Human Dignity, Death and Euthanasia

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In *The Elephant Man: A Study in Human Dignity,* Ashley Montagu describes in lacerating detail the sufferings of the severely deformed John Merrick, the subject of several plays and a popular film.[1] Merrick's disorder affected his skin and bones giving him an horrific appearance, particularly his head and face, and severe physical restrictions. He was exhibited under the most degrading conditions as a public entertainment, and his sufferings before charitable relief intervened make painful reading.

Montagu writes: "Merrick's pitiable suffering in unrelieved anguish from his ever-worsening physical deformities made his life a burden of pain. Added to this hardly supportable load of affliction was the constant humiliation and frustration to which he was subjected by his exploiters and the crowds to whom he was exhibited."[2] However, Montagu continues: "That he should have emerged from this unending rack of pain and torment so amiable and sensitive a spirit greatly enlarges, I think, our understanding of the nature of human nature." The truth about the 'Elephant Man' is that despite appalling levels of handicap and suffering he was friendly, courteous, curious, gentle, shy and courageous.

There may be more painful forms of suffering than his but Merrick's condition is one we would not wish on anyone. What appeared, however, to impress all who met him regularly, from his nurses to Queen Alexandra, was his dignity. Not only did he show great *personal* dig-

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[1] Ashley Montagu, *The Elephant Man: A Study in Human Dignity* (New York: E. P. Dutton, 1979).

[2] Montagu, *The Elephant Man*, p. 49.

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nity in his character and attitude; also, his determination to cultivate this dignified bearing showed belief in his own *inherent* dignity, dignity retained despite physical deformity, pain, anguish, confusion, social rejection, exploitation and humiliation.[3]

It would be more difficult for us to believe in the inherent dignity of someone so afflicted if he had not himself responded in so dignified a way to his condition. Because *he* clearly believed in his own value and the value of his capacities for love, artistic enjoyment, exercise, leisure and society we have to take more seriously the suggestion that there exists an inherent human dignity which, even in the midst of great wretchedness, grounds any sense of personal dignity and any dignified characteristics and bearing we may have.

The distinctions between inherent dignity, a sense of one's dignity and possession of a dignified bearing and conduct are largely ignored in debates concerning euthanasia, despite a great deal of talk about 'death with dignity', 'respect for the dignity of the sick', and so on.[4] An exception is John Finnis who argues that proponents of euthanasia are liable to confuse being in a distressing, perhaps undignified, position with human dignity which is an inalienable property of human beings which explains the moral impermissibility of such acts as euthanasia.[5] However, proponents are also guilty of confusing an

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[3] "To continue to live as a human being, in addition to continuing to drag so deformed and pain-wracked a body after him, constituted an ever-present challenge to him — not merely to survive, but to survive and live with dignity," Montagu, *The Elephant Man*, p. 56.

[4] The views of many professionals and persons in public life suggest widespread ignorance of these distinctions. The following quotes are taken from *The Last Right?*, Simon Chapman and Stephen Leeder, eds, (Melbourne: Mandarin, 1995): "Those of us who wish to end our lives for psychological or philosophical reasons, involving notions of human dignity..." (Philip Adams, p. 1); 'No patient should have to give up all their dignity or control at the behest of those for whom social control of others is a good' (P. Baume, p. 11); "I would have been grateful if they had had the wisdom or the authority to eliminate the last weeks' of my mother's suffering and indignity" (Tricia Caswell, p. 38); "It is human and preserves the right to death with dignity for those who choose it...a speedy and dignified end...loss of personal control, of autonomy, or human personality would destroy my sense of human dignity...there is a point when the succeeding generations deserve to be disencumbered... of some unproductive burdens" (Bill Hayden, on recent euthanasia legislation, pp. 67-9); "The opportunity to die with dignity and without pain is a benchmark of a civilised society" (Jim McClelland, p. 105).

[5] John Finnis "*Bland*: Crossing the Rubicon?" *Law Quarterly Review* 109, 1994, p. 337: "Failure to distinguish being subjected to indignities from being (or being put)

individual's sense of his dignity with his possession of dignity — and of capitalising on the resulting ambiguity, e.g. on the one hand, denying there is inherent human dignity, and on the other, claiming in shocked tones that banning euthanasia leads to violations of dignity. If the only dignity at stake is the patient's sense of his dignity, then 'violations' of dignity are not failures to respect human status but merely increases in individual frustration.[6]

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in an undignified condition (or position) is a deeply unsettling aspect of *Bland*," cf. Luke Gormally, ed., *Euthanasia, Clinical Practice and the Law* (London: Linacre Centre, 1994), p. 55.

Along similar lines see also, Joseph Boyle "A Case for Sometimes Tube-Feeding Patients in PVS," in John Keown, ed., *Euthanasia Examined: Ethical, Clinical and Legal Perspectives* (Cambridge: CUP, 1995); and cf. Thomas E. Hill Jr "How a Kantian Might Think About Terrorism," in *Dignity and Practical Reason in Kant's Moral Theory* (Ithaca, NY: Cornell University Press, 1992), p. 205-6: "Dignity is not to be considered as a quantitative notion. Dignity is without equivalent even among other things with dignity in the sense that one cannot justify violations of dignity by claiming they are a necessary sacrifice to promote "more" dignity elsewhere."

