of pregnancy, saying how different an embryo is from us and stressing how tenuous is

⁷⁹ Cf. C.DALE WHITE, *Making a Just Peace: Human Rights and Domination Systems*, 13.

⁸⁰ JONATHAN GLOVER, *Causing death and saving lives*, 119.

⁸¹ Cf. JONATHAN GLOVER, *Causing death and saving lives*, 119.

any distinction between an early abortion and contraception. Those who think that abortion is, at least in general, morally wrong, tend to focus on the late stages of pregnancy, taking of 'the unborn child' and stressing how tenuous is any distinction between abortion and infanticide. These opponents of abortion often rest their case on the claim that it is a person, or human being, that we kill when we abort. Abortion is the destruction of life after conception and before birth. The growing secularization in the human family has led to the culture of negating the influence of the Gospel in the human society. The issue of identity, dignity and protection due to the child or an unborn baby in its mother's womb, is still challenged and violated in many countries and families. The Church has found it necessary to repeat her firmly grounded teaching on the dignity of the unborn child and that of human life.

The Catholic Church affirms that human life begins at conception and that this should be defended and protected all through, until natural death. Abortion does not only concern the unborn child but all of us who are living. We cannot diminish the value of the unborn human life, without diminishing the value of human life in totality. Every human person no matter how vulnerable or helpless, no matter how young or old, healthy or unhealthy, handicapped or not, no matter how productive or unproductive in society, rich or poor, such is a being of inestimable worth, created in the image and likeness of God.⁸² All offences against life, such as murder, genocide, abortions, euthanasia and suicide, are criminal and sinful. These impact negatively on society

⁸² Cf. Pius M. SSENTUMBWE, *Dynamics or World Peace*, 179.

because they are anti-life and are sins against human life. They debase the perpetrators more than the victims and militated against the honor of the creator.⁸³

Pope John Paul II asked all the over 4,000 bishops of the world to toughen their stand against abortion. He told the bishops not to allow legislators to enhance laws which permit the crime of abortion and to stand firm until existing laws permitting abortions are withdrawn.

Said the Pope:

When legislative bodies enact laws that authorize putting innocent people to death and states allow their resources and structures to be used for these crimes, individual consciences, often poorly formed, are all the more easily led into error. In order to break this vicious circle, it seems more urgent than ever that we should forcefully reaffirm our common teaching.....⁸⁴

On his fourth visit to his native country, Pope John Paul II vigorously condemned legislation permitting abortions. On June 4th in Radom he compared abortion to Nazi extermination programs directed against Jews, Gypsies, and Poles, saying, "That cemetery of the victims of human cruelty in our century is extended to include yet another vast cemetery, that of the unborn, of defenseless whose faces even their mothers had not seen. "What human institutions, what parliament," he asked "has the right to legalize the killing of an innocent and defenseless human being? What parliament has the right to say: You are free to kill, or even, Killing is an order, where the biggest efforts should be made to protect and help life in the first place."⁸⁵

⁸³ Cf. *GS*, 27.

⁸⁴ <http://www.theinterim.com/issues/abortion/Vatican-rejects-abortion-laws>

⁸⁵ Cf. <http://www.theinterim.com/issues/abortion/Vatican-rejects-abortion-laws>

2.6 Euthanasia

Everyone wishes for a good death, a peaceful and expeditious closing to life. Indeed, this is what the word 'euthanasia' means in its etymology. What is at issue today is not the desire for a good death, but what from that ideal should follow. For an increasing number of people, a good death must include the possibility even, perhaps, the obligation of euthanasia and assisted suicide. For most Christians and most followers of the monotheistic religions, deliberate and intentional hastening of death for any reason is a distortion of the ideal of a good death. It is an insult to the sovereignty of God and a failure of human stewardship over God's gift of life.⁸⁶

The word Euthanasia is derived from two Greek words which mean "good death" or "happy death." For centuries, the accepted meaning of the term referred to an action by which a person was put to death painlessly usually to avoid further suffering from an incurable disease or to end an irreversible situation. Euthanasia in this sense is often called "mercy killing" or even "death with dignity." In the more traditional meaning of the term, it could be performed with or without the consent of the person to be put to death. In the Judeo-Christian tradition, euthanasia without the consent of the patient would be murder and with consent of the patient would be both suicide and murder.⁸⁷ When sufferers freely choose to die and ask to be killed, they are not only committing the crime of suicide, but are also compounding it by making another a partner in the crime. To yield to such a request because of compassion is false compassion. If we have true compassion for the person who has made such a decision,

⁸⁶ Cf. E. D. PELLEGINO, *Dignity and Dying, A Christian Appraisal*, 105.

⁸⁷ Cf. B. M. ASHLEY - KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 378.

we will realize that it must be because that person is hopeless, alienated from community, and doubtful of God's love. Our mercy should lead us to stay by such a person's side and help him or her recover hope. The mercy killer in such a case is really adding a final rejection which has already driven the person to this point of despair. On the other hand if the sufferer is no longer really free to make a truly human decision, but is pleading to be put out of the pain or depression that has taken away the sufferer's capacity to think straight, then the mercy killer is simply a murderer putting to death someone no longer able to protect himself or herself. As we ask ourselves honestly what are the motives of mercy killers, we will not accept easily their claim that they did it for the sake of the victim. May it not well be that the real motive was that the relative did not want to accept the responsibility of helping the dying person to the end? Often the killer says, 'I loved my mother, I could not bear to see her suffer!' It is true that in such a case, that the killer could not bear to sheer her suffer, but it is not so certain just what the quality of that love was. As for euthanasia of the type used by the Nazis in which patients were put to death without their consent, because they were senile, insane, or defective, or as genocide.

Generally the medical profession has rejected euthanasia absolutely, as is evidenced by the Hippocratic Oath as well as by the more recent codes of medical ethics such as The Declaration of Geneva of the World Medical Association. And the Christian Churches have also rejected it. Fore example Pope Pius XII (1952), wrote with reference to Nazi horrors:

The direct destruction of what they call "worthless life," born or unborn, practiced a few years ago on many occasions, can be in no way justified. For this reason, when this practice began, the Church formally declared that the killing, even by order of public authority, of those who, although innocent, are not useful to the nation on account of physical or psychic defects, but also a burden upon it, is contrary to positive natural and divine right and therefore illicit (n.368).⁸⁸ The Second Vatican Council also declared in the Church and the Modern World (1965) that whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia or willful self-destruction, all these things and others of their like are infamous indeed.⁸⁹ Euthanasia either be active (direct) or passive (indirect) means allowing oneself, or another person, who is terminally ill to die.

2.7 Genocide

The term "genocide" is a very specific term referring to violent crimes committed against groups with the intent to destroy the existence of the group. In 1944, a Polish-Jewish lawyer named Raphael Lemkin (1900-1959) sought to describe the Nazi policies of systematic murder, including the destruction of the European Jews. He formed the word "genocide" by combining *geno-*, from the Greek word for race or tribe, with *-cide*, from the Latin word for killing.⁹⁰ In proposing this new term, Lemkin had in mind "a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the

⁸⁸ Cf. BENEDICT M. ASHLEY - KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 378.

⁸⁹ *GS*, 51.

⁹⁰ Cf. <http://www.ushmm.org/wlc/en/article.php?ModuleId=10007043>

groups themselves."⁹¹ Genocide is a term created during the Holocaust and declared an international crime in the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide.⁹² The Convention defines genocide as any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: a. Killing members of the group; b. Causing serious bodily or mental harm to members of the group; c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d. Imposing measures intended to prevent births within the group; e. Forcibly transferring children of the group to another group.⁹³ Therefore, a specific "intent to destroy" particular groups is unique to genocide. A closely related category of international law, crimes against humanity, is defined as widespread or systematic attacks against civilians.⁹⁴ It is a deliberate destruction of a particular cultural, ethnic, political, religious, or racial group. Numerous examples of genocides can be found throughout history; some notable 20th century genocides occurred under the Nazis during the Holocaust and in the African regions of Rwanda, Darfur, Kenya under Moi regime (the Wagalla massacre) and in Ethiopia during Mengistu regime (the red terror). Let us examine some of the twentieth century genocide in the history of Africa.

