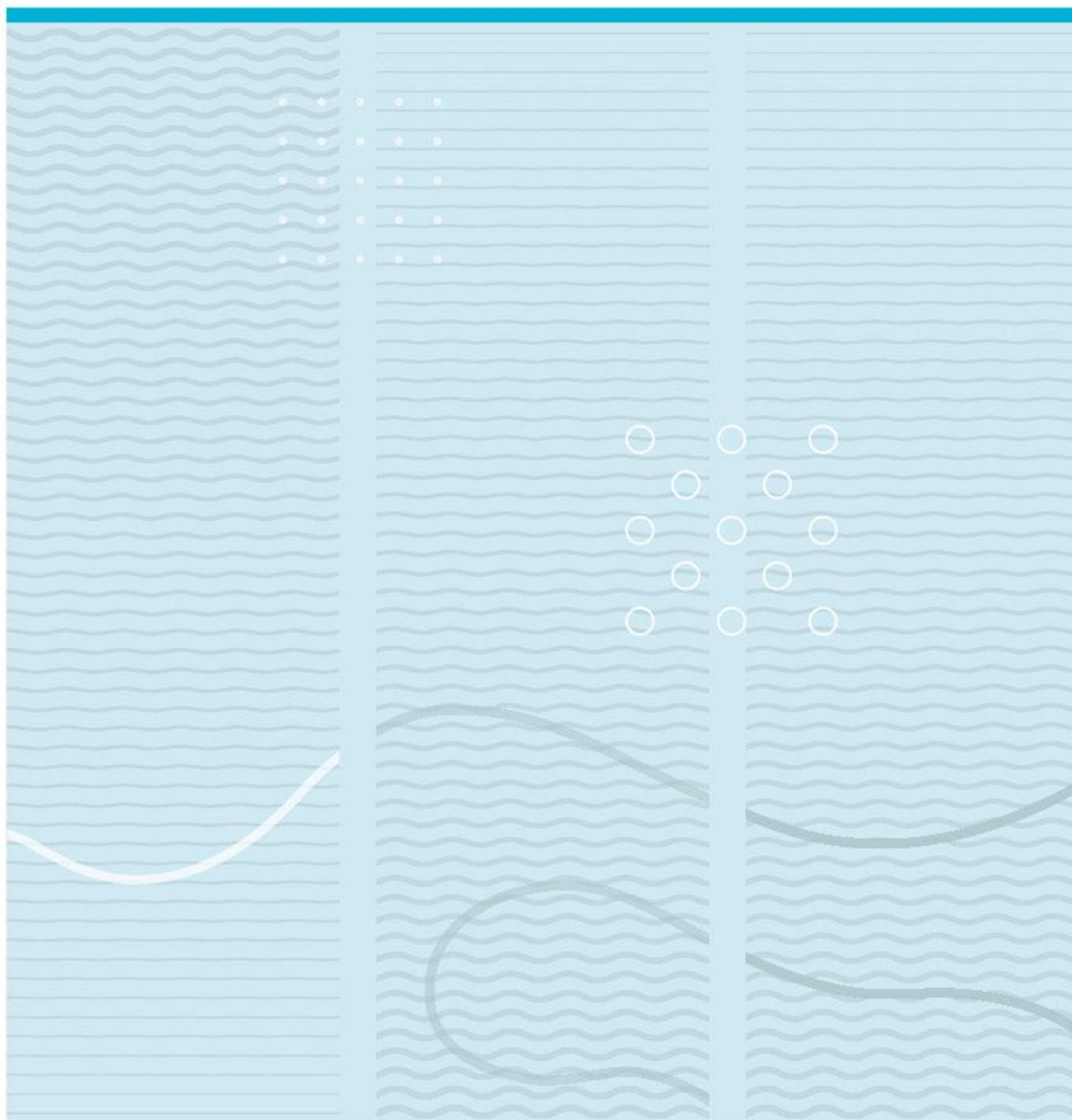


Anca-Giorgiana Timofte

What does human dignity mean for the language of human rights?

An exploratory analysis of Jack Donnelly's and James Griffin's accounts on human dignity and human rights.



University of South-Eastern Norway
Faculty of Humanities, Sport and Education
PO Box 235
NO-3603 Kongsberg, Norway

<http://www.usn.no>

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This thesis is worth 45 study points
Total number of words: 28.154

Abstract

Human dignity is a prominent topic in the academic discourse. Its ambit represents a point of interest for the legal, philosophical, theological, or political realm, just to mention a few. Human dignity and human rights are inextricably linked. For the language of human rights, human dignity makes a powerful foundational statement. However, in the scholarly context, several voices reject this postulation and the entanglement between the two concepts. These voices defend the view that human dignity does not provide any meaning for human rights and some contest even the term itself. Because of its pervasiveness, human dignity gave rise to a great amount of reasonings in the academic field. Even though this topic has already been researched from various perspectives, the current research aims to discover what human dignity means for the language of human rights by using a different approach. In this sense, the novelty is that it seeks to elaborate on the theoretical stances of a complex concept through an exploratory analysis of Jack Donnelly`s and James Griffin`s accounts on human rights and human dignity.

Keywords: human dignity, human rights, overlapping consensus, cultural diversity, personhood.

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Acknowledgments

Foremost, I would like to express my inestimable gratitude and special thanks towards my supervisor, Professor Ådne-Valen Sendstad, who has been my main companion on this journey called Master's thesis. Without his help, this project would not have seen the light of the day. His knowledge and expertise in the field of human rights, his support, interest, and constructive feedback have constituted the most important bricks that paved my way to this accomplishment. I am therefore highly indebted for his guidance and constant supervision.

Secondly, I would like to thank my partner, Ionut, who has always been my rock and my biggest applauder. Another vital source of support has been my family and best friends. Their constant words of encouragement, their genuine trust in me, and their immense love have represented an indispensable pillar in this process.

Last but not least, I would like to thank myself, although this is not something that characterizes me as my imposing critical inner voice never ceases to talk. Yet, this is the type of accomplishment that almost obliges me to become my cheerleader. To acknowledge the progress, celebrate the achievement, and be proud because the journey of writing a master's thesis has not been unchallenging. Paradoxically, during this journey, I was my biggest nemesis. The process of writing this thesis was perhaps one of the most demanding in my entire student life. And as Nelson Mandela said, "It always seems impossible until it is done." This quote encompasses the whole essence of this academic journey.

Oslo, May 2021

Anca-Giorgiana Timofte

I. Introduction

1.1. The context

At the heart of the human essence lies a value that makes a powerful statement of recognition towards a unique character of humanity: human dignity. On the general scene of knowledge, the concept of human dignity reflects an intrinsic feature that amounts to the respect ascribed to human beings. As the term illustrates, human dignity is solely tied to humanity; thus, every person possesses dignity as an attribute of this membership. Human dignity's theoretical nuances arouse interest for several branches of knowledge, such as ethics, legal or political discourse. In this sense, John Tasioulas expresses the following idea that captures the substance of human dignity from a moral stance by affirming that it "encapsulates the distinctive moral standing of our fellow humans, a standing that differentiates them from non-human animals, thereby imparting a special moral significance to their existence and the fulfillment of their interests." (2012, p. 307)

It represents a generally accepted fact that the Holocaust, the universal expression of human dignity violations, generated the impetus to create the human rights system promoted by an internationally accepted treaty. Through its integration into the international legal discourse, the concept of human dignity gained more visibility. At the same time, it engendered a series of debates related to its conceptual foundation and its implicit affiliation with human rights. Following this line of reasoning, Weisstub emphasizes an irrefutable claim that the Western concern for dignity was "accelerated, borne out of the degrading experiences of Holocaust that shocked democratic observers who had come to the naïve conclusion that enlightened values were our best protection against evil." (2002, p.264)

In this sense, the magnitude of the concept of dignity for the confinement of a quasi-legal instrument and its ulterior expansion is hard to be discredited because historically proven facts characterize it. Or, as Kevin J. Hasson infers it, human rights' shape depends on the shape of human dignity because their scope and foundation have to follow the same path. In this way, human dignity becomes the "ultimate value" that proffers consistency to the language of human rights. (2003, p.81-83) From this perspective, the relatedness between human dignity and human rights is axiomatic; hence it is almost impossible to think about the two concepts without any reference to their contingency.

Habermas points out that human rights commenced as a strong reaction to the offenses against human dignity. For this reason, they can be considered "specifications of human dignity" and their moral origin. Moreover, human rights represent a concept characterized by a Janus face concept, which means that it comprises two contrasting dimensions, morality and law, with human dignity having the role of a conciliator. (2010, p.464)

Human dignity is implicitly attached to the language of human rights and constitutes their foundational dimension. The Universal Declaration of Human Rights engendered a formal assurance that freedom and justice must prevail, that everyone is equal in rights and dignity, and that these fundamental rights apply to all people. This landmark document encapsulates rights grounded in the concept of dignity as a core value and thus constitutes an utterance per se of human dignity. To deny the fact that human dignity represents the core of the whole system created by the emergence of human rights equivalates with a fragmentation of the entire ideological spectrum behind their rationale. Thus as Henkin states:

"The human rights idea and ideology begin with an ur value or principle (derived perhaps from Immanuel Kant), the principle of human dignity. Human rights discourse has rooted itself entirely in human dignity and finds its complete justification in that idea. The content of human rights is defined by what is required by human dignity- nothing less, perhaps nothing more." (1998, p. 231)

In light of this, the entanglement of human dignity for the language of human rights renders a spectrum of reasonings centered on their imperishable connection. Their detachment would equvalate with an inability to comprehend one without the implications of the other. Therefore, it is unfeasible to convey these standards in the absence of human dignity because this represents the basis of the entire human rights ideology. In light of this, the current study aims to elucidate the meaning of human dignity for the language of human rights.

1.2. Research question

The research question is the *raison d'être* and the essential constituent of every research project. It represents the engine that puts the study in motion and its trajectory of inquiry. Moreover, it appries the readers of what the research seeks to accomplish. In this sense, Bryman asserts that the research question has a vital role because it impels the researcher to focus on the issue at stake more meticulously and attentively. (2012, p.10)

Constructed around the theoretical premise that the human rights apparatus is contingent on the concept of dignity, the current research seeks to be an exploratory analysis of human dignity in connection to the language of human rights. Hence, the primary question that this paper addresses and sets out to answer is the following:

What does human dignity mean for the language of human rights?

An exploratory analysis of Jack Donnelly's and Griffin's accounts on human dignity and human rights.

A problem statement that summarizes the vision behind the study and the chosen approach accompanies the research question and highlights its distinctiveness. This current research study aims to enhance knowledge on the topics that constitute its point of concern. In this sense, the analysis of Jack Donnelly's and James Griffin's accounts on human rights and human dignity represents the kernel of his endeavor and point towards its contextual framework.

1.3.Modus operandi

A suitable technique is a sine qua non to adequately answer the research question and achieve this study's objective. A method that not only aligns with the research's paradigms, but that also enhances its essence. Since this paper seeks to unfold the signification of human dignity for human rights discourse, the modus operandi that goes best in line with this is a hermeneutical stance affiliated with a qualitative approach. In light of this, the research is constructed upon a text analysis of Jack Donnelly's and James Griffin's accounts on the two concepts. The peculiarity of a hermeneutical lens is that the interpretation of relevant theories focuses exclusively on the authors' view, meaning that the researcher's beliefs do not intervene in the exploratory analysis. This section concisely presents the system of methods used for the current research. Chapter IV provides a more comprehensive exposition of the methodology for examining what human dignity has to do with human rights and what it implies for their language.

1.4.Overview over the thesis

The narrative and the argumentation of this study follow a definite structure and develop over seven main chapters, each of them divided into different sections according to the recurrent theme. Chapter one places the research into context by stating its point of concern, the research question, and a brief overview of the methodological path. Human rights and human dignity constitute the focus of attention for chapter two. Chapter two outlines the starting point for human rights and depicts a general picture of human dignity and its meaning, but it also relates the concept to cultural diversity. Chapter three represents the theoretical substratum of the paper because it places human dignity and human rights in the scholarly context and provides a solid overview of what we already know about the topic. This structure's novelty is that chapter three encloses two functions: the literature review and the theoretical framework. The justification lies in the fact that the current thesis is a theoretical

expression build on the exploration of theories; thus, a distinct chapter that treats the theoretical framework is redundant since the concepts are already scrutinized in the current chapter. Chapter four is an in-depth exposition of the methodology used for this research. In chapter five, the paper's nucleus takes shape. This chapter thoroughly restates the research problem and marks the starting point for the theoretical discussion by presenting Jack Donnelly's account of human rights and human dignity. In contrast, chapter six presents James Griffin's approach, each of these chapters having its distinctive section for remarks. After the authors' standpoints are brought to the fore of discussion, the two reasonings are juxtaposed to show the dissimilarities between their theoretical stances in chapter seven. The final chapter concludes the research and concisely assesses what has been discussed.

II. Human rights and human dignity

2.1. Human rights begin at home

In a speech called *Where do human rights begin?*, addressed to the United Nations after the 10th anniversary of the Universal Declaration, Eleanor Roosevelt, a prominent figure for its drafting, enunciated the relevance of human rights for mankind and also the importance of safeguarding them at a micro level because this is where they started "in small places close to home—so close and so small that they cannot be seen on any map of the world. Yet they are the world of the individual person." For Roosevelt, this represents the epicenter of human rights or "the place where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination." In her view, it is vital for the rights promoted by the Declaration to have substance and significance at the smallest level because only in this way can they excel and thus have meaning at a global level. In pleading for the salience of maintaining these rights "close to home," her reasoning leads to the idea of unity and that of a collective effort to defend them; otherwise, "we shall look in vain for progress in the larger world." (United Nations, 1958)

Consequently, the awareness of the need to keep human rights safe from violations is our common duty, our perpetual goal for the sake of which every human being has to contribute. Yet, the continuum of human rights breaches on a global scale indicates that there is still a discrepancy between practice and theory when it comes to safeguarding human rights. Continuing with Roosevelt's rationale, it is plausible to ask ourselves, on a rhetorical note, how we end up here and who is to blame for the failure of not progressing in this direction even after so many decades since

the adoption of the Declaration? What is certain is that human rights emerged from the desire of recognizing the "inherent dignity and (...) the equal and inalienable rights of all members of the human family" as this is "the foundation of freedom, justice, and peace in the world." (The Preamble of the United Declaration of Human Rights, UN General Assembly 1948) Concerning this, Roosevelt points out that for United Nations, "the preservation and promotion of human rights and fundamental freedoms" represent a requisite. (...) The United Nations has made it clear that it intends to uphold human rights and to protect the dignity of the human personality." (Roosevelt, 1949, p. 23)

This utopian ideology exhibited by the overture of the Declaration is still susceptible to attain its proclaimed standards to a more ample extent. On a metaphorical note, human rights constitute an everlasting project that started in 1948, a sort of germ, a seed that has to be nourished with a tireless amount of effort to reach its absolute fulfillment.

The United Declaration of Human Rights adopted in 1948 marks the terminus a quo for human rights and has the merits of establishing a global framework based on freedom, equality, and dignity for every human being. This paved the path for developing a new corpus of international human rights law, with the help of which human rights gained prominence and became the apogee of the twentieth century. It is practically the birth of the system of human rights, their point of origin. From this moment, human rights surpassed the domestic jurisdiction and became a matter of global interest. Or as Charles Beitz puts it, at the international level, human rights represent the "common moral language" for the discourse that promotes peace and also a complex "international practice." (2009, p.1)

In this sense, human rights became visible worldwide and gave rise to an ideological revolution that has in its center of attention a "common standard of achievement for all peoples and all nations" and the "promotion of universal respect for and observance of human rights and fundamental freedoms." (The preamble of the Universal Declaration of Human Rights)

The emergence of this new system of rights, adopted on an international scale, can be perceived as a dose of optimism and a guarantee that the dark history will not replicate. In this way, human rights affirmed the concept of human dignity as the basis of their system and created the grounds for a new start impregnated with hope for a brighter and more just future. Through its integration into the international legal discourse, the concept of human dignity gained more visibility. Still, at the same time, it engendered a series of debates related to its conceptual foundation and its implicit affiliation with human rights. Theoretically, the impetus that created the grounds for a more equitable is the expansive project that started after World War II and that culminated with the adoption of an internationally recognized document that enclosed unalienable, civil, and political rights and liberties.

According to Costas Douzinas, the gap between what he calls "the triumph of human rights ideology" and the cataclysm of their practice is "the best expression of postmodern cynicism, the combination of enlightenment with resignation and apathy and, with a strong feeling of the political impasse and existential claustrophobia" (2000, p.12). From this perspective, the rights evoked by the Universal Declaration are the expression of an idea of equality, freedom, and dignity rather than a tangible reality that goes beyond the theoretical extent. This brings into light the idea of a paradox between the current status quo and the idealistic picture depicted through these fundamental rights because dichotomies sadly conquer our world, and human rights are no exception from this assertion.