[6] The euthanatists' attack on human dignity is usually carried out in terms of the abandonment of the concept of the intrinsic value of human life and the principle of the sanctity of life, see, e.g., Peter Singer, *Rethinking Life and Death* (Melbourne: Text, 1994), pp. 132, 157, 197; Jonathan Glover, *Saving Lives and Causing Deaths* (Harmondsworth: Penguin, 1977), Derek Humphrey, *Final Exit* (Oregon: Hemlock Society, 1991), Helga Kuhse, *The Sanctity of Life Doctrine in Medicine* (Oxford: OUP, 1987), Helga Kühse and Peter Singer, *Should The Baby Live?* (Oxford: OUP, 1985). Singer, in particular, is strongly committed to the abandonment of the notion of inherent human dignity: "The traditional ethic is still defended by bishops and conservative bioethicists who speak in reverent tones about the intrinsic value of human life, irrespective of its nature or quality. But, like the new clothes worn by the Emperor, these solemn phrases seem true and substantial only while we are intimidated into uncritically accepting that all human life has some special dignity or worth. Once challenged, this contemporary ethic crumples" (*Rethinking Life and Death*, p. 4); "We are so used to talk of *human* rights, *human* dignity, and the infinite value of *human* life, that we will not easily abandon the idea that to be *human* is in itself to be very special" (*Rethinking Life and Death*, p. 204).

For more general attacks on inherent dignity see Robert Nozick, *Anarchy, State and Utopia* (Oxford: Blackwell, 1974), p. 50, and Steven Lukes, *Individualism* (Oxford: Blackwell, 1973), pp. 125-7, 131. Abraham Edel "Humanist Ethics and the Meaning of Human Dignity," in Paul Kurtx, ed., *Moral Problems in Contemporary Society* (Englewood, NJ: Prentice-Hall, 1969) is sceptical of the ultimate justification of inherent dignity, but has an interesting view of it: 'Dignity is tied to individualism but is not equated with it. It is tied to securing well-being but is not equivalent to it. Its psychological base is perhaps unconditional acceptance and self-aceptance, its phenomenological quality is respect for a person. Its emotional expression is sympathy, its practical expression is care and concern' (p. 240). On dignity as a sense of one's own worth

In these pages I discuss inherent human dignity as the basis of an argument against euthanasia. I do not deal here with the related question of whether inherent dignity provides overriding reasons for, or side-constraints upon, moral action (whether it is absolute). However, it is worth remembering that belief in inherent dignity does not entail belief in absolute dignity: there may be other values which provide equally strong moral reasons for action or restraint.

One difficulty with the notion of inherent human dignity is that those contemporary philosophers most inclined to assert it appeal not to utilitarianism or other schools in the British analytic tradition, but rather to philosophical notions of natural law, communitarianism or phenomenology.[7] Peter Singer and other analytic philosophers tend to dismiss all such views as 'religious'.[8] This, however, is mere rhetoric: natural law, communitarianism and phenomenology represent a large proportion of current secular ethics. It is simply not true, as Singer asserts, that religion apart, the dignity of human beings is 'not rationally defensible'.[9] It is appealed to as a fundamental norm in classic

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see, e.g., John Harris, *The Value of Life* (London: Routledge, 1985), and John Rawls, *A Theory of Justice* (Oxford: OUP, 1976), p. 440. On dignity as chosen see John Somerville "Human Dignity, Human Rights and War" in Rubin Gotesky and Ervin Laszlo, eds, *Human Dignity: This Century and the Next* (New York: Gordon and Breach, 1970).

[7] For example, Charles Taylor "The Politics of Recognition," in *Philosophical Arguments* (Cambridge, Mass.: Harvard University Press, 1995), "Distributive Justice" in *Philosophical Papers Vol. 2* (Cambridge: CUP, 1985), and *Multiculturalism* Amy Gutman, ed., (Princeton, NJ: Princeton University Press, 1994); Ernst Bloch *Natural Law and Human Dignity* (Cambridge, Mass.: MIT Press, 1986); Gabriel Marcel, *The Existential Background of Human Dignity* (Cambridge, Mass.: Harvard University Press, 1963. See also J. M. E. McTaggart 'The Individualism of Value' quoted in Lukes, *Individualism*, p. 50.

[8] Peter Singer, *The Spectator*, 15 September, 1995, p. 22: "After all, why — in the absence of religious beliefs about being made in the image of God, or having an immortal soul — should mere membership of the species *Homo Sapiens* be crucial to whether the life of a being may or may not be taken?" (On the topics of this article see also Kuhse and Singer, *Should The Baby Live?*, and Mary Warnock, "The Right to Death," *New Republic*, 17 February, 1986.)

[9] Singer, *Rethinking Life and Death*, p. 221. This is not to deny that the best way to explain human dignity may well be in some 'spiritual' vocabulary. See for example, Marcel, *The Existential Background*, p. 128: "It is my own profound belief that we cannot succeed in preserving that mysterious principle at the heart of human dignity unless we succeed in making explicit the properly sacral quality peculiar to it, a qual-

humanist philosophy from the Renaissance onwards;[10] it is widely appealed to today as an important political concept; and Singer's own suggestion that "surely what is important is the capacities or characteristics that a being has" united to his proposal for killing even healthy but unwanted babies appears to be sufficiently shocking to ordinary and not particularly religious people to indicate that the dignity concept or one like it still has wide support and common appeal today.[11]

As a first response to the charge that inherent dignity is irrelevant to modern secular ethics I will look briefly at some important and well-known appeals to the concept. I shall then introduce the concept of intelligible interests in order to explain dignity, and examine Immanuel Kant's justification of intelligible interests and dignity by autonomy. Finally, I turn to the challenge of 'dying with dignity' raised by the supporters of euthanasia.