⁹¹ <http://www.ushmm.org/wlc/en/article.php?ModuleId=10007043>

⁹² Cf. http://www.ushmm.org/genocide/take_action/genocide/

⁹³ Cf. http://www.ushmm.org/genocide/take_action/genocide/

⁹⁴ Cf. http://www.ushmm.org/genocide/take_action/genocide/

2.7.1 The Wagalla Massacre

The Wagalla massacre was directed towards the Somali by Kenyan security forces, on February 10, 1984 in Wajir District, North Eastern Province of Kenya. Interestingly, this horrifying violation of human dignity occurred between February 10th -14th 1984. It is the same date when many celebrate what they call Valentine Day - a day for love and affection. It was a harrowing tale of the heinous Wagalla Massacre and one of the darkest points in Kenya's history. It captured the insensitivity and brutality of a government against its citizens. It shattered the dreams of many and left them widows and orphans.

Kenyan security forces rounded up and detained over 5,000 men from the Degodia clan of the Somali tribe, confined them at the Wagalla airstrip, stripped them naked and held them without food and water for four days.⁹⁵ The Wagalla massacre story has every bit of a horror movie; blood and scattered brains, severed limbs, rotting flesh and mass graves. The story of Wagalla is filled with intrigue. The Wagalla massacre became an image event that was staged by the government and rhetorically framed as a security operation that attempted to disarm the alleged bandits of the Somali people in Wajir district. The government security machinery rounded up the residents, arrested them arbitrarily with special interest on men and teenage boys, put them into waiting government security vehicles and took them to the Wagalla Airstrip for interrogation and questioning. The drama that unfolded left many mouths speechless. According to Abdi Sheikh, after days without food or water, under the sizzling sun, they were told to lie down on their chests on the scorching runway. They spent the nights in the cold. Those who defied orders

⁹⁵ Cf. ABDI S., *Blood on the Run Way: The Wagalla Massacre 1984*, 28.

were shot on the head, while others perished out of exhaustion. others survived on urine as drinking water.⁹⁶

The holding of men and boys by police for questioning left women and children vulnerable to physical abuse and rape by the security forces, and it was alleged to be massive. This was shortly followed by arson and looting of private property by the Kenyan security men.

By the time the dust settled, at the sunset of the operation, over 5000 men had been held hostage by their own government, stripped naked and lined for interrogation in an enclosed airstrip severely guarded by the security forces.⁹⁷ It is very evident that the Wagalla massacre is a direct consequence of the egregious human rights violations Committed in Kenya with no particular explanation. Therefore, no one can deny the enormity of the Wagalla massacre - the worst human dignity and rights violation in the history of Kenya according to the United Nations I also recognize that it is one of many massacres, violating many forms of injustice in the twentieth century.

2.7.2 The Red Terror (Qey Shibbir)

From 1977 to early 1978, a rebellion against the ruling military junta ensued and was suppressed, resulting in many casualties. In response to guerilla attacks from the anti-Mengistu Ethiopian People's Revolutionary Party (EPRP), Mengistu declared that the EPRP had begun a campaign of "White Terror." Anti-Mengistu forces, however, accused Mengistu's Workers' Party of waging a campaign of "Red Terror." Mengistu's

⁹⁶ Cf. ABDI S., *Blood on the Run Way: The Wagalla Massacre 1984*, 32.

⁹⁷ Cf. ABDI S., *Blood on the Run Way: The Wagalla Massacre 1984*, 32.

campaign of terror was launched with a speech delivered in Revolution (formerly and currently *Mesqel* or "Holy Cross") Square in the heart of Addis Ababa.⁹⁸ According to Ottaway Mengistu shouted "*Death to counter-revolutionaries! Death to the EPRP!*"⁹⁹ and then produced two bottles of what appeared to be blood and smashed them to the ground to show what the revolution would do to its enemies. He included the Eritrean secessionists *Shabia* or Eritrean People's Liberation Front (EPLF), *Jebha* or the Eritrean Liberation Front (ELF), the monarchist Ethiopian Democratic Union (EDU), the *Woyane* or Tigryan People's Liberation Front (WSLF) in this hunt along with the EPRP. Thousands of men and women were rounded up and executed in the following two years. As Ottaway states that the Amnesty International estimates that the death toll could be as high as 500,000.¹⁰⁰ The Save the Children Fund reported that the victims of the Red Terror included not only adults, but 1,000 or more children, mostly aged between eleven and thirteen, whose corpses had been left lying in the streets of Addis Ababa.¹⁰¹ The killings continued throughout the decade and no one was spared from them as thousands of students, around 10,000 peasants and thousands of opposition group members (even inside Addis Ababa) were murdered until Mengistu's last days in Ethiopia. . In an attempt to destroy the will of northern oppositions, one of the famous and tragic attacks was unleashed on Hawzen in southern Tigray where thousands of people were killed. His fighter planes dropped cluster bombs on the whole town in broad daylight while most people—mostly civilians—were outside, especially in the

⁹⁸ Cf. D. OTTAWAY, *Ethiopia: Empire in Revolution*, 247.

⁹⁹ D. OTTAWAY, *Ethiopia: Empire in Revolution*, 247.

¹⁰⁰ Cf. D. OTTAWAY, *Ethiopia: Empire in Revolution*, 247.

¹⁰¹ Cf. D. OTTAWAY, *Ethiopia: Empire in Revolution*, 248.

marketplace. Mengistu was found guilty of genocide and was sentenced to life in prison in January 2007. After his conviction, Zimbabwe, where he received sanctuary due to friendship with Robert Mugabe, said it would not extradite him.

2.7.3 Rwanda's Genocide

Rwanda is one of the smallest countries in Central Africa, with just 7 million people, and is comprised of two main ethnic groups, the Hutu and the Tutsi. Although the Hutus account for 90 percent of the population, in the past, the Tutsi minority was considered the aristocracy of Rwanda and dominated Hutu peasants for decades, especially while Rwanda was under Belgian colonial rule. Following independence from Belgium in 1962, the Hutu majority seized power and reversed the roles, oppressing the Tutsis through systematic discrimination and acts of violence. As a result, over 200,000 Tutsis fled to neighboring countries and formed a rebel guerrilla army, the Rwandan Patriotic Front.¹⁰² Ethnic tensions were significantly heightened in October 1993 upon the assassination of Melchior Ndadaye, the first popularly elected Hutu president of neighboring Burundi. Beginning on April 6, 1994, and for the next hundred days, up to 800,000 Tutsis were killed by Hutu militia using clubs and machetes, with as many as 10,000 killed each day.¹⁰³ The killings then spread throughout the countryside as Hutu militia, armed with machetes, clubs, guns and grenades, began indiscriminately killing Tutsi civilians.

¹⁰² Cf. <http://www.historyplace.com/worldhistory/genocide/rwanda.htm>

¹⁰³ Cf. <http://www.historyplace.com/worldhistory/genocide/rwanda.htm>

All individuals in Rwanda carried identification cards specifying their ethnic background, a practice left over from colonial days.¹⁰⁴ These 'tribal cards' now meant the difference between life and death. The Hutu, now without opposition from the world community, engaged in genocidal mania, clubbing and hacking to death defenseless Tutsi families with machetes everywhere they were found.¹⁰⁵ The Rwandan state radio, controlled by Hutu extremists, further encouraged the killings by broadcasting non-stop hate propaganda and even pinpointed the locations of Tutsis in hiding. The killers were aided by members of the Hutu professional class including journalists, doctors and educators, along with unemployed Hutu youths and peasants who killed Tutsis just to steal their property.¹⁰⁶ Many Tutsis took refuge in churches and mission compounds. These places became the scenes of some of the worst massacres.