There is a lack of viable endeavors in shielding human rights from an empirical point of view. Essentially, this situation has to do with an extensive spectrum of factors that collide with the quintessence of human rights, for instance, the governments' obliviousness to human rights abuses or cultural values that seem to be irreconcilable with these fundamental and moral principles. As the analysis will show, culture represents an essential aspect in the discussion about human rights. Some of the views from the scholarly context tackle cultural diversity and its intersection with human rights without altering their essence or denying their existence. The prominent debate concerning culture and human rights provides two main trains of thought: universalism and relativism. What characterizes the discussion between culture and human rights is a high degree of intricacy. Cultural sensitivity and the rejection of ethnocentrism play a significant role while advocating for their universality. On the other hand, pleading the relativist stance in approaching human rights must not transform itself into an indirect defense of human rights violations. Culture is indeed essential, but when human rights are violated in the name of cultural practices, what should prevail? Culture or human rights? The answer is highly subjective and does not have a unanimous consensus. By definition human rights are universal and even in the societies where the notion itself is foreign they still represent a latent force whose existence cannot be suppressed. Perhaps an approach that favors human rights education can generate a more growing awareness, which constitutes the first step in enhancing the protection of human rights. Eleanor Roosevelt envisioned the necessity of expanding human rights by stating that:

"The future must see the broadening of human rights throughout the world. People who have glimpsed freedom will never be content until they have secured it for themselves. In a true sense, human rights are a fundamental object of law and government in a just society. Human rights exist to the degree that they are respected by people in relations with each other and by governments in relations with their citizens." (1948, Sorbonne, Paris, Sept. 28)

2.2. The language of human dignity

Human dignity is a very complex concept characterized by opacity and a high degree of disarray. Human dignity is an omnipresent element in the language of human rights, but its meaning may seem confusing to comprehend without a meticulous theoretical periplus. The language of human dignity speaks about two theoretical dimensions that give essence to human rights discourse. Firstly, it engenders the normative status of every human being and represents the foundation for any human rights claim. The appeal to human dignity in claiming to safeguard human rights makes a powerful statement of how vital is this concept for the language of human rights. Secondly, another dimension of human dignity has to do with having human rights respected. Their fulfillment is a *per se* definition of a dignified life.

The Latin root of the English word dignity, *Dignitas*, induces the idea of worthiness. This represents the easiest way of explaining what human dignity entails, at least from the surface, without digging into its profoundness and conceptual entanglement. However, the exhaustive comprehension of the concept of human dignity transcends this elementary semantic field and requires an exploration within various antithetical dimensions of knowledge that contribute to shaping the notion's system of conjectures. For this reason, the main objective of this paper is to analyze the concept of human dignity to unravel some of its various aspects that give essence to the discourse of human rights.

Human dignity is undoubtedly the underlying basis for the language of human rights and a focal point in the discourse of human rights. The preamble of the Universal Declaration does not leave room for interpretations in this direction and unequivocally expresses this idea:

„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.”

In this sense, human dignity is the catalyst that activated the start of the system of rights. Human dignity is not an individual right enshrined in the Universal Declaration. Yet, it is entrenched in a variety of rights that have their quintessence in this concept: the right to life and liberty (Article 3), the prohibition of slavery (Article 4), the rejection of torture and inhuman, degrading treatments (Article 5), the presumption of innocence until the charge has been proved beyond a reasonable doubt in a public trial (Article 11), the right to privacy (Article 12), the freedom of expression (Article 19) or socio-economic human rights such as the right to work, the right to equal pay (Article 23 paragraph 1, 2), the right to education (Article 26), or the right to culture (Article 27). These are examples that reflect the extent of human dignity's attachment to human rights. Even though dignity is not stated as an individual right, its dialect is spoken throughout the document.

But what does human dignity entail? In simple words, when we think about human dignity and its meaning, the first thing that automatically comes to our mind is the idea of respect. To have dignity means to be valued as a human being and treated with due regard for your feelings, wishes, and, most importantly, your rights. Or as Rosen puts it:

„To respect someone's dignity requires that one treats them with ‘dignity- that is, they must not be treated in ways that degrade, insult, or express contempt.’” (2012, p. 129) On the contrary, an affront to human dignity would, for instance, take the shape of discrimination on the grounds of age, gender, or skin color. Dignity is an intrinsic feature attributed exclusively to humanity. Thus we are all entitled to have dignity based on being humans beings. The term human from the designation of the concept is in itself a recognition that dignity is an attribute tied solely to humanity. In this sense, Weisstub sets forth a remarkable view of what human dignity entails. He believes that despite the vagueness that feeds the concept, human dignity is depicted as the corollary of being human, „a signaling term” representing the central point for humanity. (2002, p. 269) Human dignity is the attribute of every human being, an inherent quality due to their membership in humankind. Notwithstanding the heterogeneity of the notion, human dignity is embedded in what it means to be human.

2.3. Cultural diversity and human dignity

„Culture takes diverse forms across time and space. This diversity is embodied in the uniqueness and plurality of the identities of the groups and societies making up humankind. As a source of exchange, innovation, and creativity, cultural diversity is as necessary for humankind as biodiversity is for nature. In this sense, it is the common heritage of humanity and should be recognized and affirmed for the benefit of present and future generations.” (Article 1, UNESCO Declaration on Cultural Diversity, 2001) By corroborating its principles with the rights expressed in the Universal Declaration of Human Rights, the UNESCO Declaration on Cultural Diversity adopted in November 2001 represents the main instrument that seeks to promote cultural diversity and affirms respect for the variety of cultures. The primary statement that the Declaration makes is to encourage intercultural dialogue.

Culture is embedded in every society. It encompasses the customs, traditions, languages, and beliefs specific to each civilization. Culture lies in the genetics of every person, and it shapes cultural identity. It represents society's underlying basis and reflects its unicity. The multitude of cultures is a testimony of a cultural distinctiveness that characterizes every community, and in this

sense, contributes to enriching the world. Moreover, the large spectrum of cultures is a strong statement of how the unlike cultures merge under the aegis of diversity.

Following this line of thought, Bhikhu Parekh describes cultural diversity as „an important constituent and condition of human freedom” that generates a „climate in which different cultures can engage in a mutually beneficial dialogue.” (2000, p.p. 167-168) From this perspective, cultural diversity is considered a prerequisite of being free, and it also indicates that the cultural dissimilarities coalesce fruitfully and hence do not give rise to divisions. Without any intention for this phrase to sound cliché, every human being is unique, and differences of any kind are not meant to separate us but to bring us together.

Cultural diversity is inextricably linked to human dignity and human rights. The UNESCO Universal Declaration on Cultural Diversity conveys the idea that „cultural rights are an integral part of human rights, which are universal, indispensable and independent.” (Article 5, UNESCO Universal Declaration on Cultural Diversity). Article 27, paragraph 1 of the Declaration of Human Rights sheds light on what cultural rights are by stating that everyone „has the right freely to participate in the cultural life of the community, to enjoy the arts and to share scientific advancement and its benefits.”

The Universal Declaration on Cultural Diversity explicitly establishes the connection between multiculturalism and human dignity in Article 4 that encapsulates the substance of this relationship:

„The defense of cultural diversity is an ethical imperative, inseparable from respect for human dignity. It implies a commitment to human rights and fundamental freedoms, in particular, the rights of persons belonging to minorities and those of indigenous peoples. No one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor to limit their scope.” (Article 4, UNESCO Universal Declaration on Cultural Diversity) In light of this affirmation, human dignity cannot be separated from the protection of cultural diversity as they are contingent on each other. Respect for the variety of cultures means respect for human dignity. Conversely, denying the right to enjoy cultural rights equates with an affront to human dignity. However, this does not entail the universal truth, but it is solely seen through the lens of human dignity because, as the discussion part will elaborate at a later stage of this study, in some cultures, human dignity has different interpretations.

This section has outlined some of the critical aspects of discussing cultural diversity and human dignity. Despite its predisposition to being contested, this link is implied by both of the concepts. Human dignity flourishes when cultural diversity is protected and promoted. This protection is a direct statement of respect for one`s beliefs, language, customs, or everything that a

specific culture means. Hence, the nexus between human dignity and cultural diversity best reflects what Article 1 from the UNESCO Declaration describes as the „common heritage of humanity.” The following chapter will elaborate on the relevant literature that shows how human rights and human dignity are perceived in the academic discourse. Moreover, the next chapter has the merits of situating this study in relation to the existing knowledge by providing its theoretical foundations.

III. Relevant theoretical literature

According to Nygaard, the literature review has the scope of apprising the readers of how the topic is examined in the academic field by attaching it to a theoretical discussion and thus indicating the perimeters of the research. (2017, p.111). How this is conveyed in the academic literature serves as a starting point in acquiring knowledge about a particular subject of study. Or as Bryman puts it, theory „is important to the social researcher because it provides a backcloth and rationale for the research that is being conducted.” (Bryman, 2008, p.20) On the other hand, the narrative of the relevant sources enables the reader to obtain a picture of what is already familiar about the question at issue, and it can also be convenient in depicting the ideational holes. The current exploration of the concept of human dignity and its interrelation to the language of human rights aims to be an expository prologue that sets forth the theoretical foundations of the research.

In the scholarly context, human dignity gained its prominence through several studies and published information that portrayed the discussed concept as possessing an extensive set of various understandings. There is a wealth of literature dealing with the topic of human dignity. While some argue „appeals to dignity are either vague restatements or mere slogans” or that human dignity is a void and useless concept (Macklin, 2003), the significance of human dignity for the entire trajectory of human rights cannot be repudiated. Analyzing how human dignity grounds human rights leads to a better comprehension of the concept per se and gives a comprehensive theoretical picture of their relatedness. Hence, the explicit link between human dignity and human rights represents the focal point and the main center of interest for the narrative of this current inquiry. In this way, the present chapter is anchored in the apprehension of the concept of dignity both as an autonomous notion and explicit relatedness with the system of human rights. The discussion about human dignity and human rights will reveal many reasonings by pointing in the direction of different perspectives that contribute to shaping the rationale behind the thesis.

Human dignity represents the incentive of this paper, the dominant theme and the central theoretical pillar that gives rise to the discussions. Along with human dignity, human rights constitute another essential conceptual substratum. In this sense, the motive of this study is to portray some of the philosophical and normative dimensions of human dignity, see what this concept does for the language of human rights, and show that the two concepts are inextricably intertwined. The exploration of various outlooks provides a knowledge framework that stimulates the dissension and consensus related to the analyzed topics. In this sense, the use of the concept of human dignity in connection with the language of human rights is not immune to criticism, an idea that validates once again the interest sparked by the discussed concepts. There is, therefore, a significant amount of substantial literature treating several contentions regarding the utility of human dignity not only as a separate concept but also related to human rights. George Kateb brings forward a very pertinent allegation in this sense, in what he calls a defense of human dignity, where he reveals that the idea of human dignity is only adding a „phrase” to the theory of human rights, notwithstanding Kant`s exertion. (2011, p.4) Although the author does not endorse this vision, it represents a very relevant argument, both for the advocates of human dignity`s uselessness and the supporters of its viability.

Human dignity is intrinsically linked to international human rights law and thus possesses a various set of understandings. This points out that human dignity is a complicated notion to grasp, and the normative, philosophical, and teleological dimensions are aligned under its conceptual complexity. Or, as Catherine Dupré observes, human dignity is what she calls „a multi-layered concept, with deep roots in history, philosophy, religion, politics, and law”, but the enumeration is not exhaustive as the author leaves the list open for other disciplines to be included. Catherine Dupré, whose writings are inclined more towards the legal side, also talks about the difficulty of finding a ubiquitous explanation of what human dignity entails from a legal perspective. The author notices that a generally accepted definition would not necessarily constitute a common and desirable objective. Yet, she posits that a legal description of the concept of dignity is still attainable, especially in Europe, where her study is geographically centered. (2013, p.113)

Gilbert endorses the same view by pointing out the entanglement of human dignity for the language of human rights. Moreover, he highlights the importance of not being satisfied with a sole denotation. Instead, he pleads for the understanding of its difficulty from a broad spectrum of accounts. In this sense, the author offers a vibrant postulation of human dignity`s meaning and describes it as is the moral heart of human rights. Moreover, Gilbert asserts that the comprehension of the term allows us to „explain the content and force of human rights as the urgent ethical and political project that puts humanity first.”(2018, p.1)

Human dignity is attached to the language of human rights. Hence in the discussion about the two concepts, there has been an enaction of a wide range of noteworthy and perennial intellectual puzzles in the academic community. On the other hand, human dignity has also raised a considerable amount of discussions concerning the comprehension of humankind within the language of human rights. In other words, the question of how human rights are correlated to the concept of humanity. Though this current literature review is not exhaustive, it tries to outline the essential sources that represent a helpful tool for the employed theoretical approach. When it comes to the functionality of the concept of human dignity for the language of human rights, there are various contentious arguments that each pleads for different ways of apprehending a concept predominantly characterized by complexity.

3.1.Human dignity in the international Human Rights system

The starting point in the analysis of the relevant literature is constituted by exploring the Universal Declaration of Human Rights of 1948, which illustrates one of the most salient normative instruments to be used in this study. It is essential to point out that, to some extent, the Declaration was shaped on the French Declaration of the Rights of Man and the Citizen (1789). Still, the word man was replaced by the word human, which means the recognition as a person before the law of the entire humankind and the rejection of discrimination (Bourke, 2011, p. 214).

The Declaration is considered a landmark document because it brought to the international arena a set of standards for the protection and fulfillment of human rights, enshrined in the international human rights law. In the light of this, the Declaration can be perceived as a sort of postwar revolution of rights because it placed the entire humanity, with no prejudicial treatments of people, at the kernel of its claims. This meant a beginning of a new epoch, a sort of restorative attempt in healing the wounds of a dark past characterized by injustice and destruction. Through its adoption, the Declaration expressed a concomitant pledge of a future that will reject any forms of discrimination and oppression, where freedom will no longer be a desideratum but an indispensable ingredient to every single nation on earth.

In a speech addressed as the chair of the United Nations Commission on Human Rights, Eleanor Roosevelt pleaded for the extraordinary significance of the Universal Declaration "We stand today at the threshold of a great event both in the life of the United Nations and in the life of humankind. The Universal Declaration of Human Rights may well become the international Magna Carta of all men

everywhere." (United Nations, the 9th of October 1948). Her powerful oration represented a veracious prediction on how the Declaration will impact the global scene by reaching the prominence of its precursor, the Magna Carta.

Mary Ann Glendon considers it as "the single most important reference point for cross-cultural discussion of human freedom and dignity in the world today" and also as having "the status of holy writ within the human rights movement." (1998, p.1153) The incorporation of human dignity in such explicit correlation to human rights granted the concept the normative status. As McCrudden argues, it represented the impetus for the further use of dignity in international or regional human rights texts and meant the historic climax in the evolution of the concept. (2008, p. 656-667)

Already in the preamble, the Declaration affirms the hegemony of the "human family" by acknowledging their intrinsic dignity and their absolute rights, a substratum of justice, freedom, and peace. As it is stated in Article 1, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." (UN General Assembly, 1948) The above article is perhaps one of the most essential in capturing the profile of the bearers of human rights- human beings. In this way, the entire humankind became the culmination and the leitmotif of human rights recognized as the possessor of these fundamental rights. Furthermore, through the codification of human dignity in explicit connection to human rights, human beings are aligned at the top of the impetus in an age marked by cruelties and awfulness and postulate the regeneration of a new Epoque that has its core in human dignity and humanity.

This is by far the strongest statement made by human rights discourse, ascertaining that "reason and conscience" are the main elements that differentiate human beings from animals that are not bearers of human rights. As stated in the first article of the Universal Declaration of Human Rights, human dignity is inherent, thus possessed by every individual by their humanity. In other words, human dignity, as stated here, can be considered as a breakthrough in the sense that it is no longer ascribed to people based on their achievements but the ground of their humanity. Thus, dignity is intrinsic and does not require efforts or standards. (Timofte, 2020)

In this sense, in the light of the Universal Declaration, we can understand human dignity through the lenses of a Kantian perspective because it is stated as a birthright, as an untouchable and unalterable feature with whom every human being is born. Moreover, the lack of any religious reference induces the idea that the drafters wanted the Declaration to be purely secular. McCrudden highlights the crucial role played by the Universal Declaration of Human Rights in "popularizing the use of dignity or human dignity in human rights discourse." (2008, p. 655) This is a strong reflection of how the concept of human dignity impacted the entire system of human rights. Therefore, it is

needless to say how vital this concept is for the corpus of international human rights law because both human dignity and human rights are implicitly enshrined in each other's substratum.