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ity which will appear all the more clearly when we consider the human being in his nudity and weakness." Cf. Raimond Gaita, *Good and Evil: An Absolute Conception* (London: Macmillan, 1992), p. 9: "No human being may be acted against as though we were ridding the world of vermin. If someone were to say that is mysterious, then far from denying it, I would emphasise it and warn against the diminution of that sense of mystery by our familiarity with its expression in something which seems as unmysterious as law."

[10] Gianozzo Manetti (1396-1459), *The Dignity and Excellence of Man*; Pico della Mirandola (1463-1494), *Oration on the Dignity of Man*; 'Sophia' (1739), *Woman Not Inferior to Man: or, a short and modest vindication of the natural right of the fair-sex to perfect equality of power, dignity and esteem with the men*, (reprinted London: Brentham Press, 1975). Also, see William Shakespeare, *Hamlet*: "What a piece of work is a man, how noble in reason, how infinite in faculties, in form and moving how express and admirable, in action how like an angel, in apprehension how like a god..."

Petrarch ("Nothing is admirable except the soul in comparison to which if it is great nothing is great") and Marcilio Ficino (on the human soul: "greatest of all miracles in nature...the centre of nature...and the bond and juncture of the universe" — quoted disparagingly in *Rethinking Life and Death*, p. 167) are discussed in P. O. Kristeller "The Philosophy of Man in the Italian Renaissance," *Italica* 24, 1947.

[11] For Singer's suggestion, see *Spectator*, p. 22; for the proposal for killing healthy babies see this and *Rethinking Life and Death*, pp. 128-131, 211. The 'ethically relevant characteristics' which Singer suggests are required if babies are to be protected include "consciousness, the capacity for physical, social and mental interaction with other beings, having conscious preferences for continued life, and having enjoyable experiences...All of these things make a difference to the regard and respect we should have for a being," *Rethinking Life and Death*, p. 191.

One

Appeals to inherent human dignity are contained in many of our most important legal and political documents, treatises dependent neither on antiquated philosophies nor religious creeds.[12] The preamble to the *Universal Declaration of Human Rights* (1948) begins: "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....Whereas the people of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women..." Article I of the Declaration affirms: "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."[13] This clearly concerns not persons as possessors of some important characteristics, but 'members of the human family' all of whom are equal in dignity. We do not have dignity and rights because we have reason and conscience: rather, reason and conscience allow us to acknowledge and respond appropriately to the dignity of ourselves and others. The sentences quoted are not clear on the relationship between dignity and rights (e.g. whether dignity grounds human rights, or *vice versa*), but these are certainly thought to imply one another. Most importantly, the rights affirmed apply to every human being "without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status": there is no question of the basic rights to life, liberty and security depending on possession of some 'ethically relevant characteristic' or socially awarded status.

This relation between rights and dignity is also affirmed in the *United Nations Charter* (1945), and even more clearly in the *International Covenant on Economic, Social and Cultural Rights* (1966). The second paragraph of the Preamble of the latter begins: 'Recognising that these rights derive from the inherent dignity of the human per-

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[12] For conceptual and historical background to dignity see Herbert Spiegelberg 'Human Dignity: A Challenge' in Gotesky and Laszlo, eds, *Human Dignity: This Century and the Next.*

[13] Albert Blaustein, Roger Clark and Jay Sigler, eds, *Human Rights Source Book* (New York: Paragon, 1987), pp. 15-16.

son...'[14] Rights here are clearly grounded upon the dignity of human persons, who are identified in the first Paragraph as "all members of the human family." This key sentence is repeated in the important *International Covenant on Civil and Political Rights* (1966);[15] and inherent dignity is upheld by the *International Convention On The Elimination of All Forms of Racial Discrimination* (1965), the *International Convention on The Suppression and Punishment of the Crime of Apartheid* (1973), and the *Declaration on The Elimination of Discrimination Against Women* (1967). The more recent *Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in which They Live* (1985) affirms that "all human beings are born free and equal in dignity and rights,"[16] and equality of dignity is further upheld by United Nations documents concerning other vulnerable parties, such as oppressed women, children, refugees, the mentally ill and the disabled.

Non-UN charters appealing to inherent dignity include the *Banjul Charter on Human and Peoples' Rights* (1981). Article 4 declares: "Human beings are inviolable. every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right." Likewise, Article 5: "Every individual shall have the right to the respect of the dignity inherent in a human being."[17]

The *Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace* (1975) affirms the equal dignity, rights and responsibilities of women and men.[18] The *American Declaration of the Rights and Duties of Man* (1948) states in its Preamble: "While rights exalt individual liberty, duties express the dignity of that liberty."[19] The subject of inherent dignity, the person, is

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[14] *Human Rights Source Book*, p. 20.

[15] *Ibidem*, p. 27. Inherent dignity has important implications for imprisonment and detention (Article 10, p. 31), status at law and protection from discrimination (Articles 16 & 26, pp. 33 & 35-6).