These are some of the worst episodes of twentieth century human right's violation in the history of Africa's continent. Collectively, the international community agrees that genocide is a heinous act, and several attempts have been made to intervene in obvious genocides. No one is still a voice of reason in some cases of these massacres. It is crystal clear that human dignity is innate and inviolable however; failure to respect this value, has been a pattern throughout history of humankind

2.8 Capital Punishment

Does the state have the right to take the life of its subjects? The experience of English law provides an interesting example of the law's response to this problem.

¹⁰⁴ Cf. <http://www.historyplace.com/worldhistory/genocide/rwanda.htm>

¹⁰⁵ Cf. <http://www.historyplace.com/worldhistory/genocide/rwanda.htm>

¹⁰⁶ Cf. <http://www.historyplace.com/worldhistory/genocide/rwanda.htm>

Since the thirteen century, when hanging took the place of mutilation as the standard punishment for all serious crimes, English law has assumed the existence of this right, in order to enforce the criminal law. Treason and murder have been punishable by death, and with exceptions this remains the law today, but in the case of other offences the punishment was varied. During the eighteenth century there was a marked increase in capital crimes. At the opening of the century, they numbered about fifty a year; but, by its end, they had increased to between 220 and 230. The reason for this great increase in capital offences, which was not paralleled on the continent, was the increase in the eighteenth-century underworld brought on by the first stages of the Industrial Revolution.¹⁰⁷ With no adequate police force to protect them, “citizens looked to a bloodthirsty penal code as their best guarantee of security, and the results were barbarous.”¹⁰⁸

2.8.1 The Principle Argument to Justify Death Penalty

The principal argument put forward to justify the death penalty is that it is a unique deterrent essential to secure the safety of the community. To remove the death penalty would mean an immediate increase in the murder rate. This argument has been used throughout the controversy whenever restriction of the death penalty has been proposed. Another argument used to support retentions of capital punishment is that there is no alternative method of dealing with murderers. To keep a man in prison without any hope of release, it is added, would be cruel and inhuman than imposing the

¹⁰⁷Cf. NORMAN J. STEVAS, *The Right to Life*, 80.

¹⁰⁸NORMAN J. STEVAS, *The Right to Life*, 81.

death penalty.¹⁰⁹ Any kind of capital punishment is a moral shock of such a nature that it is impossible to say what may be its ultimate effects on the mind and body of offenders. The final scene must always be a haunting and imperishable memory, the dreadful hooded figure on the scaffold, and so forth. No one can leave the slaughterhouse without a deep sense of humiliation, horror and shame. If there is any argument which weighs above all others for the abolition of capital punishment then, it is the dreadful influence it has. A deep reverence for human life is worth more than a thousand executions in the preventions of murder; and is, in fact, the great security of human life. The law of capital punishment whilst pretending to support this reverence does in fact tend to destroy it.¹¹⁰ Is death penalty essential for the security of the community? This is the crucial issue and must be further examined. Before looking at the evidence available, there is one general argument that should be stated, namely that far from promoting respect for the principle of the sanctity of human life, capital punishment in fact undermines it. We all feel that the example of the State taking life, even when it only does so in return for a life already taken, does more to lower the value of human life in the minds of its citizens than the deterrent influence of this penalty can do to protect the lives of the citizens.

2.9 The Morality of Human Act

In order to establish a clear knowledge about “the Morality of human Act,” it is better to analyze first what morality is.

¹⁰⁹ Cf. NORMAN J. STEVAS, *The Right to Life*, 89.

¹¹⁰ Cf. NORMAN J. STEVAS, *The Right to Life*, 95.

2.9.1 What is Morality?

Morality refers to the right or wrong of human conduct, but this does not give us an adequate understanding of what morality is. Morality by its very nature is discriminative since it is only applicable to “rational beings”, which means only to reasonable man. In its "descriptive" sense, *morality* refers to personal or cultural values, codes of conduct or social mores that distinguish between right and wrong in the human society. Describing morality in this way is not making a claim about what is objectively right or wrong, but only referring to what is considered right or wrong by an individual or some group of people (such as a religion). This sense of the term is addressed by descriptive ethics. In its "normative" sense, *morality* refers directly to what is right and wrong, regardless of what specific individuals think. It could be defined as the conduct of the ideal "moral" person in a certain situation.¹¹¹ Therefore, the morality of a human act is specified by three determinants of the human action; the object, the end, and the circumstances.

2.9.2 The Determinants of Human Act

“The norm which determines or measures the morality of a human act is objectively the moral law and subjectively a person’s conscience”¹¹² Traditionally moral theology lists three sources of the morality of human act: the object, the end, and the circumstances

¹¹¹ Cf. GERT, BERNARD, *The Definition of Morality*, 126.

¹¹² KARL H. PESCHKE, *Christian Ethics: Moral Theology in the Light of Vatican II*. 250.

a) The Object

The object means the act itself. “The object is the primarily determinant of morality.”¹¹³ The object is “always and necessarily the result of the act, independent of any circumstances or of the intentions of the agent.”¹¹⁴ This means independent of insertions of the agent and additional circumstances. Therefore, it is clear to say that the object of a human act is the first specifying determinant. For example, the object of murder is taking the life of an innocent person. So it is the object, so understood, that primarily specifies an action as morally good or bad, but it is not enough that an act be good in itself. A human act, which is good in itself, may be evil by reason of the end of the agent for which it is performed. Therefore, if we find an act good in itself as an object, we have still to look to the purpose of the agent and to the other circumstances before pronouncing it good and permissible as an individual act.

b) The End

The end means why an act is done or the reason for which the agent undertakes an action. It is intended by the agent. So, it is what is actually done or projected as a possibly human accomplishment. It is also that about which the choice is concerned, or alternatively to which the action tends to, by its very nature. A human act, which is good in itself, may be evil by reason of the end of the agent for which it is performed.¹¹⁵ “An objectively evil act can never become good by reason of a good end.”¹¹⁶ The influence of the end of the agent can be strong enough to swerve an act out of link with

¹¹³ FREDERIC COPLESTON, *A History of Philosophy*, 122.

¹¹⁴ FREDERIC COPLESTON, *A History of Philosophy*, 122.

¹¹⁵ Cf. PAUL J. GLENN, *Ethics: A Class Manual in Moral Philosophy*, 111.

¹¹⁶ PAUL J. GLENN, *Ethics: A Class Manual in Moral Philosophy*, 111.

reason, but it cannot be strong enough to bring a bad act into line with reason. Because the act is definitely evil and forbidden, nothing can make it good. As we have seen above, the primary determinant of morality is the object, the act itself. If an act is in itself evil, its end remains evil in spite of its circumstances.¹¹⁷

c) Circumstances

Considering the circumstances means that not only the object or the form of a human act (i.e., the idea or the intention of the agent) determines the morality of a human act. Circumstances also affect human acts making them morally good or evil. The circumstances refer to individual conditions. They are conditions that adhere to the human act itself, such as; “When did it happen? Who did it? By what means did it happen?”¹¹⁸ Thus, the general rule is that a human action warrants the qualification of goodness only when all the determinants are acceptable. On the other hand, a human act becomes morally bad if any one of the elements offend against the norm of morality,¹¹⁹ which is the circumstance. For Christian theology, the relation to God’s will essentially determines the moral character of a human action, though morality, as we ordinarily conceive of it, involves a number of prohibitions and requirements. For example; you must not kill, you are to be respectful of others and so forth. These rules make up a kind of moral law. Who then enforces the moral law? Is it an individual? Is it a society, which is made up of individuals? This is a very hard and at the same time tricky question to answer, however let us see some important elements

¹¹⁷ Cf. PAUL J. GLENN, *Ethics: A Class Manual in Moral Philosophy*, 111.

¹¹⁸ PAUL J. GLENN, *Ethics: A Class Manual in Moral Philosophy*, 111.

¹¹⁹ Cf. KARL H. PESCHKE, *Christian Ethics: Moral Theology in the Light of Vatican II*. 250.