The central role of the Universal Declaration of Human Rights for the recognized international human rights law inspired Jack Donnelly to put forward a theory of human rights called "the Universal Declaration Model." With the help of this, he seeks to clarify the conceptual logic behind it. In this venture, the first argument he proposes is that human rights have their genesis in a conception of human dignity. (2013, p.24-28) The acknowledgment of the concept of human dignity as the origin of human rights gives rise to a series of inferences drawn from this assertion. The same point of view is endorsed by Oscar Schachter, who believes that the appeals to the concept of human dignity and the innate worth of every person contribute to the expansion of human rights, in the sense that these can become stronger "by formulating new rights or construing existing rights to apply to new situations." (2017, p. 853)

In this way, human rights became an international and universal mechanism of protection, a tangible reality, and a triumph against all the cruelties and inequalities that marked that period. From this perspective, Costas Douzinas claims that even if the twentieth century is considered the epoch of human rights, their achievement is set under the sign of inconsistency. This is because this century has been exposed to genocide, massacre, Holocaust, and huge interstices between poverty and wealth and north and south on a global scale (2000, p.2). Human rights affirmed the concept of human dignity as the basis of their discourse and created grounds for a new start impregnated with hope and confidence in a better future. However, human rights are still not immune to critiques regarding their applicability in practice and their universalism. From a historical point of view, human rights were touched by a conflict between Western liberal and other connotations of human dignity, in the sense that the ideologies of the Universal Declaration of Human Rights were marked by a Western tone (2000, p.123). The articles from the Universal Declaration tend to evoke just an ideal of equality for every human being, rather than a widely valid reality, and that transcends the theoretical extent. In other words, even after so many years, human rights still constitute a desideratum in some parts of the world. This leads to a paradox between the actuality and the idealistic world depicted through their emergence. The world we live in is full of dichotomies, and human rights are no exception from this assertion. (Timofte, 2020)

In a discussion about the concept of human dignity in the Universal Declaration, Glenn Hughes is placing the "inherent human dignity" at the core of its foundation and claims the vital influence of the Universal Declaration in both the international and national political discourse. (2011, p.4) In this way, incorporating human dignity in one of the most popular international instruments changed the understanding of human dignity. It also paved the way for its further use

in national constitutions and other human rights conventions. The German Constitution from 1949 is perhaps one of the most noteworthy examples of the codification of human dignity in a national constitution. Through article one, human dignity is placed at the core of the German constitutional law, and it is proclaimed as a concept rooted in humanity: "Human dignity shall be inviolable." In addition to this, how human dignity is used here is a Kantian statement of the concept. In other words, there is a clear understanding of human dignity impregnated by Kant's ideas. Following the same path as the Universal Declaration, other significant international treaties, among which the International Covenant on Civil and Political Rights (ICCPR, 1966), Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1965), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984), or Convention on the Rights of the Child (CRC, 1989), to mention some, have affirmed the importance of human dignity by invoking it in their preambles.

The Helsinki Accords from 1975 represent another strong argument in sustaining the claim that human rights and human dignity are grounding each other. According to the document, whose aim was to reduce the tensions between the Soviet and the Western alliances, human rights "derive from the inherent dignity of the human person." (Principle VII) In an editorial comment that addressed human dignity as a normative concept, Oscar Schachter argues that the above statement regarding the inherent dignity of the "human person" should be regarded from a philosophical point of view. In this way, it is implied that rights derive from the person's intrinsic dignity, not from an external source or authority. In other words, as the author portrays it, the implications of philosophy in the discussed matter reflect how human dignity generates rights and vice versa. (1983, p.853) This illustrates a powerful assertion that enhances the veracity that characterizes the nexus between human dignity and human rights.

These are only examples showing the prevalence of human dignity both at the international level, in documents, resolutions, and at the national level, in some constitutions. Hence, this extensive codification is a statement denoting human dignity's foundational character for the system of international human rights law, and also in several constitutions where the concept is expressly invoked.

3.2. Douzinas' account on human rights

Through a detailed enumeration of utterances used to describe the magnitude of human rights, Costas Douzinas depicts a strong picture of them as the "principle of hope", "the cry of the oppressed, the exploited, the dispossessed, a kind of imaginary or exceptional law for those who have nothing to

fall back on." (2000, p.145) In this way, he points out the entire ideology behind human rights by enhancing their nature and significance on the international stage. In other words, in Costas Douzinas' view, human rights make a strong statement about their discourse. They enhance the aspiration of a world where protection, proliferation, and expansion of these principles represent the rule of law, a tangible reality, and not an ideological dimension that seems almost impossible to reach.

In a study about human rights from a political-philosophical perspective, Douzinas directs his attention to the idea of humanism and its link to human rights. In trying to understand this, the author asks a pertinent question for the proposed discourse: "Who or what is the human of human rights?" This premise represents the starting point for his reasoning. Based on it, Douzinas touches on the normative quintessence of rights, which he believes, is constituted by human nature. In this sense, the extent of rights and their essence is contingent on being a human being. (2007, p.51)

Although Douzinas does not explore the concept of human dignity directly, only by alluding to the tenets of humanism and human rights, the author concomitantly brings it to the surface. And this is another proof that it is impossible to deny the implications of the concept of dignity for the language of human rights. In other words, human dignity is omnipresent in all the academic discourses that come in contact with it. Thus it is impossible to circumvent the theoretical encounter with the concept.

From this perspective, Douzinas' construction of rights interferes with Humanity. For this reason, he pleads for an existentialist approach of Humanity, without whom "human rights appear as highly artificial constructs, a historical accident of European intellectual and political history." In his endeavor of finding who is the human "of rights," the author defines it as a floating signifier, which means "a word, a discursive element, neither automatically nor necessarily linked to any particular signified or meaning." Conversely, the human from human rights is not a word that points to no actual object, but one that "carries an enormous symbolic capital, a surplus of value and dignity endowed by the revolutions and declarations and augmented by every new struggle that adopts the rhetoric of human rights." (2007, p. 55-56) This reasoning generates an essential frame of reference in the academic discourse for the attempt of apprehending the idea of humankind and its link to the discourse of human rights. In this sense, Douzinas` states that:

"Humanity cannot act as the a priori normative source and is mute in the matter of legal and moral rules. Humanity (...) is the definition of groundlessness and (...)has no intrinsic normative value." (2007, p.57)

3.3. Understanding human dignity

The exhaustive comprehension of the concept of human dignity transcends its elementary semantic field. It requires an exploration within various antithetical dimensions of knowledge that shape the notion's system of conjectures. In this sense, Catherine Dupré describes the concept of dignity as "heuristic," which means that its significance is not fully known or entirely investigated. Thus the concept per se is an open invitation to unearth it. (2018, p.17) Through its conceptual intricacy, human dignity is triggering attentiveness to promote continuous examination to elucidate its opacity.

Charles Beitz talks about the omnipresence of the idea of human dignity in the human rights discourse (that started with the UN Charter and the Universal Declaration from 1948), and he is at the same time touching on the easiness of doubting the usefulness of the concept of human dignity as the foundation of human rights. The main idea of Beitz's claim is the fact that skeptics are prone to consider human dignity as "too abstract a value to be informative about the grounds of human rights." In this context, it seems that human dignity lacks content and conceptual substance. It does not represent a background for the language of human rights, nor does it clarify the nature or significance of human rights. In the light of the arguments proposed, Beitz considers that we instead need a "better understanding of the idea of human dignity as it arises in the discourse of the practice." (2013, p.259-260)

In discussing the various comprehensions of the concept of dignity, Doris Schroeder argues that there are four different ways of understanding it, such as the Christian, the Kantian, the aristocratic, the comportment dignity, and last but not least the meritorious, or the virtue way. In her view, the latter requires a conscious and intentional endeavor to attribute human dignity to people. The author adds to the spectrum of comprehending dignity a new concept named Traditional Christian Dignity, in an attempt to differentiate between Christians for whom suicide, abortion, and the assisted death are prohibited and thus represent an attack to the "God-given dignity" and Christians who are not against these practices. (Schroeder, 2010, p 123) From a Christian point of view, human beings have dignity because God created them in His image. Therefore, the theological Latin construction *Imagio Dei* is the ideological core of Christianity and plays a central role in understanding the concept from a purely religious perspective. This leads to the implicit idea that it is not up to humankind to decide when to end their lives or someone else's life. In other words, the fact that some Christians are not against this means a contradiction to the precepts of Christianity. In this way, Schroeder's addition of a new concept represents the pure traditional and exclusively religious understanding of dignity.

Following the same line of thought, Jack Donnelly talks about five conceptions of human dignity. These are meritocratic(Roman), civic, elite peerage, hierarchical, and universal/democratic as found in the Universal Declaration of Human Rights, representing the most noteworthy notion of dignity present in Western history. (2015, p. 12) This assertion possesses a particular interest for this paper because it outlines the various ways of comprehending human dignity and its theoretical development throughout the years.

In exploring the historical development of the concept, David H. Calhoun argues that human dignity represents a tradition, "a continuous history running over 2,000 years." Even though the historical exploration does not provide a fully comprehensive picture of how to apply the concept, it can serve as a tool to float in the sea of its obscurity and opposing ideas. Calhoun goes further and proposes an exploration of the "Western treatment of dignity." The point of departure is "a claim of human distinctiveness" formed by what is called "human exceptionalism" (the fact that humans are superior to all other living humans because they are endowed with reason) and *Imagio Dei*. (2013, p.20)

Doron Shultziner asserts that the various understandings of human dignity "are socially constructed according to particular and historical contexts." So the idea we can extract from this is that the concept of human dignity has an imprecise nature that differs from society to society. McCrudden reaffirms Donnelly's view on the discrepancies in comprehending the idea of human dignity by stating that it does not entail a "content" upon which there is complete consistency. This postulation contributes to the concept's lack of uniformity. However, despite this absence of unison over its content, human dignity functions as a vital tool in providing "particular methods of human rights interpretations and adjudication." (2008, p. 656)

According to Shultziner, the "various worldviews and ideologies (...)strongly related to the concept of human dignity produce a paradoxical situation in that human dignity as for itself does not contain any concrete content or meaning." (2007, p. 1-5)

A further relevant point to note is McCrudden's emphasis on human dignity for the language of human rights. The author refers to it as the main "organizing principle" that guides this system. In this way, he reiterates what is for some an undebatable fact: that human dignity represents the ethos, the foundation that grounds human rights discourse. In his discussion about the meaning of human dignity across the various jurisdictions, the author points out that these dissimilarities have their roots in the "strands of metaphysical and philosophical thinking" encompassed by each cultural society. The author's theoretical project is inclined towards the idea of an overlapping consensus and implies seeking what he calls a "common core to the idea of dignity." (2008, p.675)

3.4. The idea of human dignity in the Kantian thought

When embarking on the demanding journey of understanding the concept of dignity and its meaning for human rights, the work of the German philosopher Immanuel Kant is a prerequisite to acquiring all the pieces of the intellectual puzzle enacted by it. That is why Giovanni Bognetti considers Kant as being the father of the modern concept of dignity. (2005, p.89). This illustrates the powerful influence of the Kantian philosophy regarding the idea of dignity and the salience of his work for the language of human rights as we know it today. In other words, what Kant did was lay the philosophical foundations of the concept of human dignity in evident relation to human rights. The Kantian account on human dignity presents a particular interest for the current inquiry because it represents perhaps the most vibrant way of conveying the undeniable connection between human dignity and human rights. (Timofte, 2020)

The differentiation between things that have a price (*Preis*) and hence are replaceable, and things with dignity (*Würde*, or *worth*) is recurrent in the Kantian thought about human dignity because, according to Kant, "in the kingdom of ends everything has either a price or a dignity." The latter does not have equal, and it is "raised above all price," so its value is priceless. (GMS, trans.1998, 4:434) Consequently, human dignity, as expressed in the Kantian spirit, illustrates a solid statement of humanity.

For Kant, every human being exists as "an end in itself, not merely as a means to be used by this or that will at its discretion" (GMS, trans. 1998, 4:428). In Kant's view, rationality is imperative for this precept. When reading this, the question that automatically arises is what exactly does imply to be an end in itself? Arthur Schopenhauer describes the expression "to exist an end in itself as a "contradictio in adjecto" because, according to him, it shows a contradiction, an inconsistency between the logic of the terms. (1840, p.93) Kant claims that an end represents a goal, and thus, all our actions are goal-oriented. From this perspective, persons are considered an end in themselves because they are endowed with rational nature, while things are "merely means." Kant goes further in pleading for the importance of always treating people as they have value, or the end in themselves, which is not compatible with using people for one's purposes because "a human being is not a thing and hence nothing that can be used merely as a means, but must in all his actions always be regarded as an end in itself." (GMS, trans. 1998, 4:429)

Another fundamental Kantian principle, which is very suggestive for the current inquiry, is what Kant calls "the practical imperative" or the principle of humanity: "So act that you use humanity, whether in your person or the person of any other, always at the same time as an end, never merely

as a means" (GMS, trans. 1998, 4:429) This is a compelling statement that brings into light the idea that Kant is opposed to slavery and considers humanity itself as dignity. For this reason, we should always treat people with respect and consideration and never use others as instruments for our interests.

The Kantian or the rational understanding of human dignity is perhaps one of the most prominent and vibrant ways of comprehending the philosophical roots of the concept. Human dignity, as seen in Kant, is universal and belongs to every human being. In Kantian philosophical terms, human dignity developed from being associated with God to be detached from religious elements. Or as McCrudden puts it, "the connection between dignity and Kant has become probably the most often cited non-religiously-based concept of dignity." (2008, p. 659) In this sense, Kant's work has provided a new way of thinking about human dignity and its relatedness to human rights, without any reference to God. Therefore, it is salient to remember that the Kantian understanding of human dignity is not rooted in God but expressed through the inner worth of every human being, representing a universal value that has no price. (Timofte, 2020)

In the discussion about human dignity and human rights from Kant's perspective, Rachel Bayefsky considers Kant to be the pivotal ancestor of the concept of dignity implanted in the system of human rights. (2013, p.811) Furthermore, following the same line of thought, Jack Donnelly draws a parallel between the conception of human dignity found in Kant and the Universal Declaration of Human Rights by claiming that "in Immanuel Kant, we first find a fully-formed account of human dignity, very similar to that of the Universal Declaration, that is placed at the center of moral and political theory." (2009, p.20) In this sense, the Kantian understanding of the concept of dignity has deep roots in the language of human rights and hence contributes to its conceptual complexity. For this reason, the Kantian account on dignity is helpful for the comprehension of human rights mainly because of its unique theoretical substance and how it influenced the Universal Declaration.

The Kantian ideas about human dignity may seem confusing, hard to grasp, perhaps controversial. However, even if some of Kant's postulations may be perceived as offensive for some people, he has undoubtedly influenced the entire understanding of the concept by laying its philosophical kernel in an authentic way that is still prominent. In light of this, the Kantian theory is not obsolete but a remarkable and contemporary work of cognition that impacts the comprehension of human dignity both as a separate concept and in direct relation to human rights.

3.5.Human dignity-a concept to unearth

In a detailed study that pleads for the significance of human dignity for European Constitutionalism and its connections to democracy, Catherine Dupré describes the concept as a heuristic one. Heuristic means that its sense is not fully accomplished or entirely investigated. For this reason, the concept per se represents an open invitation to unearth it. (2018, p.17) The recourse to heuristics as a method of discovering new meanings of what human dignity entails stimulates the curiosity about the distinctive nature of the discussed topic.

Catherine Dupré emphasizes the connection between human rights and human dignity by alluding to the concept's legal meaning and its substance. According to her, these are gaining visibility only through the association to what she calls constitutional democracy in Europe, a state of affairs implemented especially after 1990, starting from World War II. Thus, the role that human dignity played for democracy is new, unlike the link between democracy and human rights, which dates to a long time ago. In this sense, the author argues that the concept of human dignity is placed at the "forefront of safeguarding a meaningful democracy and is reshaping its significance by protecting human beings` unique identities and interactions." (2012, p.265)

The substance of Dupré's reasoning is very intelligible, and it brings into light the implicit connection between democracy and human rights, as democracy cannot express itself clearly without human rights. It is a fact that a non-democratic state cannot speak nor apply the language of human rights as the two concepts cannot go along. Hence, the reference to the "rule of people" is a fruitful endeavor to anchoring human dignity in the human rights discourse. Dupré's account might entail a statement of veracity because democracy and human rights are contingent on each other. Neither can exist independently, but this does not mean that there is universal consensus in this direction. The postulation according to which democracy is a prerequisite for human rights is still liable to be refuted. However, it is hard to depict how a non-democratic state could provide a proper ground for the flourishing of human rights.

3.5.Skeptical attitudes towards human dignity

The augmentation of human dignity's prominence does not imply its immunity to critics and skepticism. In this sense, the existing literature provides several outlooks directed against the ideology behind human dignity and its significance for the language of human rights. Bagaric and Allan are among the authors who treated human dignity with distrust by propounding that the

"concept is itself vacuous" (2006, p.260). In their view, human dignity is lacking content not only through what the notion generally induces with the help of its conceptual substance but also through its implicit affiliation to the vernacular spoken by the language of human rights. Human dignity, as portrayed through their understanding, has an "unhelpful nature." From this line of thought, we could interpret that human dignity does not have any practicality for the academic discourse in the different realms of knowledge that involve the concept. This leads to further reflections, and it could be worth asking if it would be feasible not to rely on human dignity and implicitly on what the concept represents both in theory and practice. In other words, is it plausible to believe in the obliteration of an idea with so much history behind it?

