

“HONORANDA ATQUE PROMOENDA” (GS 63)
ON RESPECT, PROTECTION AND PROMOTION
OF HUMAN DIGNITY

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Gaudium et Spes says in Nr. 63, that the dignity of the human person has to be “respected and promoted”. The meaning of ‘promotion’ is evident from the context (economical life): promotion of (material) wellbeing and economic justice. With this formula another one might be compared: The first article of the German Basic Law says in art. 1 about human dignity: To respect and to protect it is the obligation of every public authority.” This paper gives some comments on what it means to respect, protect and promote human dignity. It will appear that with regard to recent interpretations of human dignity speaking of the ‘promotion’ of human dignity needs some caution, because in this case dignity appears as something which can be increased or decreased (or even lost); and that is not the primary meaning of the term.

Christian Ethics understands the dignity of the human person primarily as something given, a property that every human being possesses independently of his status, gender, nation or of his virtuous or vicious disposition. In an inauguration lecture of a congress of Protestant theologians (Vienna 1999) the German philosopher Annemarie Pieper outlined the idea of human dignity in the following way¹:

„The human person has a value of its own which constitutes his dignity.

This value is

- *innate in the sense that it befits every being born as human as a quality inseparable from its humanity belonging to its very essence, not acquired by special faculties or performances;*
- *indivisible, since every human owns this quality in its totality;*
- *inalienable, insofar it is a matter of interior value not transferable on something or someone other;*
- *unbalanceable², different from material or economical values it is of “proper and inestimable worth” ((Kant³: über allen Preis erhaben)*
- *cannot be lost, because as quintessence of humanity it is inseparably linked to human existence;*
- *underivable; for there cannot be thought of a higher value from which human dignity could be derived;*
- *inviolable; anybody questioning it is denying his (her) own humanity.*

These words seem to describe perfectly what we normally associate with the idea of human dignity. However, not all interpretations offered today do in fact include all the elements of the above descriptions. We may be confronted with the alternative to stick to the idea as explicated by Pieper or commit ourselves to a reduced understanding implied by some recent interpretations

1. Price and dignity

We owe the classical formulation of the idea of human dignity to Immanuel Kant, to whom most interpretations refer in some way, approving or disapproving. We read in the *Groundwork of the Metaphysics of Morals*⁴:

„In the Kingdom of ends everything has either a price or a dignity. Whatever has a price can be replaced by something else as its equivalent; on the other hand, whatever is above all price, and therefore admits of no equivalent, has a dignity.“

Whatever allows of no equivalent, cannot be weighed against something other. Whatever has a price, can be exchanged, has in fact some value, corresponds to some human need or taste. But nobody is obliged to care about these things if he has no respective need or derives no pleasure from it. Whoever is not interested in football or operas, may look for another pastime as an “equivalent”. Speaking of a price reminds of the institution of money, an association leading in the right direction. Money offers equivalents, as already Aristotle has shown⁵. A shoemaker cannot offer an equivalent of shoes to the architect of his house. Money is an easily manageable equivalent facilitating choices. Whoever has an interest in tickets of the Salzburg Festival, may consider whether he (she) is willing to pay the price or to keep the money for some other purpose. We use to speak of the “costs” of an action, the price we have to pay for it, i.e. the evil we have to “buy” to obtain a certain good. Similarly we have to accept the side-effects of a medicine, the price (in literal and metaphorical sense) we have to pay for our convalescence. Human Dignity, on the other hand, has no price, no equivalent, no quantitative dimension.

2. The dignity of morality

It is rarely mentioned in the present debate that for Kant the first bearer of dignity is not humanity. He mentions first faith and benevolence, that means virtues, attitudes, something humans have to strive for as ends in themselves, not for some other purpose. Striving for these attitudes, for moral growth is a categorical demand. Secondly, the human person has this dignity, insofar as it is capable of morality, as Kant says⁶:

„Hence morality and humanity, insofar as it is capable of morality, alone have dignity.“

We find a similar corresponding idea in the reason traditional Catholic moral theology offers for the command of love of one’s neighbour, for instance in Noldin’s manual⁷:

„Nomine proximi intellegitur omnis creatura rationalis, quae gratiae divinae et aeternae beatitudinis capax est: angeli et sancti in coelo, animae in purgatorio detentae et homines, sive boni sive mali sunt, sive amici sive inimici, solis daemonibus et damnatis exceptis.“