[16] *Ibidem*, p. 77.

[17] *Ibidem*, p. 634.

[18] Natalie Kaufman Hevener *International Law and the Status of Women* (Boulder, Colo.: Westview, 1983), p. 204.

[19] *Human Rights Source Book*, p. 546.

defined in the *American Convention on Human Rights* (1969): "For the purposes of this convention, "person" means every human being."[20] Various national constitutions and bills of rights similarly appeal to inherent dignity or its cognates.

Obviously this list could be continued at length. My point is that key documents formulated precisely to avoid narrow and biased sectional, religious or ideological positions uphold time again the concept of inherent human dignity. They explain this concept in the following way: (1) dignity is a property of the nature of human persons, it is not earned, acquired or awarded; (2) dignity cannot be lost; (3) dignity is the specific value ('the worth') of a human being, and grounds her most basic rights the objects of which are the constituents of dignity (and reason, conscience, freedom...);[21] (4) dignity is an absolute value: any choice directly to violate it (or rights grounded upon it) is prima facie morally wrong. This concept of dignity is the one which the Elephant Man possessed and recognised in his own case, and this recognition explains the sense of dignity with which he carried himself, the dignified way in which he interacted with others, and our judgement that his being held up to public ridicule was contrary to respect for his dignity. It is not mysterious or sectarian; it is not the construct of prejudice or a 'religious' school of philosophy, but a commonly recognised moral datum which is also basic to public institutions and social and international justice.

Two

Those who deny inherent dignity but appeal to dignity as an argument *for* euthanasia believe it is a feature of (the degree of) possession of some morally relevant property: consciousness, the satisfaction of enduring preferences etc.[22] In particular, having the objects of one's stable wishes granted — especially when one's wishes are affected by

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[20] *Human Rights Source Book*, p. 552.

[21] Cf. Jacques Maritain, *The Rights of Man* (New York: Scribner, 1943), p. 65: "The dignity of the human person...means...that by virtue of natural law, the human person has the right to be respected, is the subject of rights, possesses rights."

[22] For diseussion of the distinction between inherent dignity and dignity based on capacities (e.g. by Warnock, Dworkin) see Gormally, ed., *Euthanasia, Clinical Practice and the Law*, pp. 18-129.

sickness or suffering — is held to be of central moral importance. Such satisfaction certainly does pertain to human well-being. However, receiving even great benefits from the realisation of all that one could possibly wish for will not guarantee well-being. The point is not just that more than *subjective* satisfactions are required for happiness (the benefits received from getting all one might wish for may, after all, be quite *objective* and subjectively valued only because of their objective importance[23]). The point is that there is more to well-being than the external benefits — subjective *or* objective — which desirable goods bring. There is also committing oneself to choose certain desirable goods —not because of their benefits but because of their intrinsic desirability — which is itself, so I claim, a necessary part of happiness. Happiness requires the choice of certain things whose choiceworthiness is 'internal' to us, bound up with what we are, and not any external benefits that such a choice brings; it requires being more committed to self-perfection than to benefiting oneself.

A rational being ought to place an interest in self-perfection before her interest in what benefits her. This may sound paradoxical, but a little thought should make it clear that I ought to value perfection even more than satisfaction since it includes my potential to be satisfied in various ways. However, self-perfection is valuable not only because it is a prerequisite to the highly specific and much sought benefits (subjective and objective) of a range of human goods, but because it implies (a) directly realising parts of one's good for oneself through choices, values, practical reasoning and commitments, and (b) a common standard of human perfection, and thus the possibility of community values and of a range of reciprocal rights and duties. In other words, we have an interest in the human good other than its benefit to us: we have intelligible interests. Intelligible interests imply a belief in human nature and a human good which transcends individual preferences, satisfaction and egotism.

The doctrine of intelligible interests is directly opposed to the utilitarian account of interests which underlies the usual philosophical

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[23] Once reflected upon, objective benefits are identical with what Ronald Dworkin in *Life's Dominion* (London: Harper Collins, 1993), p. 26 calls 'critical interests': "Everyone has what I shall call *experiential interests*. We all do things because we like the experience of doing them: playing softball perhaps, or cooking or eating well...But most people think that they also have *critical* interests: interests that it does make their life genuinely better to satisfy."

case for euthanasia. Singer believes that only those who may consciously suffer possess interests: 'The capacity for suffering and enjoyment is a prerequisite for having interests at all.'[24] This seems clearly false. Those unable to experience sufferings (because of some physical or mental abnormality — or because they have died) are frequently recognised to have interests of various sorts — despite their conditions, they can suffer wrongs. Other utilitarians, such as R. G. Frey, believe possession of interests and so of moral rights is grounded upon the ability to have desires which involve having beliefs and so language.[25] This, however, does not explain the rights of the irreversibly unconscious — including their alleged right to a 'death with dignity'. In order to demonstrate that claiming rights for those lacking 'ethically relevant characteristics' is not begging the question of intelligible interests against common-sense and utilitarian ethics I will look briefly at the role of these interests in moral philosophical tradition.