However, even though they claim that the concept is empty and elusive, the authors assert its status as an "empowering notion, one that confers rights and entitlements and protects interests." (2006, p.267) In this sense, human dignity becomes a practical concept that has content only when used as a tool to appeal to rights. Furthermore, as they depict it, human dignity from a legal or philosophical dimension is "without bounds and ultimately is one incapable of explaining or justifying any narrower interests;(…) Instead, it is a notion that is used by academics, judges, and legislators when rational justifications have been exhausted." (2006, p.260- 261)

In a brief discussion on how the notion emerged, the authors assert that dignity has constituted in the last couple of years what they call the "flavor of the month," pointing out what they believe to be excessive use of the concept. The authors further express their antagonism towards the idea of human dignity by examining the dependency on dignity as the support system for human rights. By availing themselves of a consequentialist approach, they plead for the implausibility of the concept of human dignity in constituting the premise and fundament for rights in general. This reflects a very straightforward and clear-cut judgment with no concealed interpretations that aligns with the line of dissensions regarding the link between human rights and human dignity. (2006, p.260- 261)

In *The Basis of Morality*, Arthur Schopenhauer is critical towards the concept of dignity. The author is denouncing the use of the term "once it was uttered by Kant" because, in this way, human dignity became a sort of slogan, a favorite saying that lacked content or, as he calls it, a "shibboleth of all perplexed and empty-headed moralists." In light of this, he describes dignity as an "imposing formula" that hides the deficiency of the persons who operate with the concept of dignity. (1840, p.101)

In Arthur Chaskalson, skepticism concerning the concept of dignity can be found where he calls attention to the "oppression, inhumanity and suffering" in assessing the practicality of the idea of human dignity and how it functions in practice. A high degree of intellectual maturity arousing a

significant amount of food of thought about the current ongoing situation in the world characterizes his discourse.

By alluding to what he calls "the universal good," a metaphor that symbolizes the promotion of human dignity, the author is pondering some questions about how countries committed themselves to fulfill and safeguard the promises uttered in the UN Charter. The author is questioning to what extent all the countries put their efforts into ending poverty and other stringent issues that represent human rights violations? In his view, if inhumanities and inequalities still choke the world, how did the promotion of human rights happen in practice? Or, as Chaskalson puts it, "what do they continue to occur if respect for human dignity is indeed a universal social good? (2002, p.137) From this pointed assertion, human dignity has not surpassed the line between desideratum and tangible reality, where the concept is transposed in practice and does not only function in theory.

In this sense, the author is very sharp in casting doubt upon the viability of human dignity in a world where the course of events had shown in the last decades (and unfortunately continues to do so) a great deal of neglect or omission of expected action in fighting to attain the "universal good." For Chaskalson, the promotion of peace, the fight against poverty, and the repudiation of war are the most vital issues for the international community. Thus he states that "societies in which respect for life and dignity are bulwarks against war and dignity." Accordingly, he believes that by placing respect for life and human dignity at the core of every society, everyone can contribute to the tremendous process of eradicating the main problems that suffocate the world, poverty, and war. (2002, p. 144)

This section concludes the chapter dedicated to show how human dignity is perceived in the academic context by highlighting that the concept has been the subject of a severe bone of contention and systematic doubt over the years. However, human dignity is predominantly seen as an essential constituent of the human rights system, as a prerequisite without which their language lacks content and scope.

IV. Methodological approach

This section intends to point out the principles that indicate how the current qualitative research study was conducted. Denzin and Lincoln describe qualitative research as theoretical rather than empirical. In this sense, they believe that the "word qualitative implies an emphasis on the qualities of entities and on processes and meanings that are not experimentally examined or measured (if measured at all) in terms of quantity, amount, intensity, or frequency." (p.10)

Human dignity, human rights, and the link between these two concepts represent the heart of this study, the theoretical substratum that builds the entire research. Based on this, the research question that this current endeavor sought to answer is the following:

What does human dignity mean for the language of human rights?

An exploratory analysis of Jack Donnelly's and James Griffin's accounts on human dignity and human rights.

It is essential to mention that this research was concerned with a purely theoretical approach that meticulously examined the theories regarding the chosen topic to fulfill the research question's demands. The analysis of pertinent texts enacted a theoretical discussion on human dignity's conceptual dimensions. But what does it mean to analyze? Condillac captures the essence of analysis by stating that it "merely consists in composing and decomposing our ideas to create new combinations and to discover, by this means, their mutual relations and the new ideas they can produce. This analysis is the true secret of discoveries because it always makes us go back to the origin of things. (...) It is the enemy of vague principles and of everything that is contrary to exactness and precision." (2001, p. 48)

Consequently, the rationale behind this study was a comprehensive understanding of the concept of human dignity and its implications for the system of human rights. These two concepts are very prominent in the scholarly context: hence, they represent a recurrent theme for many authors. Despite the multitude of accounts from the academic scene, this study only focused on two contrasting views. Jack Donnelly's and James Griffin's standpoints represented the chosen reasonings to be explored and an essential resource in answering the inquiry that guides the research because their illustrious accounts have impacted the academic discourse about human rights and human dignity.

Accordingly, the most suitable strategy that made possible the acquirement of this objective was a qualitative approach. For Bryman, the qualitative research is mainly "inductivist, constructionist, and interpretivist," and it is also a "research strategy that usually emphasizes words rather than quantification in the collection and analysis of data." (2008, p. 380)

From this perspective, the opted research method affiliated with this was hermeneutics that, according to Bryman, "refers to an approach that was originally devised in relation to the understanding or interpretation of texts and of theological texts in particular" and is "more or less synonymous with Weber's notion of Verstehen." (p.560) Or as Scholz describes it, "understanding and interpretation" represent the "leading concepts of hermeneutics." (2015, p. 778)

Consequently, the current research was conducted under the auspices of a hermeneutic approach and sought to discover the implications of the concept of human dignity for the language of human rights. More specifically, the relatedness between the two concepts and how their theoretical tenets intersect each other constitute the core of this research.

From this perspective, the means used to attain this purpose comprised secondary sources such as academic books and journal articles that addressed the concepts of human rights and human dignity from different theoretical dimensions. In this sense, the theories of interest for the current paper were analyzed and interpreted from the authors' perspective. In other words, personal convictions did not interfere with the discussion part where the reasonings of Jack Donnelly and James Griffin were unfolded exclusively through their lenses without any alteration. However, a distinct chapter was concerned with expressing a personal and analytical view on the examined theories based on the researcher's perspective. A characteristic attribute of hermeneutics is that it expounds what is meant by a text in a way that represents an explicit statement of what the author wanted to convey. So the sources of knowledge, the texts upon which the current paper relied, were scrutinized and interpreted exclusively through the trains of thought belonging to the authors mentioned above.

To put it another way, this research study intended to expose a comprehensive and objective picture of the theories concerning human dignity and human rights from two juxtaposing perspectives. Concerning this, Bryman notes: "the central idea behind hermeneutics is that the analyst of a text must seek to bring out the meanings of a text from the perspective of its author." (p.560) Hence, the examination was centered on the author's viewpoints regarding what human dignity implies for human rights and was not influenced by personal opinions. However, a distinct chapter was dedicated to expressing an analytical view on the examined theories solely based on the researcher's perspective.

This section outlined the rationale of the current study and the chosen research trajectory to explore the concept of dignity and its entanglement with the language of human rights. Given that

this paper is an explicit articulation of a theoretical approach, the emphasis was placed on an in-depth perusal of the conceptual threads that lie at the heart of human dignity.

V. An exploratory analysis for the understanding of human dignity

An exploratory discussion of two contrasting views that each sheds light on the link between human dignity and human rights is the crux of this paper. For this reason, the current chapter intends to be an excursion into the realm of knowledge regarding the comprehension of the two key ingredients that constitute the conceptual substratum of this endeavor. The most appropriate way to grasp what human dignity entails for the language of human rights and thus achieve the purpose of this inquiry is to examine relevant sources. In this context, this chapter aims to uncover human dignity through the lenses of Jack Donnelly and James Griffin, two influential authors who have both impacted the scholarly context through their thinking in the human rights field. Drawing on their main ideas that are relevant for the current research constitutes the quintessence of this paper. The deep inspection of their way of perceiving the nexus between human dignity and human rights engenders a consistent amount of food of thought in this direction. For the attempt of unraveling the puzzling character of human dignity, this is an expression of a viable recourse.

Consequently, this chapter explores Jack Donnelly's reasonings in the arena of theories concerning human rights and human dignity. The point of departure for the discussion section consists of analyzing some of his most plausible theoretical ideas, each with their range of conceptions. This part will contribute not only in conferring the research a solid theoretical picture of the investigated issues but also in framing an underlying basis for the pursuit of understanding human dignity and its relatedness to the system of human rights.

In the scholarly discourse about international relations theory, Jack Donnelly is a prominent figure and perhaps one of the world's foremost authorities on human rights and human dignity. Hence, the exploration of his reasonings and their placement at the heart of the current research is not only justifiable by the prestige of his valuable work on the academic scene, but it is also most suited in portraying the tenets of human dignity and human rights. Jack Donnelly is a Professor at Josef Korbel School of International Studies, University of Denver. His work is mainly centered on the field of human rights, both in theory and practice, focusing on "cross-cultural conceptions of human dignity across history" (Donnelly, 2015). In addition to this, he is also interested in international relations theory and political realism. The American thinker's record of publications includes *The discourse of*

Anarchy in IR, The Heterarchic Structure of Twenty-First-Century International Governance, The Relative Universality of Human rights, Normative versus taxonomic humanity: varieties of human dignity in the Western Tradition and Universal Human rights in Theory and Practice.

Human rights have become a central concern in the academic context; hence, many authors treated this topic exclusively and in conjunction with human dignity. The rationale for opting to analyze Donnelly's line of thought regarding human rights has to do with the widespread influence and the theoretical value of his work within this discourse. The impact of his way of thinking on the international stage is incontestable. His interdisciplinary account is a powerful testimony of a high degree of exceptional expertise. This masterly outlook conveyed by the American scholar has become paramount in understanding international human rights law. Therefore, it is almost peremptory for students, researchers, practitioners, or others who work in the field to know Donnelly's perception of the topic. For this reason, the current exploratory analysis concerning human rights and their relation to human dignity is a periplus into Donnelly's most compelling arguments and his understanding of the matters in question.

5.1. Donnelly's account on human dignity and human rights

In an analytic critique of Non-Western conceptions of Human Rights, Jack Donnelly posits the idea that the attainment of human dignity is realized by dint of human rights which, according to the author, display "only one path" in this direction. This establishes the first gripping reasoning that depicts the author's view on the two concepts, a theory that will be closely scrutinized in what follows. The author is not rejecting the interrelation between the two concepts. Still, instead, he is putting forward the assertion that the achievement of human dignity constitutes the holy grail of some societies without any resort to human rights and that some formulations of human dignity do not entail or point to human rights. In other words, it is plausible in some societies to think of human dignity independently of human rights. For some cultures, human rights are unknown for their understanding of human dignity, for instance, the Asian, African, Chinese, and Indian *modus operandi* regarding human dignity. Donnelly refers to outline the lack of affiliation with human rights. More precisely, whereas human dignity is not an unfamiliar concept for these societies, human rights and how they are understood by the "Westerners," as rights held by humans on account of the membership to *homo sapiens* represent an alien outlook for their understanding of human dignity. (1982, p. 303)

The idea of cultural relativism and its implications on the human rights discourse is brought to the fore of arguments. For Donnelly, even though cultural diversity is a "social fact," it does not do much for the ideology and enactment of human rights, or as he puts it, culture does not give a "plausible justification for the practice of human rights." (2013, p.p 106-108). On the same line of thought, Howard illustrates that culture, as a part of every society, encourages conceptions of human dignity, but in a way that can be in an antithesis with the concept of human rights per se. There are several aspects at stake here, for instance, the fact that in the cultures that align to this pattern, there is a lack of human rights education, or as Howard asserts, they "certainly do not teach their young that all human beings, regardless of social origin or category, deserve equal treatment." (1995, p. 91)

By using a very comprehensive yet brief line of arguments, Donnelly sets forth the approaches to "social and political ideals" in the non- Western political cultures "by which these cultures aspire to realize human dignity." Whereas the Western way of dealing with, for example, the right to life, freedom of speech, the right to education, liberty, freedom of thought, and religion is automatically attached to the language of human rights, in what Donnelly calls "traditional cultures," duties represent the core of this matter. As the author notes, the societies he refers to acknowledge the salience of formal assurances in fulfilling the mentioned areas because these are vital for a dignified life. The discussed cultures "have elaborate systems of duties, which are designated for the protection of human dignity." However, according to Donnelly, these duties are not imitative of human rights or rights in general in any sense. For this reason, "human rights are quite foreign" to their attitude towards human dignity. (1982, p.306) The same view is endorsed by Howard in a discussion about dignity, community, and human rights, where the author leads the arguments in the same direction as Donnelly. According to her postulation, all societies have concepts of human dignity and justice that lie at the core of their civilizations. Still, human rights are not a part of the conceptual substratum of dignity. In other words, the understanding of human dignity does not infer any correlation to human rights. (1995, p.91)

In his attempt to explain the contrasts between "the modern Western" and the non-Western perspectives on human dignity, he claims that in the West, the "human-rights approach" advocates for the individualism ideology, that puts in the center of attention the individual and not the collective group or the state. (p.306-311) One of Donnelly's main points of concern is expostulating the claim that human rights do not represent a Western product. Is it the exploration of his reasonings that will show, the author is giving a great deal of value to the historical aspects? In this sense, by basing his postulation on the "historical facts," Donnelly accords the genesis mantle for the rise of human rights to the Western culture. Despite the Western ancestry, the Western culture is not present in the genetic substance of human rights. (2013, p.106) This argument represents one of the kernels of the

discussion. Consequently, the author believes that denying the fact that human rights emerged initially in the West is equivalent to the state of being bewildered about human rights and human dignity. In some non-Western countries, both the implementation and the conceptual realm of human rights are non-existent, in the sense that they are foreign for these societies, both in theory and in practice. Moreover, as the author points out, in the countries that are in the process of becoming more advanced in terms of economy or society in general, human rights are in all probability prone to entail a remote concept. In emphasizing this claim, Donnelly sets forth the historical importance of the idea of human rights by referring to it as "an artifact of modern Western civilization." (1982, p.p.303-313) In this way, human rights are bestowed on a cultural and historical heritage that emanates from Western tradition.

In ascertaining the great significance of human rights, Donnelly metaphorically describes them by asserting that "if rights, in general, are trumps, human rights are the honor cards in the suit." (p.306) A clear statement of recognition towards the hegemony of the human rights language. Although there is a substantial myriad of arguments against this, the postulation according to which human rights give rise to a powerful speech that promotes human dignity is not liable to be refuted. For him, human rights do not presuppose a process of assessment to change them. On the contrary, from Donnelly's perspective, human rights are considered "a distinctive approach to the problems of human dignity which deserves to be fully and fairly evaluated on its merits, not its parentage" (1982, p. 302). But what does this entail more precisely? Human dignity and human rights are interrelated, but not in the sense that the two concepts merge and become indistinguishable and impossible to be taken separately. The author posits that human dignity is worthy of being analyzed as an individual concept without allusion to its origins-human rights. So the author does not deny the roots of human dignity. Still, instead, he is bringing into the light "the special character of the human rights approach to human dignity, to demonstrate its historical uniqueness." This reflects the theoretical point of departure for the current discussion about human dignity and human rights from Donnelly's perspective.

5.2. Human rights- as a means to realize a particular liberal conception of human dignity

"Conceptions of human dignity vary dramatically across societies, and most of these variations are incompatible with the values of equality and autonomy that underlie human rights. Most regimes- and their underlying social conceptions of human dignity-necessarily deny both the idea and the practice of human rights." (Howard & Donnelly, 1986, p. 802)

This postulation reiterates the ideas expressed by Donnelly at the beginning of this analysis, where he talked more in-depth about the divergent views concerning human dignity throughout various societies. In the spirit of the claim depicted above, the quintessence of human dignity tends to be rather vague and fluctuant in comprehension, depending on each culture and their way of perceiving it, than a well-anchored concept characterized by a universal conceptual substratum. Or, as Mattson and Clark put it, different notions of human dignity in non-Western societies generate consequences for "the prescribing of rights and duties." Consequently, even though the human rights ideology shape the Western conception of human dignity, this is not equivalent to a "common ground for the global discourse." (p. 306) In this context, human dignity's state of affairs, its theoretical and practical inconsistencies between different cultural traditions do not allow worldwide unanimity.