Noldin speaks of the capacity to gain eternal life, GS 12 of a capability “*sum Creatorem cognoscendi et amandi*”, not the capability for morality, but the former presupposes the latter. That those capabilities are not limited to humans, corresponds also to the Kantian idea that the moral demand is addressed to every rational being. There is, insofar, no speciesism to be found in this position as P. Singer would criticize. Human dignity does not rest on the pure fact that somebody is a member of the species *homo sapiens*, but on his moral capability. And at least for our human point of view, it is true that this dignity cannot be lost, is inseparable from humanity, as A. Pieper said. It is true that the condemned people in hell have lost their dignity, because they cannot convert anymore and, therefore, have lost their moral capability, is not relevant for human agents because a diagnosis like that is beyond human judgment.

One, and perhaps the most fundamental and nevertheless sometimes overlooked, consequence from this idea is that all humans are equal with regard to their dignity. This dignity is not dependent on the degree of realization of morality or on certain achievements; otherwise humans would be fundamentally unequal with regard to their dignity. This fundamental equal-

ity has serious consequences for theories of punishment. In the 1950-ies some German moral theologians supported the idea of a reintroduction of the death penalty in Germany arguing that the murderer had lost his right to life. This argument is incompatible with the equal dignity of all humans as well as the metaphor of a sick limb that has to be removed for the well-being of the whole body⁸. This analogy would deny that the human person is an end in itself.

It is to be mentioned in this context that dignity in this sense has no negative counterpart. In other contexts, the absence of some value means an evil, the absence of morality means malice or wickedness. The absence of dignity in other beings, for instance, does not imply any evil or lack; they are not “würdelos” in a devaluing sense⁹.

3. Dignity without merit

The fundamental equality of humans was stressed especially in modern times, for instance, in the various declarations of human rights. It has to be stressed, however, that, in other respects, it is something strange for modernity. The idea that somebody has rights by birth without any merit was denied in the fight against the privileges of aristocracies, as it may be demonstrated by a quotation from “La folle journales” of Beaumarchais¹⁰:

„Qu’avez-vous fait pour tant de biens? Vous vous êtes donné la peine de naître; et rien de plus. Du reste, homme assez ordinaire! tandis que moi, morbleu! perdu dans la foule obscure, il m’a fallu déployer plus de science et de calculs pour subsister seulement, q’on n’en a mis depuis cent ans à gouverner toutes les Espagnes“.

G. Vlastos has pointed out that our society is in some sense similar to a caste society with only one single caste, not to a society in which merit counts¹¹:

„The latter has no place for a rank of dignity which descends on an individual by the purely existential circumstance (the ‚accidence‘) of birth and remains his unalterably for life.“

Even a criminal is not a second class citizen. The only presupposition of human rights is the “effort to be born”. It has to be mentioned, in this context, that ‚dignity‘ (dignitas) has two meanings¹²:

1. the peculiar position, rank of a person in a society;
2. the precedence of the human person over non-rational beings.

Insofar all members of humankind enjoy this peculiar position, these two meanings of ‚dignity‘ coincide in its application on humanity. This peculiar position is underlined in GS 12: “omnia in terra sunt ad hominem, tamquam ad centrum suum et culmen, ordinanda sunt.” By the way, whether this is still a “fere concors sententia credentium et non credentium” is not so certain; today people fighting for “animal liberation” tend to deny this human peculiarity.

4. Human dignity in a non-cognitivist perspective.

The concept of human dignity as presented above presupposes a cognitivist interpretation of the ethical demand. According to this understanding morality is something perceptible, something to be discovered, not invented¹³. Only in this way it can be understood as categorical. But this understanding is not universally shared today. A non-cognitivist (decisionist) position considers dignity not as something given, but as something that people award to each other by acknowledging each other as equals. On this assumption, the ethical demand can be understood only as hypothetical; it applies to people if they have made a sovereign decision for morality: *sic volo, sic iubeo*. The implications are concisely formulated by Tugendhat¹⁴:

“It makes no sense to say: it befits the human being as such to be an end in itself or to have an absolute value and that means dignity. Those are empty words, whose meaning cannot be identified. But we can say: by respecting a human being as a legal subject, as somebody to whom we have absolute obligations we *bestow* dignity and absolute value on him. Value and dignity are defined in this way and not presupposed as something existing. It is, of course possible, to define the term ‚end in itself‘ in this way, but we should prefer to omit it; nothing of what Kant wants to say is lost in this way.”