While society is obviously the source of morality, it may be suggested that man's sense of morality is awakened in and through his social relations, and that man derives his very concepts of personal duty and personal rights, as well as the distinction between self and non-self from the experiences of society. Nobody was born with morality. Therefore, we learn moral values from the society. Morality is not an individual and majority base. Can it be a social base? Is it society who teaches us how to behave, the expectation of behavior and certain way of behaving? The idea is that society can enforce only principles that are generally accepted by its members, but we must agree that what morality finds distasteful, and what society finds distasteful, are not always the same. Therefore, the moral law cannot be simply the law which the society enforces; because morality is objective and deals with what "ought" to be done.

2.10 The Problem of Moral Judgment

Moral judgment involves understanding and acknowledging of how two or more ideas or actions may be alike or how they may be different. In this context, we judge what something is and what it is not. It means therefore that in judgment, we affirm or deny what a subject, idea, or action is or is not.

Understanding that a circle is round requires judgment. First, we see an object called a circle. Then we think of the idea of roundness. We think of the qualities that make a thing a circle and of the qualities that make a thing round. Philosophers call this process abstracting, we have an idea of what a circle is and what roundness is. We can now judge whether these ideas agree or disagree with each other. We realize that the idea of roundness and circle are similar. We have made the judgment that a circle is round. Therefore the statement circles are round cannot be contradicted.¹²⁰

However, this kind of judgment does not indicate a course of moral judgment.

Moral judgment is the process of making decisions about right and wrong, good and

¹²⁰ GRACE J. GRAIG, *Psychology: Human Development*, 385.

evil in human conduct or actions. Moral judgment is concerned only with human actions. It does not flow from any subject except from the world of the rational beings. This means morality pertains to man, because “the process of moral judgment is essentially rational.”¹²¹ When we judge human actions, we are condemning some and acquitting others. In the process of growing up, children somehow learn to tell good from bad and to distinguish between kindness and cruelty, generosity and selfishness. Mature moral judgment, then involves more than rote learning (i.e., the process of learning something by memorizing rather than by understanding the idea of the meaning) of social rules and conventions.

2.11 Sanctity of Human Life

The Genesis story establishes at the beginning of our religious tradition, the goodness of human life. The creation of the world includes the creation of humankind, and indeed provides for the special place of persons in the order of creation. The Psalmist writes, “What is man that thou art mindful of him, and the son of man that thou dost care for him? Yet thou hast made him little less than God, and dost crown him with glory and honor (Ps 8:4-5). That is a very high view of human nature. Indeed, we are made in the image of God. “The distortions that result from human sin do not blot out this image, since even in sin we are subject to God’s redeeming and forgiving love.”¹²² No more decisive sign of the value that inheres in human life can be formulated by the religious imagination than that God should give himself for our

¹²¹ RICHARD P. MCBRIEN, *Catholicism* vo.2, 1001.

¹²² BENEDICT M. ASHLEY -- KEVIN D. O’ROURKE, *Health Care Ethics: A theological Analysis*, 378.

salvation through Jesus Christ.¹²³ For this reason, taking of human life is looked upon as a matter of utmost moral seriousness. The sanctity of human life requires that each of God's creatures receive respect and support from every fellow human being.¹²⁴

2.12 The Right to Life: Moral Evaluation

The right to life is one of the fundamental values on which our society has been built. Through its laws, society protects life from the moment of its conception in the womb until, at the moment of death. This respect for human life is not based on any conventional laws, on any attempt to balance the pleasure and the pain that may come to a human being during his life span, but on the plain fact that the life to be protected is human life and therefore sacred. Great as this respect for human life is, it has never been entirely unqualified. Western society has limited itself to the principle the innocent human life should never be taken, and has conceded that there are circumstances where, through guilty conduct, this right to life may be forfeited. Thus it has been generally agreed that "society has the right to take the life of one who has committed a grave offense against the common good, a right which may be exercised in its own self-defense."¹²⁵ Human life is by any means un-expendable, if I stress Africans (specially the little Hadiya village where I come from) accord great importance to the community. Individual members, living and deceased, weak and strong, sick and healthy, male and female, old and young are basically dependent on the community and vice versa.

¹²³ Cf. BENEDICT M. ASHLEY -- KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 378.

¹²⁴ Cf. BENEDICT M. ASHLEY -- KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 378.

¹²⁵ BENEDICT M. ASHLEY -- KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 378.

Within this interdependence, what is peculiar to the individual is supported and promoted so that all can enjoy life harmoniously. Consequently, human rights emanate from the community and extended to individual members of the community. Even though, this communality suffocates the individuality of community members “the understanding of human rights goes hand in hand with the preferential option for those in need of the help of the community.”¹²⁶

Whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or willful self-destruction, whatever violates the integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; what insults human dignity, such as sub-human living conditions, arbitrary imprisonment, slavery, prostitution, and discrimination, poison human society.

Conclusion

The treatment of the dying is central to medical ethics. It is becoming clearer every day that it is not enough to perfect medicine as a physical science: the whole of the patient's context has to be taken into account. It is however far from easy to realize this idea. As understanding progresses in what it means for a human to be a body-spirit compound, the question becomes more insistent: How can I offer appropriate help to a person facing death? Is it reasonable to go on prolonging the life of one who is enduring agonizing pain? Would it be better to give a lethal injection? Is not an offence to human dignity to prolong life by artificial means when only a vegetative life is possible? Or when the inevitable death can only be postponed for a few hours or days?

¹²⁶ J. BAITU, *Christian Ethical Principles and Societal Problems in Sub-Saharan Africa*, 11.

CHAPTER THREE: MORAL RESPONSIBILITY FOR HUMAN DIGNITY: FOUNDATION FOR CREATING A SYSTEM OF SOCIAL JUSTICE

3.0 Introduction

Human dignity is inscribed in a human person's being as in the image and likeness of God and the life of each human being comes from God. This chapter is divided into two important parts. In part one, we shall examine the equal dignity and rights of every human person no matter where they come from, no matter who they are, no matter where they live and the social status they belong to. The examination will be done without ignoring the proper understanding of the human person and conscience of moral judgment. In the second part we are going to explore the order which should exist between men, community of human society, including their culture and social structure. We shall see that the understanding of human person in his integrity and totality as the foundation of the principle of creating a well-ordered and productive human culture, looking upon the dignity of the human person, in the light of divinely revealed truth.

3.1 Equal Dignity and Rights of every human person

Equal dignity and the rights of every human person are the rules for a society in which people are free to be different, and all are equal before the law. They oblige, individuals, communities, societies and even the governments to protect their citizens from violence, and ensure that all people enjoy equal opportunities. Human rights are the fundamental values on which democratic states and the rule of law are built: justice,

equality, humanity, respect, solidarity and love of others. We want to work towards a society based on these values – not only for ourselves, but for others too.

It is difficult to imagine today just what a fundamental shift the Universal Declaration of Human Rights represented when it was adopted 64 years ago. In a post-war world scarred by the Holocaust, divided by colonialism and wracked by inequality, a charter setting out the first global and solemn commitment to the inherent dignity and equality of all human beings, regardless of color, creed or origin, was a bold and daring undertaking – one that was not certain to succeed. The fact that it has led to an extensive infrastructure of protection of all the fundamental freedoms we are all entitled, to is a tribute to the vision of the drafters of the Declaration and to the many human rights defenders who have struggled over the last six decades and half to transform that vision into a reality. This struggle is far from over, and therein lays the power of the Declaration. I believe this will be a living document that will continue to inspire generations to come. Article 1 of the Universal Declaration of Human Rights states that "All human beings are born free and equal in dignity and rights"¹²⁷ This means every human person has the same human rights as everyone else in the world, because he or she is a human being. These rights are inalienable - they cannot be taken away from anybody. Every individual, no matter who they are, or where they live, should be treated with dignity.