The notion of intelligible interests is central to most classical moral philosophers.[26] Plato, for example, believed desires originate not only in appetite but also in reason; rational beings have desires to know and to act rationally. "As there are three parts [of the soul], there are also three kinds of pleasure, one peculiar to each part, and so with desires."[27] Our interest in the pursuit of the good can conflict with our sensuous, appetitive and spirited interests in the benefits which the good brings. Aristotle argues that the desires of reason and of appetite often con-

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[24] Peter Singer, *Animal Liberation* (London: Jonathan Cape, 1976), p. 9.

[25] R. G. Frey, *Interests and Rights* (Oxford: OUP, 1980).

[26] These include J. S. Mill, *Utilitarianism* ed. Mary Warnock (Glasgow: Collins, 1962), p. 259: "Few human creatures would consent to be changed into any of the lower animals for a promise of the fullest allowance of a beast's pleasures; no intelligent human being would consent to be a fool, no instructed person would be an ignoramus, no person of feeling and conscience would be selfish and base, even though they should be persuaded that the fool, the dunce or the rascal is better satisfied with his lot than they are with their's." Interestingly, Mill says of this unwillingness that "its most appropriate appellation is a sense of dignity, which all human beings possess in one form or another, and in some, though by no means in exact, proportion to their higher faculties and which is so essential a part of the happiness of those in whom it is strong, that nothing which conflicts with it could be, otherwise than momentarily, an object of desire to them" (p. 260).

[27] *Republic* 580d7-8 (see also 441e4, 442e5), cf. St Augustine *Tract. in Joh.* 26, 4: "And have the senses of the body their delights, while the soul is left devoid of pleasures?...Give me a man in love: he knows what I mean."

flict. This is conflict between our genuine good and the opportunity of immediate gratification.[28] Awareness of a good beyond our immediate desires is exhibited by the capacity for deliberation which is reasoning concerning the means to achieving just such a good, the object of a boulesis or rational wish. Deliberation leads to the formation of a prohairesis or choice: a desire, arising from deliberation concerning the boulesis, for what can achieve its object.[29] Choice is contrary to appetite since it inevitably concerns the good, it always refers to the agent's well-being or some part of it. Thus we ought to form choices and pursue the human good.[30]

Tracing this early history of intelligible interests might lead some to object that it suggests an ethics that is at best idealistic, and at worst irrelevant to the actual wishes of those overwhelmed by some condition, such as sickness. Such a criticism, however, would be misplaced. Intelligible interests are not an alternative to personal preferences: they explain just why it is that preferences truly matter. Some matter because they concern (good) objects of our intelligible interest; others matter because they are expressions of our capacity for making choices (practical reason, autonomy) which is itself an object of our intelligible interest.

If it is argued that preferences are *not* valued for either of these reasons, then valuing them at all is quite mysterious. If they are valued not because of their connection with the human good but simply "because they are desires," we have no reason to respect them. If it is not the exercise of practical intelligence (or any other human good) that is being respected when we allow or fulfil a desire, then 'respecting' it is equivalent to acting upon all the wishes of the incompetent or of an animal, which is unjustifiable. If instead the suggestion is that the importance of preferences is the 'autonomy' they express and that this should be valued even when it conflicts with human goods, then it is incoherent. *Any* exercise of practical intelligence and autonomy, which-

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[28] Aristotle, *De Anima* 433b5-10, cf. Leibniz *New Essays on Human Understanding*, P. Remant and J. Bennet, trans. (Cambridge: CUP, 1981), para. 189: As stones fall to earth in the quickest though not necessarily the best ways "even thus, going straight towards present pleasure, we sometimes fall over the precipice of misery."

[29] Aristotle, *Nicomachean Ethics* 1113a10-13.

[30] 1111b15, cf Bishop Butler 'Preface' to *Sermons on Human Nature* (London: Bell and Sons, 1949), p. 15: "Interest, one's own happiness, is a manifest obligation."

ever human goods it may conflict with, will be performed for the sake of some (part of the) human good, one's own or that of others.

Aquinas explains this particularly clearly. Like Aristotle, he believes choice is self-reflexive: becoming an ethical reasoner is itself one ultimate end of good choosing. There are, however, other such ends (self-preservation, procreation, nurture, knowledge, religion, sociability, not giving offence), and ethical choices are not merely desires that harm no others but choices which respect all such goods. All of these are parts of our nature, goods we promote in the choosing and acting for their sake.[31] *Any* choice is explained ultimately by pursuit of at least one such good or something instrumental to it; even unreasonable or immoral acts seek to share in one or more such good(s). Preferences and interests are intelligible, therefore, by virtue of the basic and common human goods they aim at achieving — and this is also fundamental to our respect for them.

Naturally, some preferences will be for some good(s) and against others. This is sometimes deliberate; at other times unavoidable. Choices to promote community life by murdering a suspected serial killer, to pursue knowledge by neglecting one's own health or one's child's, or to pursue religion by giving offence to others, are voluntary acts which seek human good(s) only by undermining participation of oneself or others in these or some other human good(s). While they may well respect the preferences to perform such acts in certain situations, even utilitarians will have to justify this on grounds of social utility and not because they are expressions of autonomy.