The fundamental equality of humans results, according to this conception, not from something already given, but from a presumption for equal treatment. In this sense the principle of equality is formulated by Stanley Benn¹⁵:

„The ideal of universal equality can often be reduced to the principle that all men ought to be equally considered. This does not mean that there is any respect in which they are all alike; it is rather a principle of procedure ... The onus of proof rests on whoever wants to make distinctions.”

In this case, terms like ‚human‘ or ‚person‘ have no normative meaning; they do not imply any idea of respect or obligation, as R.H. Hare may illustrate. It does not follow that by calling somebody a person he (she) “ought to be treated in a certain way”. Rather¹⁶:

„In order to be sure that he is a person, we shall first have to satisfy ourselves that he ought to be treated in a certain way”.

The central concern of this non-cognitivist position is not to deny or to reduce human dignity. It originates rather from epistemological difficulties felt regarding the value judgment about human dignity. One has to reject, nevertheless, Tugendhat’s assurance that in this interpretation nothing is lost of Kant’s idea of an end in itself. At least two of the characteristics of human dignity mentioned by Pieper seem not to be preserved here: this kind of dignity created by humans themselves is neither innate nor inalienable. For a human being not accepting the ethical demand neither he (she) himself (herself) nor his (her) fellow humans would have any dignity. Tugendhat simply expects, as a matter of fact, that all individuals have some reason to comply with some normative system and not to exclude themselves from the human society¹⁷.

5. Human dignity as an „existing end“.

For Mackie, it is especially the „argument from queerness“¹⁸ that counts against the idea of objective values. Mackie concedes, however¹⁹:

“There can be no doubt that some features of modern European moral concepts are traceable to the theological ethics of Christianity.”

And more precisely²⁰:

“The apparent objectivity of moral value is a widespread phenomenon which has more than one source: the persistence of a belief in something like divine law when the belief in the divine legislator has faded out is only one factor among others.”

The idea of human dignity is not exclusively theological. But it might be more plausible from a religious view than from an atheistic basis.

The idea of human dignity implies some aristocratic element. On the assumption that God himself has bestowed this dignity, that it has its roots in the person’s being image of God, this element may be more plausible. Nobody is, of course, obliged to have a religious conviction because this increase of plausibility. But it could be desirable for those reasons to leave the religious question at least open and not simply deny the idea of humankind as an end in itself. This could be a decisive contribution of theology and of the church.

The idea of the human being as an image of God, by the way, needs some clarification, namely in which property this similarity consists. It's the ability of moral goodness in which the person is similar to God who is moral goodness personally. It's a central message of the Old and New Testament that God grants certain things to humans without or even against their merit and independently of the actual conditions of their existence (Health or disease, poverty or wealth etc.). This has to be stressed in the face of new interpretations that interpret human dignity not as something given, but as something to be realized, especially in the case of need or oppression, if humans lack "dignity", have no humane existence. In this sense F.J. Wetz wrote a book "Human Dignity is Violable". That does not mean that it *may* be violated, but it *can* be violated. In this sense, people in need or oppressed have lost their dignity or did never have it. The meaning of the term "end in itself" differs from Kant here. This kind of end is something to be realized; in Kant's ethics it means something one should not act against, an "existing end". That may sound a bit odd for us today; but it can easily be explained. The health of a sick person, for instance, is an end to be realized, the health of a healthy person is an end one should not act against. For Wetz 'dignity' stands for some commission or commitment, namely to care for a humane existence of one's fellow human beings. This is by no means unusual. "Dignity" can sum up the normative aspects of human flourishing²¹. But this must be the secondary, not the primary meaning of the term; otherwise the main point of the Christian or Kantian idea is lost. According to Wetz²², a human being can grow up without dignity; this dignity is neither innate nor lasting (it can be lost). It would be impossible, besides, for a person to act against one's own dignity, to treat humanity in one's own person as mere means, which is indeed possible for Kant. This happens whenever a person acts against his moral vocation, i.e. in every case of sin. This possibility is formulated in a surprising way by a victim of torture during the military rule in Greece²³:

„I was humiliated. I did not humiliate others. I bore only a miserable humanity in my aching entrails, whereby the men who humiliate others, have first to humiliate humanity in themselves.”