In a discussion about human dignity, human rights, and political regimes, Howard and Donnelly (1986) emphasize that the conceptions of human dignity are visible in all societies. Thus every form of government has its understanding of this notion. Even though liberalism has a decisive contribution to the theoretical realm of this discussion, the authors do not wish to transform it into the core of the article. Human rights and their relatedness to liberalism, as an indispensable constituent for their existence and the fulfillment of their standards, represent the primary concern. (p.802)

However, in a discussion that illustrates how human dignity grounds human rights, Donnelly (2015) states:

"There is no logical connection between human dignity and human rights. One may think- and most societies have in fact thought-of human dignity without any reference to human rights." (p. 14) So the author puts forward the claim according to which human dignity and human rights are inseparable. The societies Donnelly is alluding to are most probably the non-Western ones to whom he referred earlier when he defended the Western roots of human rights. He claims that there are different ways of comprehending dignity across various cultures. A distinct chapter will be dedicated to the scrutiny of this argument because the author links it to the idea of an overlapping consensus, which raises a significant amount of interest for this paper.

As Donnelly observes, even though the implementation of human rights through which human dignity is recognized is directly proportional with resources, hence the level of wealth, "every state, no matter how poor, can and must respect all internationally recognized human rights." This is a clear statement that there are no excuses for the achievement of human rights, both in theory but mainly in practice. It is hence absolutely stringent for every society to acquiesce to the hegemonic character of human rights. In this sense, Donnelly is very straightforward and claims that every country "can make substantial progress at realizing human rights with its existing resources" and also "has more to do to realize human rights-and the underlying vision of a life of dignity." (2013, p.39)

Donnelly and Howard argue that "a particular type of liberal regime" is imperative for the "conception of human dignity" as the foundation for the corpus of international human rights law. In this sense, they claim that that "internationally recognized human rights require a liberal regime." (1986, p.802) But what does liberalism entail in this context, and what is the relevance of human rights and human dignity discourse? In defining the "necessary connection" between human rights and liberalism, Donnelly and Howard emphasize the individual and contend that human rights are attached to the state, the state having the primary responsibility to realize these rights. In "the inevitable" disputes between the individual and the state, liberalism promotes the prioritization of the individual "in areas protected by human rights." (p. 803) The liberal view entails the placement of the individual at the center of its concern. In their way of thinking, Donnelly and Howard pay particular attention to how the liberal perspective views human dignity. In this way, the authors articulate the following reasoning:

"Human dignity for the liberal is largely encompassed in the vision of life as an equal and autonomous member of society, enjoying a full range of human rights." (1986, p.803)

As they put it, equality and autonomy constitute the main characteristics that ground human dignity and lead to benefiting from a broad spectrum of standards prescribed by the system of human rights. In other words, from a liberalist perspective, human dignity is seen through the lenses of these two concepts, in the absence of whom human rights cannot be fulfilled at a sufficient level. Furthermore, in the societies where the enjoyment of human rights is a fact and not a desideratum, "the individual is "king," or rather, an equal and autonomous person entitled to equal concern and respect." (1986,p.804) This assertion reflects the quintessence of human rights and accentuates two of the core values that form their ideological foundation: equality and respect.

There is without any doubt a strong connection between human rights and the state, the primary responsibility for ensuring the attainment of these standards. In this sense, Donnelly sets forth the idea that "the modern state has emerged as both the principal threat to the enjoyment of human rights and the essential institution for their effective implementation and enforcement." (2013, p. 33)

In the attempt of determining if human rights constitute a more effective or satisfactory way to address the concept of human dignity, Donnelly points out that human rights do not include "entirely ends in themselves." This formulation gives a feeling of déjà vu and automatically directs the attention to the Kantian way of pleading for the importance of always treating people as "ends in themselves" and not using them for their purposes and thus treating them as means. Donnelly illustrates the relationship between human rights and human dignity by postulating the idea that "they are means to realize human dignity." (1982, p. 314)

Following the same line of thought, Howard argues that while the concepts of human dignity and justice constitute the foundation of all societies, we cannot state the same thing about human rights due to the absence of this notion from most communities. For Howard, human rights become a "particular expression of human dignity," but human dignity is not an indicator of human rights for some cultures. Subsequently, the author implies that human dignity contains a small degree of cultural and ubiquitous basis (the latter is far less likely). From Howard's point of view, the majority of countries that safeguard human rights are undoubtedly a consequence of the "liberal tradition that evolved after the eighteenth century in Europe, and they are the products of social change that, both structurally and ideologically, was so disruptive as to create an almost entirely new conception of the human being." (1995, p. 91)

5.3.The cross-cultural dialogue and the concept of overlapping consensus

In the third edition of *Universal Human Rights in theory and practice* (2013), Jack Donnelly puts forward another argument that presents interest for the current study, "the Universal Declaration model," constituting a "substantive theory of human rights." With the help of this theory, Donnelly transforms this historical document into an ideal paradigm. For the author, what he calls the "participation in the overlapping consensus on the Universal Declaration model" requires to regard human beings "as autonomous actors" and a "fundamental moral category." (p. 70)

Based on this, the author pleads for the application of Rawls's overlapping consensus. He believes that is "more than a modus vivendi between irreconcilable views that are for practical reasons forced to coexist." Instead, it illustrates that "a reasoned agreement despite many important differences at a deeper philosophical level" is possible. Donnelly describes the overlapping consensus as being "partial rather than complete." He points out that the various comprehensive doctrines "converge but

do not completely coincide." Consequently, the consensus falls within the realm of politics instead of morality or religion, although it is not solely political. (2013, p.58)

According to the author, the rights enshrined in the Universal Declaration established this type of consensus. In this sense, Donnelly believes that "an overlapping consensus on internationally recognized human rights means that there is a striking convergence on a vision of the limits of political legitimacy in the contemporary world." As the author suggests, a bottom-up approach unveils a state of cross-national normative juncture in terms of "the basic expectations that citizens may legitimately have of their societies and governments." (p. 58)

A brief explanation of the concept of overlapping consensus is peremptory to get a more clear picture of what it entails and its relevance for the current discussion. Hence, the following lines will touch on the notion coined by Rawls in *A Theory of Justice* and further developed in *Political Liberalism*. So what is overlapping consensus, and what are its implications for the understanding of human rights?

For Rawls, what he calls "the background culture" of civil society encapsulates the various comprehensive doctrines such as religious, philosophical, moral. (p.93) Rawls describes political liberalism as an attempt to answer the following question "how is it that there can be a stable and just society whose free and equal citizens are deeply divided by conflicting and even incommensurable religious, philosophical, and moral doctrines?" In this context, Rawls directs the attention to the fundamental concept of an overlapping consensus of "reasonable comprehensive doctrines," that is per se an "idea of political liberalism to go with the idea of a political conception of justice." In Rawlsian terms, this creates a "well-ordered society," where "social unity is based on a consensus political conception." (2005, p. 257- 258)

According to Rawls, a reasonable comprehensive doctrine entails "an exercise of theoretical reason" in the sense that "it covers the major religious, philosophical and moral aspects of human life in a more or less consistent and coherent manner." In addition to this, a reasonable doctrine conveys "an intelligible way of this world" because it generates the concordance of a "recognized value" with another. (p.154)

As Donnelly highlights, human rights do not possess a single or universally accepted essence. There are different ways of looking at human rights, each culture, society having its understanding. Hence, the ideological realm underpinning their system transcends the limits of a complete understanding as philosophy and religion can offer distinct ways of looking at them, both conceptually and practically. In this way, the authors note that "Christians, Muslims, Confucians, and Buddhists; Kantians, utilitarians, pragmatists, and neo-Aristotelians; liberals, conservatives, traditionalists, and radicals many other groups as well, come to human rights from their own

particular paths." (2013, p. 58) This assertion alludes to the relativity of human rights. From a theoretical perspective, they illustrate the idea of universality. Still, their practical dimension is refuting this due to the multitude of different religious and political doctrines that are not homogenous in their perception of human rights. So the overlapping consensus approach applied to human rights makes ends meet in terms of congruence despite the discrepant ideas supported by various ideologies. Accordingly, the idea of an overlapping consensus implies a state of affairs characterized by a general consistency despite the distinct ways in which every society's various beliefs express morality, philosophy, or religion.

5.4. Human dignity- the foundation of human rights?

Unlike an early outlook on the link between human dignity and human rights (2013), where Donnelly appealed to the idea of overlapping consensus proposed by Rawls, this time, the author chose to draw upon Rawls' concept of reflective equilibrium. According to him, this notion "offers a more theoretical account of such a process." In this sense, the conceptual spectrum of human rights and their application have transformed the understanding and the views on human dignity instead of converting the "ideas and practice of human rights (...)to fit foundational conceptions of human dignity." He goes further and explains that the underlying principles and their employment "mutually construct each other." As a result, in reaching the state of equilibrium, the author is opposing the "one-way path from principle to application," and he is instead pleading for applying a pragmatic method that gets to the "foundational principles, and vice versa, adjusting both until we reach a (temporary) point of equilibrium." (2015, p.14)

In *Normative Versus Taxonomic Humanity: Varieties of Human Dignity in the Western Tradition* (2015), Jack Donnelly claims that human dignity does not provide a base for the apparatus created by the language of human rights, and in his view, it is realistic to think about human dignity without any allusion to human rights. Moreover, he highlights again the idea that for some societies, it is plausible to refer to human dignity without any resort to human rights. However, according to the author, human dignity and human rights mutually constitute each other, but there is no rational link between the two (2015, p.14). Even though human dignity is not contingent on human rights, they still complement one another. They are viable of being taken separately as two intertwined pillars that are still part of the vernacular spoken by the language of human rights.

In arguing how human dignity grounds human rights, Donnelly brings into light an account that arouses curiosity by claiming that it is viable to comprehend the term "human" in human rights without allusion to dignity. In this sense, the author is postulating that the reference to humankind does not equate with human dignity being an inbuilt feature for the discourse of human rights. What is inferred here is that the word human is not sufficient to imply the logical consequence of the concept of human dignity inside the discourse of human rights. Despite this, the author acknowledges the inextricability between the two concepts by stating that "over the last half-century (...)it has become increasingly difficult(and infrequent) to think of human dignity without human rights or vice versa." (2015. p.14)

The author posits the idea that while the focal point surrounding the discussion concerning human dignity has to do with "the subjects and sources of recognition and respect," the debate related to human rights is oriented towards "the status and forms of respect due to those subjects." According to Donnelly, the allusions to human dignity within the corpus of human rights law indicate the existence of an extensive "normative context within which the global human rights regime is embedded." (2015, p.14) Thus, from this perspective, human dignity contributes to giving more prominence to the guiding character implanted in the human rights apparatus, whose standards are based on the "inherent dignity" (as the Preamble mentions) and are a statement of equality, justice, and freedom.

5.5.Reflections on Jack Donnelly's reasoning

The exploratory analysis of Jack Donnelly's most relevant theses has revealed a considerable amount of clear ideas for the objective of this study. Given that the research was conducted solely by putting forward Donnelly's line of thought concerning human dignity and human rights, a distinct section that treats his account from an analytical perspective is essential. Hence, this part will consist of a set of remarks emanating from an analytical stance of comprehending the content of his work.

As Donnelly depicted it, in some societies, human rights are not present in the conceptualization of human dignity. So that human dignity is not contingent on human rights but duties. Consequently, this impedes the realization of a homogenous nucleus for understanding human dignity and thus contributes to the obscurity of the concept. Human rights and human dignity are

undoubtedly contingent on each other. The Universal Declaration is perhaps the most noteworthy in this sense. Human rights started from the idea of dignity, and thus the two are grounding each other. In addition to this, the Helsinki Accords(1975), where we find the claim that "civil, political, economic, social, cultural and other," in other words, all human rights "derive from the inherent dignity of the human person" is another excellent example that shows the inextricability of the two concepts. Human dignity is a robust voice for the language of human rights, and its discourse utters a non-refutable statement of indivisibility.

From this perspective, if human rights are absent in some societies, both in theory and in practice, it could then be plausible to ask on a rhetorical note: in this case, how can human dignity be realized without the involvement of human rights? Donnelly seems to be preoccupied with the same concern because for him, "the practice of human rights is about realizing the dignity that is inherent in us as human beings." (2013, p.39) Thus, for him, the implementation of human rights represents an essential element for fulfilling human dignity. But to make the application of human rights feasible, an indispensable condition has to be realized. It is the consciousness of what human rights entail. In this situation, for the societies to whom human rights represent a remote concept, human dignity does not have the proper habitat to flourish to its full potential. As it is impossible to disentangle these two concepts because they depend on each other, the extent to which these cultures achieve human dignity is worth exploring.

I hold the view that human rights are rooted in a concept of dignity. Even though it is possible to refer to these concepts separately, this does not exclude their solid relatedness. Suppose in some societies, the understanding of human dignity is still grounded on duties and not on the intrinsic worth of people as it would be expected for the modern conception of human dignity. In that case, dignity's *raison d'être* is not attainable. In this regard, Bayefsky points out that human dignity is the "contemporary conception" of dignity descending from "older conceptions" formulated in opposition to the "older idea of honor." (2013, p. 810) In some cultures, the perception of human dignity is associated with obligations, which implies that these societies do not consider the old conception of dignity obsolete. Thus, this continues to be a part of their tradition.

Nonetheless, human dignity represents an innate feature for every human being. For this reason, it cannot depend on duties, rank, or any other conditions. Human dignity is neither a privilege offered only to some nor something taken away if the "beneficiary" does not comply with the requirements. Or, as Weisstub puts it, human dignity is "a proclaimed value that may never leave the person, even in situations of grave depreciation or degradation." He describes it as a passionate outcry or an "idealized *cri du Coeur*" that carries with it a kind of theological overtone," and that induces the idea that no "human act has the power or ability to take away the divine spark in persons ." (2002, p.264)

The language of human rights is the utterance of equality, justice, and freedom for every human being, regardless of nationality, culture, and traditions. Human rights are not selective and do not distinguish between who is entitled to a life worthy of respect and who is not. However, this representation is, in some contexts mere an idealization than a tangible reality, as we have seen through Donnelly's exposition. It is a fact that the leading cause for the deficiency of human rights implementation in some countries is not only related to the cultural aspect that gives rise to distinctive approaches in understanding human dignity but also to the lack of resources. Developing countries face a series of vicissitudes that impede the application of human rights. The root of these issues is cultural differences and the deficiency of an awareness-raising process that starts from an early age. Perhaps this approach is liable to gradually transform the vernacular spoken by the language of human rights and become progressively more intelligible.

Access to health, education, housing, food, and water, for instance, means having the basic needs satisfied. One of the issues at stake here has to do with enacting human rights because if the state, the leading provider of these standards, cannot put its efforts in this direction, then the whole system of beliefs upon which they rely is not functioning. I posit that a society lacking the minimum points of reference in terms of rights that lead to a dignified life, and hence a good quality of life, is unsuccessful in attesting the placement of human dignity at the core of their culture. But what does a good life entail, more specifically?

In understanding what a good life entails, Dworkin sets forth what he describes as "ethical principles" that "state fundamental requirements of living well."

The principle of self-respect entails a sine qua non condition of "taking life seriously." It thus rejects the superficial attitude towards life. In contrast, the principle of authenticity means a "personal responsibility" to realize the desired type of life "through a coherent narrative or style" that is not imposed on people by others. Still, it is instead an expression of their own will. According to Dworkin, both the principle of authenticity and the principle of self-respect provide a 'conception of human dignity: dignity requires self-respect and authenticity.'" (2011, p.203-204) Dworkin's line of thought offers an exciting direction in understanding what a dignified life means. I do not believe that there is a universally applied interpretation of a good life. Instead, this is somewhat subjective. Culture and personal perceptions might affect the meaning of a worthwhile life. Some believe that the level of wealth is a prerequisite in assessing a good standard of life, while for some, the materialistic dimension does not yield life satisfaction. In the sense that what I perceive as constituting a good life might not on the same page with other people's outlook on this matter. Yet, despite the different perspectives of what a good life means, having the fundamental rights respected contributes without a doubt to a dignified life.

For Donnelly, the liberal ideology is a prerequisite for human dignity. Liberalism plays a vital role in his understanding of the concept because it prioritizes the individual: hence what characterizes human dignity from a liberal stance is autonomy and the enjoyment of human rights. Parekh (1999) shares the same view by claiming that liberalism is an "inspiring political doctrine" that contributes to emphasizing "great values as human dignity, autonomy, liberty, critical thought, and equality." By alluding to cultural diversity, the author states that what he calls "the full truth of life" is not liable to be illustrated by any political doctrine. This is because 'each of them- be it liberalism, conservatism, socialism or nationalism – is embedded in a particular culture, represents a particular vision of the good life, and is necessarily narrow and partial."

However, Parekh's reasoning distances itself from Donnelly's because he claims that the liberal perspective is "not always the most coherent" in addressing the values mentioned above that, according to him, "can be defined in several different ways." In this regard, although I partly endorse Donnelly's view about liberalism and its connection to human dignity, Parekh's argument is the one I concur best with because he is not restricting the concept's applicability only to a particular doctrine. In this sense, the author emphasizes the cultural aspect and the fact that human dignity is liable for being consistent with more than one set of beliefs.