If we cannot but act for human goods, the question arises of how our intelligible interest in them is to be distinguished from a merely appetitive interest in them. It is surely not wrong that we feel strongly about the various parts of our own and others' well-being and that we act upon these feelings. So does the intelligibility of our interests not simply explain why it is that most persons share certain appetitive

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[31] Thomas Aquinas, *Summa Theologiæ* (New York: Benziger, 1947), 1-2, 94, 2. F. H. Bradley also conceives of the human end as the realisation of the self through willing basic human goods — which he describes as parts of our 'Interest', and which include loved others, familiar scenes and places, new objects, ideals. Will is 'the self-realisation of an idea with which the self is identified', F. H. Bradley *Collected Essays* Vol. 2 (Oxford: OUP, 1935), p. 476. For Aquinas's view of inherent dignity in *Summa Theologiæ*, see 1, 42, 4 *ad* 2 ("Dignity is something absolute, and pertains to essence").

interests, rather than direct persons to act for certain goods even when they have no appetite for them? In other words, is motivation not always appetitive, with 'human goods' being simply appetites most persons share in normal circumstances?

The correct relation of intelligible to appetitive interests is well described by Spinoza. He believes we ultimately pursue self-preservation, satisfaction and pleasure but unlike, for example, Hobbes, he believes that since we all do this, learning this fact will be learning the place of human nature within wider nature, and so coming to an intellectual love of the Whole, or of God. Stuart Hampshire explains this: 'as I come to understand the causes of my desires and of my loves and hates, the desires, loves and hates necessarily become transformed into the intellectual love of God... the more our interests are purely intellectual and our emotions therefore purely active emotions, the more we have in common with each other, and the more the possibility of conflict between us is diminished.'[32] Although human motivation is appetitive, intellectual understanding of the grounds of appetition reveals the universal and intelligible nature of what ultimately moves our appetites, including the intellectual act itself. Appetition is not what distinguishes us as human, but it is what is most important to us as humans. Therefore it is right that we care strongly for our good and the good of certain others, and that we care more for ourselves than for them, and more for some parts of our good than for other parts. Affective care for these things is right because it is for things which cannot intelligibly be rejected by us: our preservation, pleasure, rationality, loves, the things that constitute our good even if we do not value them. These objects indeed explain our most fundamental appetites, but they do so not because humans commonly pursue them but because they are the things every human should pursue even if he has no appetite for them.

Choice, then, *is* always appetitive, but appetites are to be respected only because of the human good. All preferences are (ultimately) for some human good, but there are no grounds for respecting preferences which pursue the good by directly threatening the realisation of some part of the good of the agent or of others. Also, there are no grounds for respecting 'mere desires' or 'sheer autonomy', preferences that are arbitrary, egotistic, forced, whimsical or ignorant. The documents dis-

[32] Stuart Hampshire, *Spinoza* (Harmondsworth: Penguin, 1951), p. 171.

cussed in Part 1 affirmed inherent dignity and equal rights as the grounds of respect. If the human good matters more than satisfaction (which is part of that good) and it is choices for the human good and not choices for satisfaction that ought to be respected, then the human good and human dignity must be closely related. Just what is the relationship?

Three

Kant is undoubtedly the greatest secular philosopher of the modern era to have given human dignity a central place in his ethics. Criticism of his theory will allow me to explain the relation of our dignity to our good. To understand his concept of dignity we must first consider Rousseau who argues in *Social Contract*, apparently in support of inherent dignity, that "renouncing one's liberty is renouncing one's dignity as a man, the rights of humanity and even its duties."[33] However, Rousseau also believes that attributing dignity to others is merely the best way of living our own lives and pursuing our projects in peace and safety, i.e. a feeling it would be prudential to inculcate.[34] One who (*per impossibile*) did not depend on others for the pursuit and achievement of his ends would not be obliged to attribute dignity to any except himself. Acknowledging human dignity in oneself, then, is recognising one's liberty, but acknowledging it in others is merely a necessity of rational egoism, a strategic requirement of social living.[35]

Kant at first took if not a prudential view of dignity, at least a view dependent on contingent sentiments: "(moral) principles are awareness of a feeling which dwells in every human heart and which is more than pity and helpfulness. I think this sentiment is best described as a feeling for the Beauty and Dignity of human nature."[36] Such dignity

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[33] Jean-Jacques Rousseau, *The Social Contract in Basic Political Writings* (London: Hackett, 1987), quoted in Robert Solomon and Mark Murphy, eds, *What is Justise? Classic and Contemporary Readings* (New York: OUP, 1990), p. 112.

[34] Rousseau, *The Social Contract,* 1:8; 2:6.

[35] Cf. Thomas Hobbes *Leviathan* (London: Everyman, 1914), p. 44: "The publique worth of a man which is the Value set on him by the Commonwealth, is that which men commonly call Dignity."

[36] Kant *Beobachtungen uever das Gefuel des Shoenen und Erhabenen* (1764), 2, p. 4, quoted in Pepita Haezrahi, *The Concept of Man as an End-in-Himself*, in R.P. Wolff, ed., *Kant: A Collection of Critical Essays.* New York: Anchor Books, 1967), p. 295.

consists not in autonomy or practical reason but in things such as theoretical study, practice of the arts, philosophy and religious speculation.[37] However, by the time of his Critical writings Kant has changed his views altogether, developing Rousseau's concept of the individual and his relation to society into the theory of freedom. Human dignity now refers to the specific value possessed by every rational nature (autonomy), and in finite rational natures this manifests itself in what Kant calls the emotion of Respect: the possession of an interest in moral law and in its authors, kindled not by prudence or appetite but by purely moral concepts.[38]

Those who would reduce human dignity to possession of certain characteristics or the enjoyment of a certain quality of life regard Kantian autonomy as vague, metaphysical, religious or obscurantist. They generally replace it with a liberal ideal of personal autonomy as 'choosing for oneself' or 'self determination'. In this section I will argue that the norm for autonomy which Kant suggests as the basis of human dignity is clear and important: he is right that human nature is the basis of human dignity and that it includes autonomy, but it includes much else besides which also enters into human dignity — the fundamental human goods in which we have intelligible interests.