The torturer violates his own dignity at least as much as that of his victim. A special case of this kind of violation of one's own dignity is servility. Brian Keenan, who was held hostage in Lebanon for 5 years, gives an impressive example for the preservation of one's dignity under difficult circumstances²⁴:

„As my anger diminished I felt a new and tremendous kind of strength flooding me. The more I was beaten the stronger I seemed to become. It was not strength of arm, nor of body but a huge determination never to give in to these men, never to show fear, never to cower in front of them. To take what violence they meted out to me and stand and resist and not allow myself to be humiliated. In that resistance I would humiliate them. There was a part of me they could never bind nor abuse nor take from me. There was a sense of self greater than me alone which came and filled me in the darkest hours.”

Not everybody will have the self-discipline and inner strength manifested in this quotation; but it illustrates what inviolability of human dignity means. But there is, of course, the temptation to servility even under less hard circumstances. Whoever cedes to those temptations, disrespects the rights resulting from one's own dignity²⁵. In this sense, Martin Luther King contributed to a new awareness of their dignity in African Americans²⁶. They had to insist on their rights. True, in individual cases, it might be morally recommended or even demanded, to renounce one's rights. But one should remain aware of those rights. These considerations contradict the thesis of Wetz that the idea of an essential dignity means²⁷:

„even for those who have lost their self-esteem and are living in miserable need and inhumane conditions no real help, since a metaphysical determination cannot comfort anybody in his suffering.”

As it was shown above, there are examples that people do not lose their self-esteem in need and distress because they were upheld by the awareness of their dignity which can be a strong motivation in their efforts for improving their condition.

How can other people disrespect my dignity as an end in itself, an existing end? First and fundamentally by disrespecting my freedom of conscience, i.e. by forcing me to do something against my conscience, that means forcing me to disrespect my moral vocation, to treat my humanity as a mere price²⁸, as something having an equivalent. (It is strange that Kant never mentions this consequence.) In a strict sense, however, human beings cannot be forced, as the above mentioned examples illustrate; but it can be made extremely difficult and painful for them not to act against their conscience²⁹.

6. Human Dignity and the justification of the sinner

Although the non-cognitivist view of human dignity seems to be incompatible with the Christian message, some similar idea is to be found in the writings of some protestant theologians. They want to understand human dignity as something relational and refer to the doctrine of justification³⁰. According to this interpretation human dignity is not an essential property of humans as creatures, they receive it by virtue of the justification in Christ. Here, one has to ask, first, why God turns his face in that way only to humans, and not to animals. There must, at least, be some openness, some potentiality in humans that God can address them in this way. If, on the other hand, dignity is bestowed to humans only in virtue of the justification, we get a substantial problem: The sinners and the justified would be unequal with regard to their dignity and, maybe the baptized and non-baptized similarly. We should remind ourselves in this context that Islam traditionally assumes a similar kind of inequality between Muslims and Non-Muslims. It is one essential point of the idea of human dignity that is at stake here: humans are supposed to be equal with regard to their dignity. W. Härle has noticed this problem and indicated the following solution³¹: He distinguishes between the (universal) validity of the divine promise of justification and its coming into effect by the justificatory faith. This is, at least, a partial solution which leaves still open the question of Non-Christian and Non-religious people. This debate may be left to Protestant colleagues, but the problems indicated should not be concealed. There is another problem if a parallel is drawn between the relation between God and humans and the relation between humans, if, for instance R. Anselm regards the dignity of the embryo constituted by the relation started by the mother. He stresses³², „that man lives on the fact that dignity is and has been offered to him by others“. Does that not mean, in the end, to confer divine prerogatives to human beings, namely to constitute human dignity? A non-cognitivist approach confers this kind of creativity (in a strict sense) on humans which is very plausible from an atheist's point of view³³. From a Christian point of view only the divine love can be creative in this sense.

7. Human dignity as something to be promoted

The German basic law says in art. 1 about human dignity: To respect and to protect it is the obligation of every public authority.” Respecting humans as moral beings implies first the demand on omission of certain acts violating humanity in my own person or in that of every other. That concerns the acting individual and excludes first every immorality and the respective seduction. But humans as moral beings have, in addition, a prima facie claim on freedom of action as it is formulated in the human rights of the so called first generation. This claim however is limited by the claims of their fellow humans having the same claim. The claim on liberty as well as its limitations result equally from the idea of human dignity. These limitations do not mean any restriction on that dignity, they are rather a consequence from it. This is well explained by the way Kant formulates his categorical imperative for the area of law³⁴:

„Any action is *right* if it can coexist with everyone's freedom in accordance with a universal law, or if on its maxim the freedom of choice of each can coexist with everyone's freedom in accordance with a universal law.”