Although today the unique value of every human being is affirmed by all religions and philosophies of life, and the inalienable rights of the person are guaranteed

¹²⁷ UDHR, 1.

by the constitutions of most governments, yet these rights are silently contradicted by three trends which seem to characterize contemporary life:

1. Persons are swallowed up in totalitarian, bureaucratic institutions;
2. Persons who are unnecessary for the efficient running of these institutions: women, the very young, the very old, the uneducated, the defective who are treated as non-persons;
3. Even successful persons find their happiness not in sharing their lives with others but in private, individualistic satisfactions.

As we are going to see, the right understanding of human personhood and our essentially social nature can help us stop these three trends. The following formulation of the Principle of Human Dignity in community is indispensable in dealing with the contradicting elements as the reality of human dignity and fundamental human rights are concerned.

1. All ethical decisions (including those involved in health care) must aim at human dignity, that is, the maximum, integrated satisfaction of the innate and cultural need of every human person, including his or her biological, psychological, ethical, and spiritual needs as a member of the world community and nation communities who exist for this purpose only.¹²⁸

¹²⁸ CF. BENEDICT M. ASHLEY -- KEVIN D. O'ROURKE, *Health Care Ethics: A theological Analysis*, 202.

2. All persons are equal before the law, and are entitled to the equal protection by the law. In this aspect, the law shall guarantee all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, color, sex, language, religion, political or other opinions, property, birth or other status.¹²⁹

It is very evident that human dignity is the foundation of all human rights. It is inherent and inborn. Human dignity is the image of God in each human being. Human dignity is the sum total of all human rights. We protect human dignity with human rights. Human rights are the building blocks of human dignity. They are indivisible and interdependent. It is God's gift of love for everyone. Human rights, being the expression of the wholeness and fullness of human dignity, are indivisible and interdependent.

3.2 The human person

The human person, the human family, is at the heart of society. Their dignity is rooted in their relationship to God. It is no different for our times. For the good of our society, we must help people discover their full potential and dignity. To do so, one must look no further than his own heart, where the natural law of God is written. Jeremiah 31:33, "...I shall write my law upon your hearts". To build up our human society, we cannot ignore that there are moral imperatives the human person is called to discover and live; moral imperatives which do not limit a person's potential or freedom, but rather unleash them. To think and act as if the human society can live without moral guidelines, is immature and unrealistic, and puts us on a path that will never

¹²⁹ Cf. *UDHR*, 25.

allow us to achieve a just and cohesive society. I know these are difficult realities and truths to preach to our public and political forums...but preach them we will. The good of the human person, and the good of society itself demands such preaching, such understanding, such Truth.

Since the Enlightenment, a person is understood psychologically as “an individual conscious subject. Karl Barth says that “a person is subsisting mode of existing”¹³⁰. Karl Rahner says a “person is distinct manner of subsisting”¹³¹. Briefly then, a person is not a thing to be disposed of at will, but has an absolute dignity. Persons are relational beings who grow and develop their self identity in an interpersonal milieu.

Persons are distinct and individual beings, and the individuality cannot be subsumed. They enjoy rationality and freedom. They exist in relationship with other persons. They experience their self identity in such a rational existence. They have an inalienable dignity. Therefore a person is an independent center of consciousness capable of rational choices. Persons are relational beings who go out of themselves to others, and then return to themselves in conscious freedom.¹³²

What do we mean by human person? The question, when addressed to each one of us personally, is not the result of mere curiosity aroused by a problem which does not affect our lives; it touches us deeply, because we feel that on the answer of it, depends not only the meaning we attach to human life and death, but our capacity for love. In

¹³⁰ KARL BARTH, *Dogmatics in Outline*, I, 1-12.

¹³¹ K. RAHNER, *Foundations of Christian Faith*, 71.

¹³² Cf. J.M. KAMUGISHA, *What is a person, African Christian Studies*, 12.

point of fact, it raises the whole problem of human existence. It springs from an awareness of our circumstances and situations which, under the pressure of entirely new situations and events, threaten to overwhelm us with terror, anguish and anxiety.

The Human person is fundamentally a relationship with God, who is the original and abiding source of its existence. Hence this relationship constitutes the being of the person, which has no existence other than that imparted to it by God.¹³³ Here we reach the very root and dynamic principle of personality, an absolutely privileged relationship providing us with a still deeper insight into the ontological reality of being created in the image of God. Thus “the human person is evidently made to be a call to communion with God.”¹³⁴ The human person is the whole man who in relationship with the world of men, and so we shall here find again, in an intimate connection, the two poles of his being, his individuality and his personality.¹³⁵ The human person is at one and the same time a member and yet the whole. In this two terms “member” and “whole” we are given the two modes of the human person’s union with the world of men, or with human society.

As a member, the human person is considered as one who shared the human nature which is in fact present in every human individual. Accordingly it is a part of that great whole which includes it and for which it was created. Man, in fact, as an individual must fulfill himself only by becoming an integral part of a network of social interchanges: he cannot fulfill himself and yet live in isolation, because it is society

¹³³ Cf. HENRI DANIEL, *What is Man*, 51.

¹³⁴ HENRI DANIEL, *What is Man*, 52.

¹³⁵ Cf. HENRI DANIEL, *What is Man*, 52.

which provides him with the conditions he needs in order to exist and develop.¹³⁶ It follows that the person in its essence can, in no way, be dependent on the species or on any society: it transcends and excels them, so that every society exists for the sake of, and in subordination to the person, which it can consider only as an end and never as a means, as a centre and not as a point on the circumference. It is that on human community can preserve its true character unless it respects what transcends it, that is that essential dignity of the human person which resides in its spirit, and spirit is indestructible and belongs to the realm of the absolute. There is evidently in human society an inherent state of tension. Of course, society should be naturally directed to the good of the human person, but it bears within it the seed of conflict, owing to its tendency to regard the person only as a mere part, an objective element in the whole social body. By so doing society loses its own nature, since it loses and oppresses its centre, the person.

And another consequence follows, It is in a spiritual sense that the person is the centre of the whole, that is it rediscovers the whole in itself or, better, by its inward movement it lays hold of that principle of community which is based on the spiritual life whose nature it is to radiate and diffuse itself. The tendency of the person is to overflow by very reason of its perfections, and to communicate with others on the plane of knowledge and love. It is then that there is established between men that true communication which is communion, since it is established not through the body but through the spirit. The person is not only by nature the centre towards which everything

¹³⁶ Cf. HENRI DANIEL, *What is Man*, 53.

converges, it is also the center from which everything radiates. It is in this true communication between persons that humanity builds itself up and achieves fulfillment. Karl Rahner says a person is a distinct manner of subsisting. Briefly then, a person is not a thing to be disposed of at will, but has an absolute dignity. Persons are relational beings who grow and develop their self identity in an interpersonal milieu.¹³⁷

3.3 Conscience of Moral Judgment

Before we proceed to analyze the conscience behind moral judgment, I would like to explain first what “conscience” is. The word “conscience” has had such a complex, ambiguous history and has been used with so many meaning, that it is difficult to confine it to a simple one. Yet, it is central to any discussion in morality. No individual person, community, society and even human culture have yet been found in which conscience is not recognized as a reality. “Ancient people spoke of conscience to describe the innermost nature of man with reference to responsibility and morality.”¹³⁸ Conscience by itself is not judgment, but it involves judgment, which means it judges particular choices, approving those that are good and denouncing those that are evil. Richard McBrien quotes Timothy O’Connell who says that “conscience is a fundamental sense of a value and of personal responsibility”¹³⁹. Therefore, the human capacity for self direction and self determination implies a human responsibility for right direction and correct determination.

¹³⁷ Cf. K. RAHNER, *Foundation of Christian Faith: An Introduction to the Idea of Christianity*, 28.

¹³⁸ C. WILLIAMS, “Conscience”, *the New Catholic Encyclopedia*, 146.

¹³⁹ RICHARD P. MCBRIEN, *Catholicism*, 1002.