"In the kingdom of ends everything has either a price or a dignity. If it has a price, something else can be put in its place as an equivalent; if it is exalted above all price and so admits of no equivalent, then it has a dignity."[39] Kant believes that the only thing that has can be translated into nothing of equivalent value is the capacity to share in the determining of moral law: practical rationality or autonomy. This capacity is the qualification for membership of a 'kingdom of ends' in which being subject to law is compatible with being the source of law. Thus it is not in simply being able to know the law or keep within it

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[37] Cf. C. Hartenstein, ed., *Immanuel Kant's Saemtliche Werke*, Leipzig, 1868, Bd. VIII, 624, quoted in Michael Meyer 'Dignity, Death and Modern Virtue,' in *American Philosophical Quarterly* 32, 1995, p. 53, n. 10: 'I am myself a researcher by inclination. I feel the thirst for knowledge and the keen restlessness to advance it, as well as my contentment with its progress. There was a time when I thought that this alone could constitute the dignity of mankind, and I despised the common man who knows nothing of this. Rousseau set me right. This illusionary preference disappeared; I learned to respect human nature...'

[38] See Kant *Critique of Practical Reason*, L. W. Beck, trans., (New York: Liberal Arts Press, 1956), 79, p. 82.

that dignity consists, but in being its origin: "autonomy is the ground of the dignity of human nature and of every rational nature." Humans have dignity because they are the authors of laws to which all humans are subject: "therefore, morality, and humanity so far as it is capable of morality, is the only thing which has dignity."[40]

One obvious question this raises is just why having this capacity makes human beings of intrinsic and irreplaceable value. It may be that persons, rational and autonomous individuals, are irreplaceable, but why does the capacity for personhood make the human being irreplaceable? Is it because every human is necessarily identical to some person or because, although not identical with persons, being a person is the most important fact about being a human? Kant has an important distinction here between being human or 'humanness', and humanity. Being human is being a physical creature, inevitably concerned with safety and satisfaction. This gives rise to the human 'disposition to quibble with these strict laws of duty....that is, to pervert their very foundations and destroy their dignity.'[41] Being human is not, therefore, being a person because being human invariably involves conflicts between appetite and rationality, inclination and dignity.

On the other hand, 'humanity' refers to the moral personhood of human beings, and this is clearly the most important fact about being a human for Kant. "The capacity to set oneself an end — any end whatsoever — is what characterises humanity (as distinguished from animality)...man has a duty to cultivate the crude predispositions of his nature, by which the animal is first raised into man."[42] Now, Kant

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[39] *The Moral Law*, H. J. Paton, trans., (London: Hutchinson, 1985), p. 96.

[40] *Ibidem*, p. 97.

[41] *Ibidem*, p. 70.

[42] Kant, *The Metaphysics of Morals: Doctrine of Virtue*, Mary Gregor, trans., (Cambridge: CUP, 1991), 392. The concept of humanity and not that of personhood is the one used in the Formula of Respect for Persons: "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (*The Moral Law*, p. 91). It also represents the Final End of nature: "It is not open to us in the case of man, considered as a moral agent... to ask the further question: *For what end does he exist?* His existence inherently involves the highest end — the end to which, as far as in him lies, he may subject the whole of nature, or contrary to which at least he must not deem himself subjected to any influence on his past," Kant, *The Critique of Judgement*, James Meredith, trans. (Oxford: OUP, 1952), 435, p. 99.

believes that humanity characterises every human being since being rational is essential to being human. By the time of his Critical writings, "being rational" has come to mean for Kant not "being capable of scientific enquiry, contemplation, art etc." but "having practical reason," autonomy, or the capacity to determine the moral law.[43] Because they have this capacity, all humans have humanity, moral personhood, and are subject to the duty to be worthy of this humanity in themselves. Humanity, which is essential to homo sapiens, is the most important thing about being human, and because of it human beings are irreplaceable and have dignity.

Kant argues that since we are free we have a unique value; and since we ourselves pronounce the laws to which all our conduct — and all conduct — is ultimately subject this value has no equivalent, i.e. we have dignity. This is an important sense in which we have dignity, and marks what Michael Meyer calls the beginning of "a general modern tradition of thought about human dignity... a secular and non-aristocratic account of the grounds of human dignity."[44] Moreover, it explains why thinking about dignity adds something important to our thinking about the sanctity, preciousness and intrinsic value of human life in life-and-death debates. While these latter notions help explain why it is wrong to kill, wound, torture or make persons suffer, they do not clearly show why it is wrong to enslave, coerce, threaten and restrict them. Inherent dignity draws attention to our freedom, and so to violations of this freedom. It cannot alone explain the wrong of murder but it can explain what is wrong about slavery: slavery puts a price on what can have no price since it has dignity. The concept of dignity does add something important to ethical debate. And Kant is surely right that this dignity is linked to human nature rather than the possession of certain characteristics — in particular, desires restricted by sickness or distress.[45]

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[43] See Hill "Humanity As An End In Itself," in *Dignity and Practical Reason in Kant's Moral Theory*, pp. 39-40, for discussion of which other powers 'humanity' might imply.