If that is not practiced, human dignity has to be protected by law, i.e. by constraint which, in one way, contradicts freedom; but³⁵:

“if a certain use of freedom is itself a hindrance to freedom in accordance with universal laws (i.e. wrong), coercion that is opposed to this (as a *hindering of a hindrance to freedom*) is consistent with freedom in accordance with universal laws, that is, it is right. Hence there is connected with right by the principle of contradiction an authorization to coerce someone who infringes upon it.”

The interior freedom of men as moral beings excludes every constraint, but not the exterior freedom which, by the way, requires some kind of separation of law and morals in the way that morality as an attitude cannot be forced by law. Therefore, respect and protection of human dignity require respecting the equal freedom of humans.

Kant’s second formula of the Categorical imperative says³⁶:

“Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means.”

This formula is easily misunderstood, since Kant uses the terms ‘end’ and ‘means’ in an unusual way (at least for our feel today). The human being is both: means and end. Insofar he (she) is capable of morality he (she) is an end in himself (herself). Insofar he is useful because of certain faculties (as a craftsman, for instance), he is a means. ‘End’, as it was already mentioned, in this context means primarily an existing end which should not be acted against. Since it is an existing end, dignity in this sense cannot be lost; it does not depend on the behaviour of fellow human beings.

Dignity is, nevertheless, something to be promoted. If we speak of a ‘humane’ life, we think, first, of a life without material need. That implies the conviction that because of their dignity humans have a *prima facie* claim not only on freedom of action, but also on wellbeing. In this latter context dignity is not something given, existing, but something to be realized, especially in the case of people in material need, to which Wetz exclusively refers. Within the framework of that interpretation, the double obligation of the public authorities mentioned by the German Basic Law would be reduced to the second one of protection (and promotion), because there is nothing to be respected in a strict sense. But does not, on the other hand, the duty of promoting human dignity presuppose, that people in need *deserve* something better, that they have a claim on wellbeing as the human rights of the so called 2nd generation try to grant. This claim on wellbeing implies, first, the claim on not being harmed, but, second, on assistance in need. This claim is not limited on material things, since human dignity in this sense comprises “all the normative aspects of human flourishing”³⁷. This language usage makes sense, insofar as human dignity implies some claim on wellbeing. The goods owed to humans because of their dignities seem to participate in a certain sense in this dignity without being constitutive elements of it. Health and wealth do not increase the dignity of persons, neither do disease and poverty decrease them; otherwise people would not be equal with respect to their dignity. Dignity in its original sense has no quantitative dimension.

Keeping in mind that the aspect of wellbeing means more than simply alleviating basic needs, a fundamental difficulty felt in referring to human dignity may be easier understood. The normative implications of human dignity with regard to alleviating basic needs are easily understood and not very controversial. But our understanding of human flourishing depends on various factors: the economical status of a country, societal consciousness, individual preferences. In this wider field, some kind of competition between the wellbeing of different people becomes more and more probable. Since human dignity implies only a *prima facie* claim on wellbeing which has to be stated more precisely according to the respective person and situa-

tion, the impression of arbitrariness in references to human dignity, which may sometimes be felt, becomes understandable. People sometimes tend to forget, that human dignity is only a necessary, but not sufficient criterion of the morally right³⁸, as soon as we go beyond the immediate consequences as the commandment of love, equality, freedom of conscience, precedence over other animals. Therefore, the term ‚human dignity‘ sometimes serves as a placeholder, which has to be made more precise by ethical and legal considerations.

Those reservations have to be kept in mind when speaking of ‚promoting‘ human dignity.