In regard to the preceding meaning, the word conscience belongs to the whole human community and precisely in individuals. Therefore, "Conscience is the most secret core and sanctuary of man."¹⁴⁰ It is a place whereby a person is oneself. It is part of the definition of what it means to be human. Jasper in a book called *Christian Ethics* by K. Peschke states conscience to be a voice speaking to man who is man himself.¹⁴¹ It has significance not only for philosophy and theology but also for the practical conduct of life and for the formation of man in the personal and public sphere. Therefore, the importance of the conscience is very great, since by conscience the unity of man with himself and mankind is procured, as well as responsibility for himself and his fellow men. Conscience is a shared knowledge, referring clearly to the whole, to which man as a morally acting individual (choice of the good) knows that he is responsible, and in a concrete way.

Now let us approach the conscience of moral judgment and its contribution to human actions. Conscience of moral judgment is the practical judgment of reason upon an individual act as good and to be performed, or as evil and to be avoided. "The moral emotivists hold that moral judgment is expressions of feeling."¹⁴² However, expressions of feeling do not depend on reasoning from general principles, nor do they require defense by appeal to principle. Therefore, the emotivists would seem to be mistaken in treating moral judgment as expression of feeling. As I understand from the historical point of view, Greeks were the first to reflect philosophically on the nature of

¹⁴⁰ Cf. RICHARD P. MCBRIEN, *Catholicism*, 1002.

¹⁴¹ KARL H. PESCHKE, *Christian Ethics, Moral Theology in the Light of Vatican II*, 164.

¹⁴² GILBERT HARMAN, *The Nature of Morality: An Introduction to Ethics*, 37.

conscience, and they described it as a norm for moral judgment. However, this does not mean that the conscience of moral judgment begun in Greece: but the Greeks stated that when one decides to do one thing instead of another is when one acts out of conscience. And some commonly maintained that conscience is the subjective individual consciousness of that which is objectively good or evil, right or wrong; it is the reaction of the human ego, but it is also governed by what we believe to be the moral behavior.¹⁴³

In moral judgment, “conscience has been reduced to [or, in the minds of some moralists elevated to] being that faculty by which one is able to judge the goodness or badness of one’s actions, by which one is able to determine whether such and such an action is gravely or lightly sinful.¹⁴⁴ It is a judgment of reason whereby the human reason recognizes the moral quality of a concrete act that is going to be performed, in the process of performing, or has already been performed. It is important for every person to be sufficiently present to himself in order to hear and follow the voice of his conscience. “A well-formed conscience is upright and truthful. It formulates its judgments according to reason, in conformity with the true good willed by the wisdom of the creator.”¹⁴⁵ Any human intention, or action, which does not respect the human life and dignity, violates human rights and the principle of equality, can be judged as bad and it must be corrected or rather eliminated.

¹⁴³ Cf. C. WILLIAMS, “Conscience”, *the New Catholic Encyclopedia*, 142.

¹⁴⁴ Cf. CCC, “Rational Judgment”, 435.

¹⁴⁵ CCC, “Rational Judgment”, 436.

3.4 Integrity of the Human Person

"Integrity" refers to each individual's duty to "preserve a view of the whole human person in which the values of the intellect will, conscience, and fraternity are pre-eminent."¹⁴⁶ This is a clear indication that the human person must be treated with respect in such a way that recognizes his or her human dignity.

The basic idea of integrity mean the quality of consistency in character; which means one acts as he or she believes, and his or her values match their behavior. The argument is that a person can have integrity so long as their actions match their chosen belief or ethical system. This is all about *what* the ethical system is, so long as their actions are in line with it. Without getting too much into ethics, what is and is not evil is based on what is and is not conducive to peace and life. Therefore, who murder, rape, delight in the suffering of others, and partake in other depravities are definitively evil. My thoughts and readings on human psychology and spirit suggest that in order for a human being to have integrity, it must behave in ways that promote peace and life, and which reduce suffering. Simply having an evil internal value system itself undermines integrity. The Merriam-Webster Dictionary defines integrity thus:

1. firm adherence to a code of especially moral or artistic values : incorruptibility
2. an unimpaired condition : soundness
3. the quality or state of being complete or undivided : completeness.¹⁴⁷

¹⁴⁶ GS, 61.

¹⁴⁷ Cf. http://wiki.answers.com/Q/What_is_the_definition_of_integrity#ixzz1HK2Aww48

I would argue that soundness or completeness in the human being necessitates a value system of compassion and kindness; that is, a complete human being is a good one. Integrity is the link between action and belief. It is what lets a person with good values become aware of them, and thus become whole, and, in humans, involves goodness as well. The existence of cognitive dissonance suggests that integrity is an integral part of our psychological and personal well-being.¹⁴⁸ Thus, it is itself part of a complete, whole, human being, while at the same time enabling that wholeness. Although some contend that these convictions are completely individual and can vary widely from person to person, this would mean that even selfish or cowardly people could be said to have integrity. To the contrary, well-considered convictions tend toward those universal guiding principles that approach ultimate truth, which is both simple and complex simultaneously.¹⁴⁹ For example, treat another person as you would want to be treated if that were you, taking into account the dignity that person has as an autonomous human being, one who has a right to determine his or her own course in life. Decisions can be difficult to reach for the concrete, unique, day-to-day circumstances in which we are asked to apply abstract principles. That is why exercising prudent judgment is the ultimate skill in living the good life--doing the right thing, in the right way, at the right time, for the right reason. In the Catechism of the Catholic Church, the dignity of the human person is rooted in his or her creation in the image

¹⁴⁸ Cf. http://wiki.answers.com/Q/What_is_the_definition_of_integrity#ixzz1HK2Awv48.

¹⁴⁹ Cf. http://wiki.answers.com/Q/What_is_the_definition_of_integrity#ixzz1HK2Awv48.

and likeness of God. "All human beings," says the Church, "in as much as they are created in the image of God, have the dignity of a person."¹⁵⁰

In the face of the present-day situation of the world, raked as it is by the grave sin of injustice, we recognize both our responsibility and our inability to overcome such non-human actions by our own strength. We have to behave fairly towards others and fight those who don not, since we have the ability to challenge injustice and inequalities.

"God ordained that a person be born into a society and become a full member of that society. Justice demands that each person share in the beauty, progress and rights of his or her country. To exclude him or her, either directly or indirectly is an abomination against justice"¹⁵¹ Unless something very powerful is done to re-instate the love for truth, integrity, and justice, the future of the human community, will be very dim indeed. That is why we should work hard to blot out some human actions which are contrary to the promotion of human dignity and justice.

The Holy Bible strongly condemns immoral actions, such as prejudice, discrimination and so on, because it is oppressive to the dignity that God gave to man and the equality he placed in each one of us. By reflecting on this reality in our midst, we may be able to find worthy solution to eliminate the evil of discrimination, and any other actions, which violate humanity within our society or nations. Because it implies two or more standards for judging and treating people, Evil degrade a person, frustrates

¹⁵⁰ CCC, 355.358.

¹⁵¹ C.M., KIMBOWA, *Education for Justice and Peace*, 46.

him and deprive him of his human rights which is deeply rooted in his dignity. Human beings have a right to bodily integrity, to respect and to freedom, to education and to free choices. Any well-regulated and productive associations of people in a society, demands the acceptance of this fundamental principle: that each individual human being is truly a person.