It is essential to mention that Donnelly is very straightforward with his account on human rights and human dignity and his viewpoint leaves no place for interpretations. His arguments are easy to follow, well-stated, and comprehensive. The way he sets forth his postulations indicates a high degree of zest and intelligence in approaching the topics. Donnelly provides an essential insight into human dignity and its understanding across different cultures by using a clear and unrestrained Western tone. But this does not imply that he sees the Western ideology as hegemonic. He only ascertains the West's cultural role in the rise of human rights. Thus, the author rejects ethnocentrism and pleads for a cross-cultural dialog that can mediate the disparities between the different beliefs about human rights and human dignity across societies. Perhaps, this is where the greatest strength of his account lies, in his cultural sensibility and the wide lenses he uses to approach human rights. Hence, Donnelly's influence on the knowledge of human rights and human dignity is incontestable and vital for their understanding.

5.6. What does human dignity mean for the language of human rights in Donnelly's view?

Donnelly believes that the link between human dignity and human rights has a co-constitutive nature that translates into a mutual rapport of causality. Human rights are essential for human dignity and vice versa.

In Donnelly's line of thought, the idea that human rights represent only one way of attaining human dignity is prevalent. Thus, human rights are not an exclusive path in this direction but constitute a means to realize dignity. Donnelly sees an underlying basis of inherent dignity in every human being in the language of human rights and that fundamentals morality and political rights. (2009, p. 22). This postulation induces the idea that the author considers human dignity the moral basis of human rights, a widespread conception among the scholar voices.

VI. James Griffin- a philosophical approach

The examination of James Griffin's account on human rights and human dignity represents the following vital theoretical pillar that lies at the heart of this paper. In this sense, the purpose of this chapter is to illustrate the main ideas that ground his theory of human rights. Moreover, as the analysis of his work will soon unravel, a particular moral conception grounds the overhead view. Thus, the significance of Griffin's line of thought for the journey for knowledge in the realm of human dignity and its entanglement for the language of human rights is indispensable.

James Griffin(1933-2019) was an illustrious American philosopher of human rights and Emeritus White's Professor of Moral Philosophy at the University of Oxford. His list of publications includes Wittgenstein's Logical Atomism(1964), Well-Being(1986), Value Judgement(1996), On Human Rights(2008), What can Philosophy contribute to Ethics? (2015). James Griffin is undoubtedly a leading figure in the discussion concerning human rights on the international academic stage. The eminence of his account is grounded in a solid judicious sense that is deeply rooted in philosophy and morality. As an exponent of the philosophical approach to human rights, these are the two main theoretical dimensions accompanying his investigation and his signature in the scholarly context. Essentially, this reveals the impetus for choosing to devote this section to exploring Griffin's

reasoning, more specifically, his authentic and brilliant way of conveying the underlying basis of human rights.

It is needless to mention that there is more about human rights than what we get through their uppermost conceptual layer. Human rights have a normative character that reflects specific standards of how people should be treated by virtue of being humans. Judging by what the Universal Declaration proclaims, dignity is the central precept guiding these norms. This is the general picture we get from the surface when looking at the human rights system without excavating its conceptual richness. The philosophical outlook unveils the tenets of human rights that reside at their substratum and critically evaluates their *raison d'être*. For this reason, one of James Griffin's most significant contributions to the field of human rights is thus the philosophical approach. His well-grounded theory succeeded in portraying the foundations of human rights and brought into light the salience of ethics applied to their study.

6.1.Human rights- an incomplete idea

On Human Rights represents the point of departure for exploring Griffin's theories and the primary source for approaching this objective. This book is perhaps one of the most compelling pieces of evidence of a well-constructed view on human rights that revolves around ethics. In this book, the author starts his lines of argumentation by asserting that "we do not yet have a clear enough idea of what human rights are." In this sense, he is advocating for an ethical approach. By emphasizing the role of the French Revolution in the separation of human rights from religious concerns, the author points out that this has generated the transformation of the concept from *ius naturale* to human rights. For Griffin, what he calls the "secularized notion that we were left with at the end of the Enlightenment" also applies nowadays. As the author observes, this notion has an unchanged "intention" that translates into a "right we have simply in virtue of being human." (2008, p.p. 1-2) Despite this legacy from the seventeenth and eighteenth century's intellectual movement, throughout history, the concept of human rights has persisted in evolving. This is what the author refers to as the "historical notion" of human rights. He points out that the "growth of the international law of human rights in the twentieth century" represents the momentous conversion in the development of the term.

Griffin posits that this "historical notion" of human rights "suffers from no small indeterminateness of sense," yet the concept's vagueness is not related to ethics. Although not solely, the issue here lies in the term *per se*. Accordingly, he proposes a restorative manner in dealing with the indefiniteness of human rights in the sense that it is required to "complete the incomplete notion and thereby most likely change it." In his attempt of elucidating how the "indeterminateness" can be

remedied, the author links the idea of human rights with what he calls "normative agency" or, in other words, the "human status" expressed in accordance with reason. Griffin postulates that it is essential to accede to what he calls a "tradition," namely to "see human rights as protections of our normative agency for the construction of a "more determinate" denotation of the concept of human rights." (2008, p.p. 1- 2)

Unlike Kant or Mill's appropriation of the notion of human rights, which according to Griffin, entails an illustration of their "own general moral theory," the author lies his reasoning on the "historical notion." For him, this is a vital aspect of the political dimension, and at the same time, it represents what he calls a "key idea in ethics" associated with "the dignity of the human person." From this perspective, human dignity is under the auspices of human rights. In this way, "familiar philosophical concerns about respect for persons, the inviolability of the person, and limits on the pursuit of the common good" are brought to the surface. In the attempt of "remedying the indeterminateness of sense" that, according to him, characterize human rights, Griffin is availing himself of a bottom-up approach.

The idea of normative agency presents a particular interest for the current discussion, and it will be closely analyzed in the following lines at a later stage of this discussion. At this point, the author introduces the next assertion to highlight his theoretical direction:

"I propose that we see human rights as protections of our normative agency. That is not a derivation of human rights from the normative agency; it is a proposal based on a hunch that this way of remedying the indeterminateness of the term will best suit its role in ethics." (2008, pp. 3-4)

For Griffin, the central thesis is that human rights represent a prerequisite for realizing our normative agency.

Griffin's project concerning human rights has a restorative nature, and in this sense, his main objective is "to add to the evaluative content of the notion." But he is not rejecting other ways of dealing with this indeterminacy, and he is clear in specifying that the list of "remedies" can also be "non-evaluative." In his view, it is not sufficient to know human rights only by their names and thus just as an enumeration of standards as they are expressed through the Universal Declaration. As the author points out, it is necessary not only to be aware of their substance but also to "resolve conflicts between them." In his attempt to find solutions that could clarify the dilemma raised by this situation, Griffin pleads "for a satisfactory interpretation of dignity in the phrase the dignity of the human person when used as the ground for human rights, because obviously, not all kinds of dignity are." In this way, by having a clearer picture of what dignity entails in this specific foundational context, the "intension of the term human right" will expand. The author is also recognizing the role of law in creating a more defined and conclusive frame for human rights to which he refers as being a

significant contributor. Griffin is evident in expressing his reliance on ethics, and he reiterates its salience by contending that "we will not reach sufficient determinateness of sense without contribution ethics." (2008, p.p. 5-6)

Returning to the question of whether international law has endowed human rights with more clarity, Griffin vehemently posits that notwithstanding the improvements made by this corpus, the "idea itself" still lacks a precise and unambiguous essence. In his view, international law has been unsuccessful in solving this ambiguity in its content, or as the author observes, "it has not done anything decisive." In this sense, the picture we have about human rights is "still that of a right we have simply in virtue of being human, with no further explanation of what human means here." Once more, the author stands for the practicality of ethics. In this sense, he pleads for its application in what has to be a purposeful inclusion of human rights made by international law. The grounds for this inclusion has to be "at least in part" driven "by ethical considerations independent of law and conventions." (2008, p.13-14)

In discussing the "indeterminateness of the term human right," to which Griffin allocates a substantial amount of attention, he questions the state of affairs that characterizes "the discourse of human rights today." As a result, in Griffin's acceptance, the notion becomes "nearly criterionless." Hence, there is a small range of standards that are used "not just among politicians, but among philosophers, political theorists, and jurists" to evaluate when the notion is employed appropriately or not. From this perspective, Griffin believes that "the language of human rights has, in this way, become debased." (2008, p.14-15)

Griffin refutes the idea that "the term human rights is no worse off than very broad and not especially contentful ethical notions such as wrong." To put it another way, as it is depicted here, the notion involves a reduced level of content. In trying to reinforce this postulation, the author puts, in contrast, the situation when a "certain action is (morally) wrong" with "the disagreeing about whether there is a broad human right to determine whatever happens in and to our bodies." According to the author, the former case is characterized by a "considerable, perhaps complete, agreement" whereas the latter "has practically no agreement about what is at issue." In this sense, Griffin points out that: "We agree that human rights are derived from human standing or human nature, but have virtually no agreement about the relevant sense of these two supposedly providing terms." (2008, p.16)

On a rhetorical note, the author is questioning whether he is laying too much emphasis on the issues accompanying the notion of human rights. In seeking to lessen a potential overstatement concerning this, the author speaks in favor of its practicality. He points out the existence of "at least some criteria for determining when the term is used correctly and when incorrectly." Two constituents characterize the "Enlightenment notion of human rights". The first one is what the author calls "an

element of intension," which translates into the fact that we have rights because we are human beings. The second one is "extension" and represents "the rights found in the United States Bill of Rights, in the French Declaration of the Rights of the Man, and certain key United Nations instruments." Even though its intension is limited and its extension is contestable, "the Enlightenment notion is not completely empty." For Griffin, the solution does not lie in creating a new way of defining the notion. What is at stake here is to fix the "indeterminateness." He allocates this project to philosophers, advocates of political theory, or jurists whose common goal is "to do what the Enlightenment failed to do." According to him, applying the "term human rights," which he refers to as being "theoretical," is inconclusive. The author traces its development by ascertaining its descendancy from "another highly theoretical term natural rights- introduced, though, without much in the way of necessary background." Accordingly, he suggests that there is instead a necessity of clarifying the notion and not to see what it is meant by it. (2008, p. 16-18)

In seeking to discover the antidote that could mend the incompleteness of the concept, Griffin advances the "drastic remedy" of renouncing to their "discourse" because as he is questioning "if it is so unsatisfactory, why not jettison it?" However, the notion is not senseless, and there are other ways to fix it instead of just giving up on what it utters. In this sense, Griffin believes that the discourse on human rights is not liable to be eroded from a foundational level, neither by philosophers, political theorists, nor those working with the law. Hence no effort is sufficient to achieve its dissolution because of its solid premises and because "large ambitions to change the world" characterize it. The only tenable thing that to do in this case is to work in the direction of its development so the notion can reach a certain level of wholeness that will automatically dissolve the general vagueness. Besides, the author brings into light the idea that ethics have duties not solely in discerning right and wrong but also in "realizing the right and preventing the wrong." The latter justifies the salience of having the "simple term," but this is not restricted to human rights solely because it is also plausible for the term to entail, for instance, "constitutional right, or basic rights, or entrenched rights to which we could attach a satisfactorily determinate sense." (2008, p.18-19)

6.2. The grounds for human rights

In the discussion about the human rights tradition, Griffin posits that this does not provide a "particular substantive account." He further expresses an evident fact that human life is not the same as the life of "other animals." In this sense, the author is expressing his view on what it means to be human by asserting that:

"We human beings have a conception of ourselves and of our past and future. We reflect and assess. We form pictures of what a good life would often be, it is true, only on a small scale, but occasionally also on a large scale. And we try to realize these pictures. This is what we mean by a distinctively human existence (...). Perhaps Great Apes share more of our nature than we used to think, though we have no evidence that any species but *Homo sapiens* can form and pursue conceptions of a worthwhile life." However, Griffin is not rejecting the existence of other beings that could share the same degree of discernment and cogitation, features that characterize human nature. Still, in this case, he draws attention to the fact that human rights have to adjust to new conditions that do not include solely human beings. According to the author, the human being's status focuses on "being agents" and is often treated as having more prominence than "even our happiness." The latter implies "deliberating, assessing, choosing, and acting to make what we see as a good life for ourselves." Consequently, from Griffin's perspective, these represent the qualities that form the human essence and differentiate humans from other species. (2008, p.32) Having conveyed these attributes that appertain to humankind, he describes human rights as "protections of our human standing or (...) personhood." So this account induces the idea that being a person is safeguarded through the tenets of human rights.

Griffin explains the concept of personhood by dissecting what it entails to be an agent. Ergo, the author emphasizes the three constituents on which agency rests, namely autonomy, "a certain minimum education and information," and last but not least, liberty, or to have the freedom to seek "what one sees as a worthwhile life." The substantive account of human rights referred to above becomes more apparent here. Yet, the following lines will contribute to providing a more extensive and concrete frame in comprehending the propounded account. Griffin claims that two elements form the basis of human rights, and he starts this evaluation by placing great prominence on the concept of personhood. He sees that "most of the conventional list of human rights" is derived from personhood. This list includes, for instance, the right to life in the absence of which personhood cannot exist as these two are convergent, as well as the right to take part in the "political decision," which the author refers to as "a key exercise of autonomy." Moreover, personhood also gives rise to what Griffin calls a "positive freedom," which entails the "right to basic education and minimum provision needed for existence as a person." By basing human rights in the concept of personhood, their substance suffers from a noticeable curtailment in the sense that they "are rights not to anything that promotes human good or flourishing, but merely what is needed for human status." Viewed in this light, human rights shield a "somewhat austere state," hence they represent a statement of typical life because, as the author points out:

"If we had rights to all that is needed for a good or happy life, then the language of rights would become redundant. (...)At most, we have a right to the pursuit of happiness, to the base on which one might oneself construct a happy life, not to happiness itself." (2008, p.33-34)

The possibility of personhood being the sole base for human rights is something that Griffin looks at with uncertainty, mainly because this endows them with vagueness. The concept of personhood affirms "the right to security" to which every person is entitled. Griffin moves the discussion to the evaluation of the second ground, represented by what the author calls practicalities. In his view, practicalities are required because they contribute to constructing "the content of the right to security of person determinate enough to be an effective guide to behavior." (2008, p.37). According to Griffin, practicalities are universal and illustrate "features of human nature and the nature of human societies." More specifically, they are "empirical information about (...) human nature and human societies, prominently about the limits of human understanding and motivation. (...) The practicalities ground gives us a further reason to confine human rights to normal human agents, not agents generally. Practicalities are needed to determine the content of many human rights, and the considerations they introduce may well be special to human life."

Griffin considers a third potential ground which is equality, and the rationale behind this lies in the "idea that human rights emerged with the growth of egalitarianism"; hence it is natural and understandable that "equality is a, or even at a deep level the ground for those rights." Moreover, as he points out, human rights are moral standards, and in this regard, they must be a reflection of "equal respect" as an expression of "the moral point of view itself." However, this is not convincing enough to expand the list of grounds for human rights, so the author is adhering solely to the two foundations presented above, namely personhood and practicalities. The author, therefore, concludes that these two form the "existence conditions for human rights." (p.p. 38-44)

Griffin believes that his personhood account illustrates a tripartite statement of diminution. In this sense, he describes it as being a supplier of "a ground for rejecting certain actual declarations of human rights," it is characterized by a tendency to limit the substance of "individual rights" and also "it reduces the importance of human rights." (2008, p. 95)

6.3. Griffin's conception of human dignity

As revealed hitherto, one of Griffin's main points of concern is to engender a more explicit significance of what the notion of human rights implies. To achieve this goal, he is putting forward the premise that human rights are the aegis of our "normative agency." Thus, human rights are seen

as the defenders of being human, namely, personhood or normative agency. He describes the concept of normative agency as "the typical human condition" that has to do with "our capacity to choose and to pursue our conception of a worthwhile life." (2008, p.45)

So for Griffin, normative agency is a clear expression of human existence that encompasses the ability to discern right from wrong and seek a valuable life.

At the core of Griffin's understanding of dignity lies the concept of normative agency, which he is availing himself of to show that the latter comprises the former. In other words, human dignity is attached to our personhood. However, as the author points out, human rights are "meant to protect the dignity of perfectly ordinary human beings." (2008, p.226) But what does this entail, more specifically? Seemingly, his postulation induces the idea that those who have specific medical issues that impede them to think and reason are hence not enclosed by his way of comprehending human rights defend human dignity. And the idea is endorsed by the author in the discussion about who is considered a normative agent. In this sense, the author is diminishing the list of agents by claiming that:

"Human infants are not normative agents. Neither are human foetuses, nor the severely mentally handicapped, nor sufferers from advanced dementia." In discussing whether children can be considered "potential agents" or not, he sets forth that "the idea of potentiality" and "their vulnerability of itself" are not persuasive enough in affirming "that children are bearers of human rights." (2008, pp.83-85)

Consequently, in Griffin's view, normative agency is not automatically implied by virtue of being human. To put it another way, the normative agency is not something inherent but rather selective because its realm involves specific criteria to comply with to be called a normative agent as the ability to discern between wrong and good or reason. Conversely, people incapable of reasoning and making judgements or pursuing what Griffin calls a "worthwhile life" are not included in understanding normative agency.