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- ¹ Pieper 19f (my own translation).
- ² This term may be my own creation (to translate German ‚unverrechenba‘).
- ³ Grounding for the Metaphysics of Morals, Ak. Ausgabe 426.
- ⁴ Ib., Ak. Ausgabe IV 434: („Im Reich der Zwecke hat alles entweder einen *Preis* oder eine *Würde*. Was einen Preis hat, an dessen Stelle kann auch etwa anderes, als *Äquivalent* gesetzt werden; was dagegen über allen Preis erhaben ist, mithin kein *Äquivalent* verstattet, das hat eine *Würde*.“) Cf. Also Seneca, Ep 71, 32f.
- ⁵ Aristoteles, Nicomachean Ethics 1133a 19ff; 1163b 31ff.
- ⁶ Grounding for the Metaphysics of Morals (Ak. Ausgabe IV 435).
- ⁷ H. Noldin 84: „Nomine proximi intellegitur omnis creatura rationalis, quae gratiae divinae et aeternae beatitudinis capax est: angeli et sancti in coelo, animae in purgatorio detentae et homines, sive boni sive mali sunt, sive amici sive inimici, solis daemonibus et damnatis exceptis.“
- ⁸ So Thomas Aquinas, S.th II-II q 64 a 2.
- ⁹ Contra Wetz 21.
- ¹⁰ Akt V, Scene 3.
- ¹¹ Vlastos 146.
- ¹² Vgl. Münk 18.
- ¹³ Cf. the subtitle of the book of John L. Mackie, Ethics. *Inventing* Right and Wrong, and, on the other hand, Louis P. Pojman, Ethics. *Discovering* Right and Wrong, Belmont (CA) ⁴2002.
- ¹⁴ Tugendhat (1994) 144.
- ¹⁵ Benn 40.
- ¹⁶ Hare 213.
- ¹⁷ Cf. Tugendhat (1984), 158f.
- ¹⁸ Chapter 1,9.
- ¹⁹ Mackie 45.
- ²⁰ Mackie 46.
- ²¹ „Summe der normativ-inhaltlichen Aspekte eines gelungenen, menschenwürdigen Lebens“ (Münk 19).
- ²² Wetz stands here for a tendency which is formulated in his book with most consequently and strikingly.
- ²³ G. Mangakis quoted in Ginters 116 („Ich wurde erniedrigt. Ich erniedrigte nicht andere. Ich trug nur eine zutiefst unglückliche Menschlichkeit in meinen schmerzenden Eingeweiden, während die Männer, die andere erniedrigen, zuerst den Begriff der Menschlichkeit in sich selbst erniedrigen müssen.“)
- ²⁴ Brian Keenan, *An Evil Cradling*, London 1992, 204, quoted in Glover 26f.
- ²⁵ Cf. Hill 12: „The objectionable feature of the servile person ... is his tendency to disavow his own moral rights either because he misunderstands them or because he cares little for them.“ Hill stresses (13): “that at least one sort of respect for persons is respect for the rights which the moral law accords to them. If one respects the moral law, then one must respect one’s own moral rights; and this amounts to having a kind of self-respect incompatible with servility.”
- ²⁶ cf. M. Luther King, Jr.
- ²⁷ Wetz 181f.
- ²⁸ Cf. Wolbert (1987) 29-37.
- ²⁹ For freedom of conscience and its limits cf. Witschen 281-328.
- ³⁰ Anselm (1999) 133.
- ³¹ Härle 541. „Da die Möglichkeit schlechterdings auszuschließen ist, nur die an Christus Glaubenden hätten (im Unterschied zu den Nicht-Glaubenden) Menschenwürde, scheint nur die Möglichkeit einer – wie ich es nennen möchte – Anthropologisierung des Glaubens zu bleiben. Diese muß freilich wohl überlegt werden, damit sie nicht de facto auf eine Eliminierung des Glaubens hinausläuft. Eine theologisch vertretbare Lösung dieses Problems kann m.E. nur so gefunden werden, dass zwischen der (universalen) *Gültigkeit* der göttlichen Rechtfertigungszusage und dem (immer nur partikularen) *Wirksamwerden* dieser Zusage durch den menschlichen Rechtfertigungsglauben unterschieden wird.“
- ³² Anselm (2001) 480.
- ³³ The difficulties of such immanent-relational Theories are articulated by Härle (536): „Wie soll die Allgemeinheit und Unantastbarkeit von Menschenwürde festgehalten werden, wenn es in die Entscheidungsvollmacht, schärfer gesagt: ins Belieben von Mitmenschen gestellt ist, ob sie einem von Menschen abstammenden Wesen Menschenwürde zuerkennen oder nicht? Zwar ist es richtig, dass die faktische

Respektierung von Menschenwürde immer nur so erfolgen kann, dass sie von Mitmenschen praktiziert wird, aber diese Respektierung sagt nur etwas aus über die Weise ihrer Anerkennung, nicht über den Grund ihrer Geltung, und das ist ein erheblicher Unterschied.“

³⁴ Metaphysics of Morals, Ak. Ausgabe VI 231.

³⁵ Ib. VI 231).

³⁶ Grounding of the Metaphysics of Morals, Ak. Ausgabe IV 429

³⁷ Cf. n. 21.

³⁸ Cf. Schüller 321-336.