3.5 Totality of the Human Person

Pope Pius XII reaffirmed the principle of totality. The good of man is the good of the whole person, not only his bodily integrity, but also the subordination of biological life to higher goods, the common good of civil and ecclesiastical society, the good of our own spiritual welfare.¹⁵²

Traditionally, the principle of totality was understood thus: any treatment, including mutilation, is licit if it is necessary for the saving or the well-being of the whole individual organism. In other words, the principle was restricted to the somatic aspect of life. Because of the weakness inherent in the traditional notion, the principle has now been expanded by many recent authors to include not only the somatic good of the human organism, but also the person's spiritual well-being. For instance, Bernard Haring affirms: "The main criterion is the principle of totality.... not a totality of mere organic functions but a perspective of wholeness that considers the total vocation of the human person."¹⁵³ It is not just a question of the meaning of the bodily organism; the most urgent issue relates to the meaning of an integral human life in response to man's earthly and eternal values. After affirming thus, he defines the principle of

¹⁵² Cf. <http://www.phatmass.com/phorum/index.php?showtopic=49754>

¹⁵³ BERNARD HARING, *Free and Faithful in Christ*, 250.

totality in the following way: "The dignity and well-being of man as a person in all his essential relationships to God, to his fellowmen and to the world around him."¹⁵⁴

Since all are equally noble in their natural dignity, no one can by nature be superior to his fellow human beings. Justice should not be forgotten with regard to people who are suffering persecution for their faith, or who are in many ways being ceaselessly subjected by political parties and public authorities to an action or oppressive or by being prevented from public teaching and spreading their faith or culture, or by being prohibited from conducting the affairs of their faith according to the principles of their tradition, religion and so forth.

I know from my experience that men frequently differ widely in knowledge, intelligence, color, and wealth; but there are no valid arguments in favor of a system whereby those who are in a position of superiority impose their will arbitrarily on others. "All human beings are born free, equal in dignity, and right. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood"¹⁵⁵. The human person is not only color, not only knowledge and skill: The human person is whole being. Of course, knowledge and skills are very important, but alone they cannot be the solutions to moral problems facing our society. Moral decision is always rendered by the entire man, who is both individual and member of a community, living within the context of history, dedicated to the divine worship. And every moral decision enters into all these dimensions and affects man under all these aspects.

¹⁵⁴ BERNARD HARING, *Free and Faithful in Christ*, 250.

¹⁵⁵ ALLEN O. MILLER, *Christian Declaration on Human Rights*, 160.

3.6 Effects of the Totality and Integrity of the Human Person

Article 27 of the *Pastoral Constitution on the Church in the Modern World*, (Vatican II, *Gaudium et Spes*), titled Respect for the Human Person, writes that “everyone should look upon his neighbor (without any exception) as another self.”¹⁵⁶ then it lists as crime all offenses against life itself, such as murder, genocide, abortion, euthanasia and willful suicide; all violations of the integrity of the human person, such as mutilation, physical and mental torture, undue psychological pressures; all offenses against human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; degrading working conditions, where men and women are treated as mere tools for profit, rather than free and responsible persons; all these and similar activities are criminal; they poison civilization; and they debase the perpetrators more than the victims, and militate against the honor of the creator.¹⁵⁷

As a member of a group, community or society, a human person has both individual and collective responsibilities. Individual responsibility refers to the moral and legal obligation of citizens and societies to care for and take responsibility for themselves and their actions. It includes fulfilling personal responsibility to oneself, family and others in one’s community and nation. It also includes adhering to moral principles considering the rights and interests of others and behaving in a civic manner. With respect to integrity and totality of the human person, one grows up in value and

¹⁵⁶ *GS*, 27.

¹⁵⁷ Cf. *GS*, 27.

attitudes that motivates his or her actions. Our sense of belonging with others is based on:

1. Sense of identity and self-esteem
2. Commitment to social justice and equality of everybody
3. Value and respect for human dignity Love and caring for human life.

Also, according to me, it is so understood and very clearly that a collection of individuals does not constitute a human society. What makes a society is, among other aspects, the shared moral values. Because moral values or rules are parts of customs, codes of perceptions of proper or improper conduct, for or against a human person. It is a moral rule that enables members of a human society to differentiate between right and wrong. Values are based on the beliefs, ideas, and feelings about what is important to the members of a society. The directions people take in life are influenced by the values they hold, such as truth, honesty, respect, love and fairness.

Any well-regulated and productive association of human persons in a society, demands the acceptance of fundamental principles: that each individual man or woman is truly a person. Ethics or Morality has had its development throughout human history and it is concerned with permanent values and universally recognized principles or standards of human conduct, on the basis of which the rightness and wrongness of human actions are judged and recognized. Such principles are based on the reality of human being. For example, reason as natural light of every human being is an in-built ability of human nature and it enables human being to know, discern and judge correctly what is morally

good and bad, fit and unfit to human beings. So that the human beings may come to the fullness or perfection of their being or the purpose of their Humanity without any abuse of human rights and the right, to human dignity.

3.7 Co-operation and Conflict Resolution

Every human being is a person with rights and duties, any human society, if it is to be well ordered and productive, must lie down as a foundation this principle, namely, that all human beings are persons, that is, their nature is endowed with intelligence and free will. Indeed, precisely because they are persons, they have rights and obligations flowing directly and simultaneously from their very nature. And as these rights and obligations are universal and inviolable so they cannot in any way be surrendered.¹⁵⁸

...if we look up on the dignity of the human person in the light of divinely revealed truth, we cannot help but esteem it far more highly; for humans are redeemed by the blood of Jesus Christ, they are by grace the children and friends of God and heirs of eternal glory.¹⁵⁹

Since human beings are social by nature, they are meant to live with others and to work for one another's welfare. A well-ordered human society requires that people recognize and observe their mutual rights and duties. It also demands that each contributes generously to the establishment of a civic order in which rights and duties are more sincerely and effectively acknowledged and fulfilled; the dignity of the human

¹⁵⁸ Cf. *PT*, 9.

¹⁵⁹ *PT*, 10.

person also requires that every person enjoys the right to act freely and responsibly.¹⁶⁰ For this reason, therefore, in social relations people should exercise their rights, fulfill their obligations and, in the countless forms of collaboration with others, act chiefly on their own responsibility and initiative. This is to be done in such a way that each one acts on their own decision, and form a consciousness of their obligation, without being moved by force or pressure brought to bear on them externally. For any human society that is established on relations of force, must be regarded as inhuman, in as much as the personality of its members is repressed or restricted, when in fact they should be provided with appropriate incentives and means for developing and perfecting themselves.¹⁶¹ Any human society or structure, to be considered well-ordered, should treat the human person with respect based on love and truth. As the Apostle Paul exhorts us: Away with falsehood then; let everyone speak out the truth to his neighbor; membership of the body binds us to one another (Eph 4:25). This will be accomplished when each one duly recognizes both one's dignity, rights and one's obligation towards others. If a human society is guided by justice, its members apply themselves seriously to respecting the rights of others and discharging their own duties; if they are moved by such fervor of charity as to make their own the needs of others and share with others their own goods; and finally if they work to a closer fellowship in the world of spiritual values, will come to the fuller understanding of the human dignity.

Human society is bound together by freedom, that is to say, in ways and means in keeping with the dignity of its citizens, who accept the responsibility of their actions,

¹⁶⁰ Cf. *PT*, 31.

¹⁶¹ Cf. *PT*, 34.

precisely because they are by nature rational beings.¹⁶² Respect for human dignity deserves to be fully understood within the context of inter-personal relationship. Such respect encompasses a profound veneration for human dignity, honored consistently, demonstrably, and without exception. In this sense human dignity can be viewed as encompassing respect for the dignity of others and respect for one's own dignity. Having a deeper understanding of the dimensions of dignity, individuals, groups, communities, and in general human society must show a desire to it. Even in a field of science there must be a desire to learn about dignity, and at the same time must conduct research aimed at exploring human dignity.