Griffin sees human dignity through the lenses of autonomy. In his view, this is an element that forms the essence of human dignity. From this perspective, he asserts that the rationale for the augmentation of human rights has to do with safeguarding the elements that constitute human dignity, namely "the life, autonomy, and liberty of the individual." (2008, p.249)

Autonomy represents a central concept in Griffin's discussion about human rights and human dignity. As discussed, autonomy is one of the features of normative agency. In assessing its merits, the author emphasizes that autonomy "is related to being a constituent of the dignity of the human person." Accordingly, it is revealed that Griffin's account of dignity is grounded in the idea of normative agency. Subsequently, the author clarifies the meaning of human dignity that represents a concern for

his reasoning. From this perspective, he argues that "there are several acceptable uses of dignity not relevant to human rights: for example, the dignity that quite properly should be accorded to a person deep in dementia or even to a person's dead body." As reflected here, Griffin distinguishes between the concept of human dignity connected to human rights and some interpretations of dignity that, according to him, are not. So in alignment with this, someone who cannot reason is entitled to a special form of dignity suited for that particular situation. Griffin describes the dignity pertinent to human rights as having "a highly prized status" expressed through the fact that "we are normative agents." From this perspective, through the personhood account of human rights, the normative agency becomes the "interpretation of the dignity of the human person when that phrase is the use of the ground of human rights (2008, p.152)

For Griffin, the assertion that "other forms of animal life" are not entitled to a dignity representing an exclusive appendage of our personhood is evident and can be comprehended without any issues. In his view, the process of explaining why the concept complements our "status as normative agents" does not have to proceed exclusively from dignity to human rights. In other words, the notion does not have to be the leading argument in this discussion tied to human rights. He refers to dignity as being a "vague" term. For its understanding, it is required to disclose to outline what human rights imply. Consequently, in Griffin's acceptance, human rights represent an essential method in comprehending human dignity. (2008, p. 66)

In discussing human dignity, the author emphasizes that its kernel is represented by autonomy and liberty. In this sense, he is pointing out the unlikelihood of eradicating human dignity by drawing upon the following example "you may not destroy my dignity just because I am deluded, or desperate, enough to give you permission." (2008, p. 327)

Griffin distinguishes between two different contexts for the employment of the word person. The first one is "an account of what constitutes personal identity," and the second one has to do with the description of an "especially valued status, the dignity of the human person, or, as it was captured in an earlier period, the worth that comes of being made God's image." Suppose a particular person is considered to have importance from a moral standpoint. In that case, this does not equate that based "on this criterion of identity" everything alike that person is "just as morally significant." Griffin is firmly convinced about this, and in this sense, he is emphasizing that "it would be the plainest of non-sequiturs to argue that because a normal adult person has human rights, anything that is the same person as it has human rights." (2008, pp.86-87) In the light of this, Griffin is very straightforward in delineating to whom are human rights belonging, and thus who is considered a normative agent. However, as he puts it, these categories of people who lack normative agency do not remain without

the protection of an apparatus of rights akin to human rights. In this sense, he finds the solution to this matter outside the system of human rights. Thus he states that:

"Human rights cover only one special part of morality; there are very many highly important moral domains outside the domain of human rights: for example, certain considerations of justice and fairness, some forms of equality, and many cases of one person's cruelty to another.

If so much of such very great moral importance falls outside the domain of human rights, can infants, the severely mentally handicapped, and sufferers from advanced dementia not find the protection they deserve there?" (2008, p.95)

In discussing the relativity of human rights, Griffin endorses the widely propagated idea that human rights represent a result of Western tradition. In this sense, he points out that "they were part of the growth in individualism in that particular time and place; they were part of a new sense in Europe and Americas of 'the dignity of man' and the great value of human autonomy and liberty." Griffin infers the idea that human rights are rooted in autonomy and liberty that, according to him, represent "peculiarly Western values."

Consequently, the author uses this to justify their dependence on the typical principles that belong to the Western world. In this sense, not only is it implied that human rights are a "product of the West" but that they are also relative to the "values of the West." As the author points out, autonomy is tied to the "peculiar dignity of the human person" for some societies. In contrast, in other cultures, autonomy is perceived as constituting a "threat of social atomism." (2008, p. 133)

Another point of concern for Griffin at this stage is what he refers to as "the problem of ethnocentricity," which he explains by alluding to the universal applicability of human rights. In this sense, as the author observes, human rights cannot be considered to be "universally authoritative" if the only accessible way of explaining them is an expression of Western ideas. This supposed issue can find a solution in an unbiased premise that bases human rights, a premise likely to be respected and obeyed by what he refers to as all "rational beings." In attempting to seek for a "less ethnocentric approach," Griffin propounds the idea that the understanding of the "dignity of the human person," which "according to the United Nations, is the ground of human rights," should be searched for at the local level, in every society. (2008, p.p 137- 139)

Griffin draws a parallel between his account and the "drafters` account" on dignity in discussing philosophy and international law. The peculiarity of Griffin's conception of human dignity lies in the emphasis put on persons who are understood as normative agents. So human dignity derives from "the value we attach to our normative agency." In the light of this, human rights must safeguard "one or other component of the agency," and this leads to his account being confined between certain specified limits. Thus, a lack of permissiveness characterizes it. In his view, the international

documents on human rights, like the Universal Declaration, emphasize human dignity as a notion prone to "encompass more than just the components of agency." For Griffin, this represents an issue and leads to what the author calls the "elasticity" of the term, the lack of rigidity that characterizes the "drafters' account" of human dignity. Further, the author suggests that another way of comprehending dignity has to do with the collective understanding intertwined idea of respect. However, Griffin does not believe that this way this does not represent the appropriate form of explaining what dignity is because, as he points out, it explains the "notion of the dignity of persons that underlies moral obligation as a whole." (2008, p.p.200-201)

As we have seen, Griffin believes that human rights are grounded in personhood. Based on this, the right to life is considered very important because personhood does not exist in its absence. In other words, life is a prerequisite of the normative agency. Consequently, the right to life characterizes our human status and hence encompasses our existence as normative agents. However, the right to life does not entail the paramount aim of enjoying what the author calls a "good, fulfilled, flourishing life" as none of the human rights stipulate this in their content because it "would make enormous demands upon others." For Griffin, the right to life is entirely connected to the idea of withstanding as normative agents. Furthermore, as he points out, the underlying basis for human rights expressed through the personhood account is "the high value attaching to certain features that we sum up under the heading 'personhood'." (2008, p.p. 97-98)

6.4. Human rights and democracy

"Human rights and democracy have grown up to meet quite different needs. Human rights grew up to protect what we see as constituting human dignity: the life, autonomy, and liberty of the individual. Democratic institutions grew up in our need for a decision procedure for groups.(...) Much more comes into democracy, both into the idea itself and into its major duties and functions, than can be got out of human rights." (2008, p.249)

Griffin does not omit to discuss whether there is a link between democracy and human rights and addresses the issue through a question: "Do human rights require democracy?". The author can't find the human rights' path to democracy in the absence of what he calls "some non-universal empirical premises." As he contends, there is no clear evidence or reasoning that could ground the link between the two. This is why the author bases his argument on factual information. In this sense, he states that: "Human rights may require democracy in a weaker sense of require." Further, he sets forward two questions related to the practical dimension of democracy and human rights. The first

one focuses on the idea of a non-democratic society that complies with human rights. According to Griffin, this is "empirically possible." Thus he states:

"(...)then human rights do not require democracy, in this sense: it is possible, in certain realistic, perhaps even actual historic, though not necessarily common, conditions, for there to be forms of government that do not violate any human right but are not democratic."

The second one talks about a type of society that encompasses the ingredients for "a tolerably successful democracy" with respect for human rights, albeit not a democracy. In this case, the author believes that this is not possible. (2008, p.p. 247-249) Griffin unequivocally posits that "human rights, in particular, do not require democracy," but "morality as a whole" does need democracy, and here the author refers to the "forms of respect for persons not already included in human rights."

In discussing the current situation, Griffin does not include the right to democratic participation in his list of rights and denies the validity of a universal human right of this kind. Moreover, the author states that for what he refers to as "modern conditions," democracy does constitute a prerequisite for human rights. After a substantial theoretical exploration on whether human rights require democracy or not, Griffin offers a twofold solution to his initial question. In this sense, the author concludes by giving both a positive and negative response convergent "upon circumstances." (2008, p.p. 251-255)

6.5. Do children have rights?

"Of course, children have rights. But do they also have human rights? Or do they, at least, have something closely analogous to human rights-namely, general moral rights that children have simply in virtue of being children?" (2002, p.19)

In chapter 2 from *The moral and political status of children*, children's rights lie at the heart of another belief of Griffin, one that arouses curiosity and that represents an actual theoretical brick of his line of thought concerning human rights. In this sense, James Griffin dedicates his examination to this issue. His main point of concern here is to explore whether infants and children have human rights, not rights in general, because, as he points out, it is evident that children do possess legal rights. Consequently, the issue of consideration is determining if human rights are also about children or if there is a system corresponding to human rights that children are entitled to due to infancy.

Griffin starts his argumentation by reiterating his well-known account on human rights, an account under the human rights tradition and expressed through the concept of personhood. In light of this, human rights safeguard what the author calls our human standing. The author distinguishes

between infants and children and discusses if each of these two categories possesses human rights or not. Thus the statement of the problem for Griffin's reasoning is the following:

"Human infants (and animals and human foetuses and the severely mentally handicapped and sufferers from advanced Alzheimer's disease) are not agents. Do they not have human rights?"

In Griffin's view, to have human rights means being an agent, so infants do not have this status because they cannot reason. Regarding the issue of normative agency, as the author posits, there is no fixed time for a human being to be considered an agent; hence, to be entitled to human rights. In this sense, the author states that:

"The fixing of the boundary is not just a theoretical issue: it is an immensely social one. It is tempting, even, to abandon the notion human agent and go back to talking simply about human rights. The broader class of human beings is a lot more easily identified than the class of human agents." (2002, p. 24)

Consequently, Griffin considers that the dividing line between the non-agent and the agent status has a tremendous social salience.

Returning to whether infants have human rights or not, the author considers that the right to life is the sole right of this kind "that it even makes sense to attribute to an infant." Given the state of infancy that generates the absence of personhood, Griffin does not see any necessity for an infant to benefit from human rights. However, by alluding to the United Nations Conventions on the Rights of the Child, he believes that infants have the right to protection and development. (2002, p. 24)

Despite the prominence of its famous personhood account throughout his argumentation, Griffin propounds a different approach that applies exclusively to infants. The author calls it the "need accounts of human rights," and it encompasses the following substance:

"If one thinks that infants (and perhaps also human beings in an irreversible coma and animals and so on) have rights, then one might well want to explore the idea that rights are based, not on personhood, but on some especially fundamental needs. Infants (and human beings in an irreversible coma and so on) certainly have needs." In light of this, and as Griffin depicts it, infants are not liable to have human rights, but they are subjects of this alternative account because they have needs that constitute the basis of human rights. (2002, p. 24-25) The central idea with Griffin's need account of human rights is that it applies to infants and substitutes his personhood account that is only reserved to normative agents.

Griffin vindicates his conclusion based on a partial "decision to keep the language of rights for a different, narrower, clearer, moral domain," and he is utterly confident in ascertaining that, unlike infants, children can be agents. (2002, p. 28) Until they reach the state of personhood children, find themselves in the position of being potential agents, as the author calls it. And this prospective

nature of developing into agents in the future gives Griffin sufficient grounds not to extend his doubt about whether children have rights or not, as in the infants` case. In this sense, the author arrives at his final judgment by reiterating the thesis from the beginning about the categories of people that, in his view, are not under the human rights umbrella: infants, people who suffer from cognitive diseases, people in a vegetative state, and fetuses.

6.6. Remarks on Griffin's conception on human rights and human dignity

Griffin deserves a lot of credit for his insightful approach that constitutes a valuable contribution to the philosophy of human rights. The analysis of his theories brought a vast spectrum of ideas that help illuminate the intricacy between human rights and human dignity. Unquestionably, his profound philosophical stance represents an indispensable theoretical tool for this study. Still, as in Donnelly's case, the exploratory analysis was conducted exclusively through the author's lenses, meaning that the researcher's voice did not interfere in the argumentation. For the sake of symmetry, the exploration of Griffin's account requires a distinct section that touches on some of his theories, this time from an analytical point of view.

For Griffin, autonomy, welfare (minimum provision), and liberty constitute what he calls a "trio of highest-level rights." (2008, p. 149) These rights are universal and encompass under their titles all the related rights. Griffin's approach to human rights reminds me of John Rawls' list of liberal rights. The author believes that "liberty is not a right to a worthwhile life, but merely a rights to pursue it with no more impediments than those imposed by mother nature, including prominently, human nature." (2008, p.168) This postulation is similar to Martha Nussbaum's capability account, a prominent view in the scholarly context. The ten Central Capabilities developed by Nussbaum represent a framework for the pursuit of a "dignified and minimally flourishing life" and thus seek to answer the question What does a life worthy of human dignity require? (2011, p.p. 32-33)

A recurrent theme throughout the entire reasoning is that human rights suffer from what he calls an indeterminateness of sense. This lack of content that characterizes human rights constitutes one of his main concerns during the argumentation. Thus, Griffin contends that human rights are poorly defined and that this affects the contemporary language of human rights. But if this is the case, what is the author's approach to this postulation? The solution that Griffin propounds is to ground human rights in personhood or normative agency. In this sense, he believes that "we have a better chance of improving the discourse of human rights if we stipulate that only normative agents bear

human rights-no exceptions: not infants, not the seriously mentally disabled, not those in a permanent vegetative state, and so on. For the discourse to be improved, the criteria for correct and incorrect use of the term must be fairly widely agreed." (2008, p. 92)

In Griffin's view, to be a human being does not automatically imply personhood. To put it another way, the normative agency is not inherent but rather selective in the sense that its realm involves specific criteria to comply with to be called a normative agent as, for instance, the ability to discern between wrong and good or to reason. Autonomy and liberty are, for Griffin, the critical elements in defining a normative agent. Based on his personhood account, human rights lack the universal dimension because, as he points out, "they are restricted to the sub-class of normative agents." (2008, p. 50) Even though he limits the application of human rights only to those who are agents, Griffin does not leave the other people outside any form of protection. In this sense, he appeals to standards grounded in morality to defend the category of non-agents. Yet, the main problem with Griffin's personhood account is that it excludes vulnerable people and those who are not capable of reasoning, making judgements, or pursuing what Griffin calls a "worthwhile life" from the protection of human rights itself. Despite the intellectual maturity and the distinctiveness in approaching the topic of human rights, Griffin's account fails in persuading me. In this sense, my conviction is that Griffin's personhood account challenges the human rights` ideology, namely the intrinsic and universal features and human dignity. But even if I disagree with his premise in this context, I cannot deny that he provides a solid theoretical foundation to the human rights field.

In light of his account, people who are not normative agents possess neither human rights nor human dignity. Concerning dignity, Griffin claims that "the heart of our dignity is autonomy and liberty." (2008, p. 252) It is needless to mention that some physical or mental conditions impede the state of being autonomous. His view lacks inclusiveness, encapsulates a paradox, and refutes the idea that human rights are inherent. Instead, as he puts it, they are contingent on being a normative agent. In this sense, he limits the human rights sphere of applicability solely to those who fulfill the requirements that align with his personhood account.

From this perspective, it is therefore not surprising that Griffin's personhood account is a subject of contention in the academic context. One of the scholar voices who criticize his view is John Tasioulas. In discussing human dignity and the foundations of human rights, Tasioulas refers to Griffin's personhood account as an objection to the interest-based account. As he puts it, the issue with the personhood account lies in the fact that it deprives some people of being subjects of human rights. Accordingly, he states that:

"This disqualifies an alarming number of human beings from having any human rights- all those members of the species who are not, or are no longer, normative agents: not only foetuses, but also

newborn babies, infants, and those suffering from serious mental disabilities or in persistent vegetative states." (2013, p.p 302-303) I endorse Tasioulas` view because it reflects my belief that Griffin's account illustrates a statement of discrimination. It shows an unfair and prejudicial distinction on the grounds of rationality. Based on this distinction, human rights are not as inclusive as they are supposed to be but apply exclusively to normative agents, hence those who can reason.