Conclusion

In this chapter we have seen that human rights are those rights which are essential to live as human beings – basic standards without which people cannot survive and develop in dignity. They are inherent to the human person, inalienable and universal. This theory of human rights and dignity maintains that human dignity inheres in each and every human being to the same degree. If the human being has intrinsic worth, there is no more or less. There is a notion of equal dignity. Human dignity is not lost in situations of dependence, disease or suffering. Dignity is exalted from the perspective of biblical revelation through respect and acceptance of this affiliation to, and dependence on the divine. It is inscribed in man's being as 'in the image and likeness of God'. Therefore, the life of each human person comes from God, it's God's gift, God's image and involves God's vital breath. God is therefore the only Lord of

¹⁶² Cf. *PT*, 35.

human life and man does not have ownership of it. The radicalization of these perspectives 'in the name of dignity' also matures intolerant attitudes that simply negate the most human characteristic, 'dignity' itself. We have basically the task of transcending the view that opposes divine omnipotence and human self-determination. In this equation, to affirm one is necessarily to negate the other. Besides, we need to formulate a re-interpretation of the principle of inviolability of life, which conceives inviolability as a property of God and sees human beings as mere passive administrators. Human dignity resides just in the status human beings have of being divine creatures redeemed by Christ. God is the author of life and it is not up to human beings to take or abbreviate life.

The Way Forward

The two concepts of 'image of God' and 'person', which we noted in this Long Essay are key concepts in understanding human dignity in today's world. The two concepts are clear indications that human dignity arises from people participating in the creative process, sharing these ideas, and building peaceful societies where these ideas and innovations can flourish. Democracy and the rule of law allow people to participate as equals and to enjoy the highest quality of life. The greatest humiliation, in contrast, occurs when people are excluded from the process and denied a sense of humanity. It occurs when a set of ideas in religions, philosophy or science become an entrenched ideology and stifle creativity, and it is used to create artificial divisions (e.g., based on race, class, gender, or religion). The artificial divisions and ideological justifications sow the seeds of anger, distrust and despair, which in turn can lead to conflict, destruction and war. In religion, the Crusades and slavery were justified using Christian doctrines, and terrorism is now being used by radical extremists who claim to represent the Islamic way of life.

It is important to recognize that an individual, or group, can only have a version or an approximation of reality and that it does not represent the Truth, the whole Truth and nothing but the Truth. Our reality is collectively constructed through our senses (e.g., science) or through culture (e.g., philosophy, religion and art). Destruction, conflicts and wars emerge when we erect artificial divisions, and deny an individual or group to participate as equals. Creativity is stifled when ideas become fixed or standardized, but emerges when we appreciate, share and celebrate differences. We have a choice to

create or destroy, to wage peace or war. Peace is the fruit of the creative human process and the hallmark that separates humans from other species. In human life, it is not the survival of the fittest, but building a society in which everyone is viewed as unique, imbued with dignity, and with equal access to the process and product of human creativity, innovation and compassion.

We are God's work of art, created in Jesus Christ to live the good life as from the beginning he had meant us to live it [Eph. 2: 10]. Socialization is part and parcel of the process of becoming human. It is, of course, the moral dimension of socialization that gives it its primary value, since its historical evolutions has perceptibly refined the human conscience. Technology and science have made an incredible progress that there are now real possibilities of promoting what is desirable for human beings. We have a challenge to face: Humanity is called to create a world of human dignity, and not allow the degradation of human beings as mere instrumental beings. The task of this Essay is to examine how to make these possibilities concrete so that there in so no threat to or other negative effects on what we call human dignity, particularly in critical end-of-life situations.

God revealed Himself, through His wisdom and His goodness, so that others may share in His will through the Father, Jesus Christ and the Holy Spirit, and thus enjoy and share in the divine nature. (Ephesians 1:9; 2:18 and 2 Pt1:4). In general Human life is sacred because the human is the most central and clearest reflection of God among us. Human beings have transcendent worth and value that comes from God;

this dignity is not based on any human quality, legal mandate or individual merit or accomplishment.

Human dignity is inalienable, that means it is an essential part of every human being and is an intrinsic quality that can never be separated for other essential aspects of the human person. Human beings are qualitatively different from any other living being in the world, because they are capable of knowing God and loving God, unlike any other creature. Belief in the dignity of the human person is the foundation of morality. The principle of human dignity is the foundation of all the catholic social teaching principles which are grounded on some the biblical vision of the human person whereby this vision of the human person is grounded on revelation.

- The human person is made in the image and likeness of God.
- Human dignity is understood as flowing from one's relationship with God and is not earned or merited. It is inherent.
- Human dignity is grounded in human freedom. The human person is free to accept or reject the ongoing self-communication of God.
- Human dignity is realized and protected in community with others.
- Theological vision of the human person
- The principle of human dignity rests on a foundation of faith which affirms that God is the source and creator of all life.
- In faith and through faith, the human person is fulfilled.

- The concept of human dignity is based on revelation and is essentially theological in nature.
- The human person is capable of knowing and loving God, unlike any other creature.
- The human person is to be morally responsible for the concrete protection of human dignity, and to “do good and avoid evil.”
- The human person is free. Only one who is free can be morally responsible.

GENERAL CONCLUSION

Morality, in the ultimate analysis, is not a problem of obedience to rules, but it is an intelligent search for appropriate and concrete behaviors through which personal and communal goals are reached. When a responsible human agent enters into his own creative endeavors, not only should he avoid anything counter to universal human dignity (as described in the first section of this essay), he should also use his capacity of rationality to achieve a distinctively meritorious form of human dignity by developing a virtuous character and by engaging in moral conduct. In this maximal second legitimate meaning of human dignity, a person develops his virtues as a means to gain his values and to achieve his flourishing and happiness.

The human person is gifted by being made in the “image of God”, but this gift implies a task. The person is a steward of himself and of the others including the whole creation. The most meaningful expression of this stewardship is his care for human life as far as the human person is concerned. It is an integral part of the human vocation to desire and act to protect the dignity of human person, but he or she must act, imitating the action of the divine model- with wisdom and love - responding with liberty and awareness of the dignity of human life. The concrete norms of action will be the result of a discernment that allows the moral agent to actualize in his concrete existence lasting values that define the ethical truth of the person. In front of any rational reflection, whether lay or secular, the human person is presented as the point of reference, the end and not the means, the transcendent reality for economics, law, and history itself....From the moment of conception to death, in every situation of suffering

or health, it is the human person who is the point of reference, and measure between what is licit and what is not.

In contrast, another understanding of dignity, which is compatible with Catholic thought, is that of *inherent* dignity, which is sometimes called basic dignity. Inherent dignity is a universal, inalienable moral quality, which the person does not earn and which cannot be taken from the person. It is not contingent upon a person's physical or intellectual abilities. Inherent dignity provides a *prima facie* reason for not exploiting or discriminating against a vulnerable person. However, dignity rests not only on what we have in common (for example, reason) but also on what is different about the person, our uniqueness or incommunicability, which is recognized, not in abstraction, but in encounter. We have also seen human dignity as a natural greatness discovered by *experiencing* a person; the lived experience of this value is evident both on an individual level and communal level. Each person has a unique set of experiences which make us admire and love that person. A person's absolute unrepeatability is revealed through free action, through the encounter with another. It is discovered through love, which reveals and confirms the value of a person who cannot be replaced.

The person is a unified totality, a multi-dimensional creature with a body and an immortal soul. He or she is a corporeal being, an incarnated spirit. The body, including the mind, is integral to the person. It is not something simply to be utilized by the person, like an instrument or tool. As such, the bodies of those with intellectual disabilities should not be objectified or treated as an instrument; rather, they should be understood as part of their whole person, worthy of respect. As the *Catechism of the*

Catholic Church (363) states: “The human body shares in the dignity of the “image of God”: it is a human body precisely because it is animated by a spiritual soul, and it is the whole human person that is intended to become, in the body of Christ, a temple of the Spirit.”

The conviction that everyone is equal in terms of their rights and dignity is for example the driving force behind efforts to secure equal rights for men and women, to prevent cultural and religious traditions being used as a pretext for not respecting certain rights, and to ensure that everyone in the world is free to express his views. A man with a sense of dignity feels resentment toward another when he thinks that he is being disrespected or treated merely as a means. In addition, he feels shame when he, himself, is guilty of some injustice. Furthermore, he experiences indignation at the exploitation, degradation, or oppression of others. Indignation at others' injustices is reflective of one's sense of dignity and his concern for the just treatment of others. A person with a sense of dignity is likely to take positive steps to attain justice for other persons.

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