6.7. What does human dignity mean for the language of human rights in Griffin's view?

Griffin believes that human rights defend our normative agency; hence the language of human rights is best reserved for beings capable of agency. He constructs his account on human dignity around the concept of personhood. What grounds the idea of dignity is the normative agency. Although far from being his reasoning's main point of concern, human dignity is sufficiently discussed to show the notion's place throughout the argumentation. Consequently, the meaning of human dignity for the language of human rights revolves around the normative agency in Griffin's view. In this sense, this notion includes the concept of human dignity. Another focal point in Griffin's conception of human dignity is autonomy. He sees human dignity as depending on autonomy. Conversely, in its absence, a person is not entitled to that human dignity specially reserved for agents but to a particular type of dignity tailored for that specific case.

In Griffin's view, human dignity does not seem to have the traditional interpretation of an intrinsic feature attributed to human beings. Instead, it is contingent on complying with the premises that characterize personhood. Given that human rights are limited only to people endowed with the capacity to reason, human dignity implicitly follows the same pattern. Thus, its meaning for human rights' language consists of what Griffin describes as "a highly prized status." And what expresses this valuable standing is the normative agency itself.

VII. The juxtaposition of Donnelly's and Griffin's accounts

The theoretical incursion into Donnelly's and Griffin's theories has revealed a *prima facie* contrast between their reasonings. At first sight, a significant discrepancy seems to incline the balance. Yet, this is not surprising as the concern of this thesis is to focus attention on two distinct positions in the discussion about human dignity and human rights. For this reason, the process of placing the two perspectives side by side is indispensable to reflect their contrasting nature. In this sense, this chapter juxtaposes Jack Donnelly's and James Griffin's analyzed views by pointing out the dissimilarities and perhaps the resemblances, if there are any, between the two accounts. Structurally speaking, the current chapter is divided into four sections. Three of them address the disparities between the two authors, and the last one culminates with a reflection on the two accounts..

7.1. The theoretical stance- interdisciplinary versus philosophical

On the academic scene, both Donnelly and Griffin brought a generous amount of compelling arguments. Their theoretical lenses regarding the concepts at stake contrived the entire research. They also contributed to enriching the current examination because their clear train of thought represents an essential tool in understanding the intricacy of the human rights field. They both concentrate on exploring the same issues, albeit from different theoretical stances that illustrate their distinctive approaches. From this perspective, the quintessence of their accounts is unlike. Donnelly's view encapsulates a substantial degree of political science, and this is visible throughout his argumentation. Yet, the author addresses the topic of human rights from an interdisciplinary approach, political theory, international relations, philosophy, international law being among the paths that the author is taking to explore the field of human rights. On the other hand, for Griffin, the philosophical dimension gives rise to his process of theorizing; hence philosophy lies at the kernel of his entire understanding of human rights. Outwardly, this represents the initial distinction between the two accounts, showing their standpoints' ethos.

7.2. Human dignity- an ambiguous versus a *quasi-foundational*¹ concept

For Griffin, human dignity is a vague term for the understanding of which it is required to disclose what human rights are. He sees human rights as an essential method for the comprehension of human dignity. At this point, human dignity's entanglement for the language of human rights becomes visible in Griffin's acceptance. By linking the two concepts together, the author shows their inextricability and points towards the idea that human dignity has an unclear nature without the involvement of human rights. In light of this, being aware of human rights allows human dignity to reach its precision. It is also important to mention that autonomy represents the quintessence of human dignity in Griffin's view. Thus human dignity is not intrinsic and is contingent on being autonomous. Here, the author aligns himself with Kant, who grounds the concept both in autonomy and reason.

On the other hand, Donnelly refers to the means of attaining human dignity, and in this sense, he sets forward that human rights constitute one path in this direction. So, there is one exclusive method to achieve human dignity, but several human rights representing just one of them. In contrast, in Griffin's conception, it seems that for him, the sole condition for grasping the meaning of human dignity is through human rights. In addition to this, Donnelly's understanding of human dignity is a merger between the concept's foundational nature and its impossibility of being analyzed. For him, human dignity possesses more than one specific feature. And this is what he pleads for by claiming that human dignity is an in-between concept through which human rights connect to comprehensive doctrines. Thus, as the author points out:

"human dignity is a quasi-foundational notion that lies deeper than human rights, but on which there is only an overlapping consensus." (2013, p. 131) In this sense, for Donnelly, human dignity has a supposedly foundational nature and compared to human rights, it encapsulates a higher degree of profoundness. An essential element of his reasoning regarding human dignity is that its specific characteristics (the different comprehensive doctrines) imbricate; they lap over each other, and they fuse into a state of concord. This leads to various ways of reckoning human dignity according to each society's set of beliefs. In Donnelly's view, the corpus of international human rights law and states' governmental policies greatly influences our ways of understanding human dignity. Donnelly believes that human rights' growing eminence makes its relatedness to human dignity progressively understood from a normative dimension.

¹ The term Donnelly used to describe human dignity's nature. For a comprehensive discussion about human dignity and the foundations of human rights, see Donnelly (2013), p.p.130-132

From this perspective, what differentiates the two accounts, in this case, is how the authors look at the link between the two concepts and how they relate autonomy to human dignity. Autonomy plays an essential role in their understanding of human dignity. Yet, the outlooks are different. For Griffin, autonomy is a prerequisite for human dignity. On the other hand, Donnelly sees the concept through a liberalist lens, autonomy and equality being the main features that form the human dignity's base. While Griffin places human dignity directly on human rights by showing the former's dependency on the latter, Donnelly pleads for a more open and dynamic understanding of human dignity, which illustrates his predisposition to seeing it through more than one lens.

7.3. The cultural aspect- universalism versus ethnocentrism

Another source of contrast encompasses the authors' view on the universality of human rights, a widely contested topic in the scholarly context. The idea that human rights are a Western product represents a recurring idea in Donnelly's argumentation as his strong Western tone is evident. Donnelly defends human rights from cross-cultural perspectives and pleads for their universality by arguing that they are not "in any important way culturally relative." In his view, the concept of universal rights is best in harmony with the distinctiveness of human rights. However, even if his theory concurs with the universalism side, he does not neglect human rights' perpetual and constant nature. What the author wants is to "show that any list or conception of human rights and the idea of human rights itself- is historically specific and contingent." Donnelly posits that culture is salient for supporting and embracing international human rights. However, the author believes that culture is not an essential element in explaining "the development of ideas and practices of human rights or what right we have in the contemporary world."

At times, Donnelly's outlook on the universality of human rights might not seem coherent as it is very dense in substance because he is approaching various related themes in the exploration of what he calls "universality in a world of particularities." (2013, p.p. 1-106) Yet, what is clear is that Donnelly supports the universalist conception of human rights, but he does it without implying the hegemony of one culture upon another culture. In this sense, the author claims that there is no such thing as a cultural paradigm that is intrinsically consistent or inconsistent with human rights. By resembling culture with "the political expressions of comprehensive doctrines," Donnelly wants to show that human rights are not intrinsically consistent or inconsistent with any cultural paradigms. In light of this, the author perceives the universality at the international level as "one of the great

achievements of the (...) human rights movement" because, according to him, this gave rise to a "deepening" overlapping consensus. (2013, p.p.107-118)

In contrast with Donnelly's account, in Griffin's argumentation, we find a different perspective. Griffin subscribes to the idea that the human rights` birthplace is the West, but he argues that seeing them solely through Western lenses is not equivalent to a universal reliance upon them. The author offers a solution to this "problem" by proposing "an objective justification of human rights authoritative for all rational beings." (2008, p.133) Accordingly, Griffin's assertion only alludes to people endowed with the capacity to reason and not to human beings in general, as he exclusively mentions the term 'rational.'

This is directly related to the concept of normative agency or personhood that lies at the heart of Griffin's theories on human rights. As the exploratory analysis has shown, normative agency encompasses the ability to seek what the author refers to as a valuable life and the ability to discern rights from wrong. But Griffin does not include everyone in his understanding of personhood, and he does not moderate the need to distinguish between people who can think and form judgments and do not possess this ability.

In discussing relativity, Griffin proposes two methods that contribute to a consensus without any forms of constraint. By adopting an ethnocentric approach, the author puts forward two solutions. The first one entails "to put a case for human rights as best we can construct it from resources of the Western tradition, and hope that non-Westerners will look into the case and be attracted by what they find." This is the first hypothetical case Griffin favours that illustrates the "more ethnocentric approach." In the less ethnocentric approach's case, the process commences from the non-Western societies, where "indigenous ideas that might provide a local case for human rights, or something not unlike them" are sought. (p.p.137-138)

Despite the good theoretical insight that Griffin brings in the heated universality/relativity debate, his account seems to induce a sort of hegemony of the Western cultural tradition over the non-Western traditions. His theory gives the impression that the human rights tradition is the Western cultural tradition. Based on this, the differentiation between the two arises from how they deal with the cultural particularities that intersect with human rights. While Donnelly advocates for the concept of overlapping consensus, an essential element of his train of thought, for Griffin, this notion does not have the same influence on his argumentation. Instead, he emphasizes the philosophical basis of human rights represented by what he calls "substantive values."

This chapter has presented the contrast between the two authors' views. Although not exhaustive, the current juxtaposition represents an essential aspect of this thesis because it illustrates the peculiarities of each account. Notwithstanding the striking differences between Donnelly's and

Griffin's views, both authors deserve credit for showing an accurate and deep understanding of the concept of human dignity and its meaning for the language of human rights.

7.4. Reflections

Beyond any doubt, the theoretical magnitude of Donnelly's and Griffin's ideas represents an essential pillar for this study. Theoretically speaking, the quintessence of this thesis lies in the exploratory analysis of their accounts. From the illustration of their contrasting views, the solution to the research question emerges. Consequently, as Donnelly portrays it, human dignity has a moral and an apparent foundational nature for the human rights language. Moreover, the link between the two concepts implies a co-constitutive rapport indicating that human dignity is indispensable for human rights and the other way round. On the other hand, Griffin believes that human dignity is inaccurate, and knowing what human rights are, provides the concept with exactness. This induces the idea that human rights prevail and that human dignity does not have an independent theoretical shape.

Apart from seeking to unfold the meaning of human dignity for the language of human rights, the current thesis is also pleading for the inextricability between the two concepts. In this sense, after emphasizing the contrasts in the two authors' accounts, a pertinent question may arise. Whose view is more reliable in terms of comprehensively encompassing the research's objective? It is essential to mention that favoring one account because it is more apposite for this study's intention is not detrimental to the other account. It is neither an attempt of underestimating one of the analyzed views nor a disesteem towards it as both Donnelly and Griffin provided insightful reasonings about the issues at stake. Concerning Griffin's account, the most prominent peculiarity that characterizes it is undoubtedly his philosophical way of dealing with human rights. Philosophy is an indispensable discipline in exploring the vast human rights' field because it allows us to understand its nature, scope and status. Through a philosophical stance, the various theoretical layers that form the concept are revealed. Philosophy has the merits of unfolding the kernel of human rights, that extends far down from their surface. Notwithstanding the unique contribution to the understanding of human rights, Griffin's personhood account, a prominent theme for his line of thought, generates a serious bone of contention. His view does not persuade me mainly because it utters a severe lack of equality as it induces the idea human rights and human dignity belong solely to people who are autonomous and endowed with reason. Human dignity is an intrinsic feature that does not depend upon any condition. The same goes for human rights that belong to every human being and that do not distinguish between people who are entitled to them and people who are not.

In line with the theoretical demands of this research, Donnelly's line of thought is the one that best encapsulates this thesis' grounding premise: that human dignity and human rights are contingent on each other. Thus, Donnelly believes that they mutually constitute one another. This idea illustrates the leading factor in the author's reasoning that best aligns with what this study is defending, namely that human dignity and human rights are intrinsically intertwined. What grounds Donnelly's view is a solid and unequivocal sense of cultural sensitivity and a wide stance he employs to approach the two concepts. His account's greatest strength lies precisely in this aspect, representing one of the primary sources of persuasiveness and something I utterly concur with because it encapsulates a substantial degree of veracity. Moreover, it reflects a vision that is better inclined to show that dissimilarities are not meant to divide but to unify and lead to harmony and consensus.

Human rights and human dignity are liable of being analysed independently, but their inseparable link always triumphs because they find themselves in common parlance. Human dignity's meaning for the language of human rights lies in the fact that it constitutes the moral foundation that underpins their system. In this sense, what would human rights base their claims on, if not on human dignity? This rhetorical question stimulates us to imagine how human rights discourse would look without any involvement of human dignity. I believe it would look empty and unable to reflect its ideological substance, groundless and imprecise. Even if some voices argue that it does not add anything to the language of human rights, and even if some contest its practicality, human dignity has an irreplaceable and essential nature for what rights in general are, and more importantly, for the entire humankind.

VIII. Concluding remarks

The current study was an extensive journey of knowledge that culminated with a theoretical comprehension of human dignity and its implications for the language of human rights. It has sought to discover the theoretical complexities of human dignity and its meaning for the language of human rights through an exploratory analysis of Jack Donnelly's and James Griffin's accounts. Moreover, it was based on the theoretical premise that human rights and human dignity are intertwined, and their link is inextricable. Because this link between the two concepts is much more profound and intricate than what we see from the surface, an in-depth theoretical analysis was the most appropriate way to answer the research question that guides this study. Even if the language of human rights is very expressive in conveying human dignity's essential role for its system and points towards their contingency, notable features belonging to this nexus are not liable to be discovered without a solid theoretical periplus. This justifies why an exploratory analysis was the preferred method because it allowed a thorough expounding of the theories concerning the two concepts. In this sense, the authors' lines of thought constituted the theoretical fundament of this paper and its rationale.

Donnelly's and Griffin's views provided the study with an insightful understanding of human dignity and human rights. The distinctiveness of this exploratory analysis resides in the striking difference between their accounts. However, this contrast benefits this study because it highlights two unique and eminent perspectives within the scholarly context. Generally speaking, the ideas that emanated from the exposition of their lines of thought yielded a high degree of sound judgement and contributed to enriching the discussion. Taking all these into consideration, at the end of this study, it is thus plausible to reiterate the research question and answer it concisely by briefly asserting my position regarding human dignity's meaning and then encompassing the kernel of Donnelly's and Griffin's reasonings. So, what does human dignity mean for the language of human rights?

In my view, human dignity is the ultimate value that gives coherence to the language of human rights and that encapsulates its essence. Human dignity is a powerful concept that carries an enormous significance for humankind. The idea of treating people with respect just because they are human beings is sacred. This is what human dignity affirms, and this is why its ideology is best articulated through the language of human rights and vice versa. Human rights emerged from the desire to acknowledge human dignity as an intrinsic feature that resides in every human being and that lies at the core of their system. For the language of human rights, human dignity means justification. In this sense, the concept shows why people are entitled not to be treated on

discriminatory grounds, for instance, because this would mean an affront to their dignity. To safeguard human rights means to safeguard human dignity itself.

As the discussion has shown, human dignity has various meanings for the language of human rights. In this sense, there is no universally accepted definition of what the concept entails. The myriad of arguments concerning human dignity's essence and its implication for the human rights' language reflect its theoretical heterogeneity. Moreover, this contributes to human dignity's intricacy and suggests that its understanding is not unchallenging. Through Donnelly's lenses, the concept has an apparent foundational nature and plays a vital role in human rights discourse. On the other hand, Griffin posits that human dignity cannot be understood without knowing human rights. In light of this, the first in line is human rights and then human dignity in the process of knowledge.

Throughout the narrative of the authors' argumentation, the parallel between culture, human rights, and human dignity represented a prominent aspect that engendered a significant amount of food of thought. The emphasis on the cultural constituent certainly enriched the discussion. Specific topics that form the substance of the debate surrounding cultural diversity and its correlation to human rights emerged. Universalism, relativism, ethnocentrism, or the concept of overlapping consensus, to mention a few, are among the recurrent themes. While Griffin favored an ethnocentric approach, Donnelly reckoned human rights as universal standards while pleading for a cross-cultural understanding by showing a high degree of cultural diplomacy and rejecting any hegemonic views. His preferred approach in dealing with cultural differences or what he refers to as the non-identical "comprehensive doctrines" is the idea of overlapping consensus. This concept focuses on the universality of human rights. However, what puts it in a favorable position is the open intercultural dialogue between the advocates of different views that are inconsistent with human rights. As it was revealed, the same pattern applies to human dignity because, in Donnelly's view, the concept is the moral basis of human rights. The language of human dignity has different understandings and ways of talking across societies. Consequently, the overlapping consensus applied to human dignity entails a state of harmony in a culturally diverse world.

To conclude, this study has unfolded that human dignity plays an essential role in the language of human rights. Its meaning lies in its substance that further explains its practicality for human rights. The exploratory analysis of two contrasting views has emphasized human dignity's significance for human rights. Moreover, it has defended the theoretical premise that the two concepts are connected in such a strong way that their separation would imply an inability to comprehend one in the absence of another. The lack of unanimity concerning its importance does not impede human dignity's pervasiveness. Human dignity is a powerful and indispensable concept, and its robust voice will never cease to express its ideological stance through the language of human rights.

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