[44] Meyer, "Dignity, Death and Modern Virtue," p. 47. For excellent discussion of the cultural change from aristocratic dignity or 'honour' to democratic dignity or equal dignity see Taylor 'The Politics of Recognition'.

[45] Just how important human dignity is, and what in practical terms its possession entails, is discussed in Hill "Humanity as an End In Itself," pp. 50ff.

However, Kant is wrong to identify our dignity so closely with our autonomy. Personhood (humanity) is not the only thing worth pursuing: there are other irreducibly good aspects of our human nature in which we have intelligible interests. Kant does believe we have intelligible interests: insofar as we are rational we choose to perform acts not because of our ends or inclinations, but because they reveal a reverence for law and for law-givers.[46] Naturally, the particular acts we propose performing are a result of appetitive involvements and interests and we anticipate and welcome the satisfaction of these; but this satisfaction is not the motive for willing them. The only rational motive is that acts are lawful, i.e. in principle capable of being willed by every other rational being in similar circumstances.[47] Kant believes this motive represents an intelligible interest in our-acts-*qua*-realisations-of-morally-legitimate-maxims, i.e. an interest in law. He believes this is our only intelligible, non-sensuous, interest because he thinks that if we had an interest in the ends of acts, even lawful ends, this would mean desire and not reason would be our incentive for acting morally and that this would be unworthy of the freedom and dignity of our humanity.[48] However, this is simply not so. There is a clear sense in which we can have a (non-sensuous) interest in morally legitimate ends which is not an intelligible interest in law or in lawmaking but which does not compromise the rational motives behind our acts.

I can demonstrate this by describing what is involved in having a concept of human nature, and then asking what the relationship is between this concept and the objects of our intelligible interests. We will see that these objects are things it is natural for us to pursue, that they include more than law-making, and that our interest in them does provide rational motives for action. It follows that inherent dignity is grounded not on autonomy and freedom but on the capacity to have intelligible interests and the objects of those very interests.

A concept of human nature must be able to be arrived at both by theoretical and practical enquiry. If arrived at by theoretical enquiry

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[46] *The Moral Law*, p. 66.

[47] *Ibidem*, p. 84.

[48] Hence the attempt in *Critique of Practical Reason*, 79-81, pp. 81-4 to explain the incentive to follow the law as *moral interest*, the feeling of respect for the law and our own moral personhood which the very concept of the law is sufficient to generate in our subjectivity.

the concept must explain what it is to be human, what it is to be a human individual, and in what the survival of a human individual through time consists: it must explain human essence, personhood and personal-identity. The concept must also be discoverable by any human being — including one with no theoretical knowledge of human nature — who undertakes practical enquiry into the most general principles of conduct by questioning (his or others') assumptions concerning action. A concept of human nature arrived at theoretically may also give this knowledge of practical principles, but it must certainly be accessible to the unreflective since (1) humans, uniquely, not only follow laws but deliberately conform their behaviour by them: they entertain laws as obligations; and (2) being obligated implies the ability to question what we have been told are laws in order to discover for ourselves if we have any more fundamental obligations. But how can we undertake practical enquiry, enquire into our good, without thereby assuming the social context in which the question is framed and the philosophical and other theoretical assumptions with which it is asked? How can enquiry into our fundamental obligations avoid culturally and theoretically-laden concepts of the human good?[49]

Kant tried to avoid such relativism by defining the good as willing those acts which all might will to perform. Bentham defined it as acting so as to increase pleasure and limit pain since this is what we are constructed to do. Aristotle and Aquinas defined it as all things that are the ultimate purposes behind (any) human act. I suggest we can define the human good avoiding relativity by recognising that although practical enquiry into our good is one way of understanding human nature, we understand it also by philosophical speculation concerning human essence, personhood and identity. In other words metaphysical and scientific naturalism provides a criterion against which successful practical enquiry into our fundamental obligations can be judged. This is a standard for the human good that is neither culturally laden, since it is natural, nor theoretically laden, since it is a presupposition of any practical enquiry. Naturalist anthropology?

The theoretical criteria for a concept of human nature might be specified as follows: (1) that one possesses an account of being a person

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[49] Cf. John Finnis "Natural Inclinations and Natural Rights: Deriving 'Ought' from 'Is' According to Aquinas" in 'Lex et Libertas', *Studi Tomistici*, L. J. Elders and K. Hedwig, eds, (Vatican City: Pontifica Accademia di S. Tommaso, 1987), pp. 45-7.

explained solely in terms of being a human being; (2) that one possesses an account of personal-identity explained in terms of the continuity through time of persons; and (3) that one possesses an account of a human being as a member of the species homo sapiens which is a natural kind (i.e. which is an object of scientific study, theory and laws: though not necessarily an object of reductionist biological, physiological or neurophysiological science). This amounts to explaining humanness as membership of a particular biological species; explaining personhood in terms of the natural functions of members of this species (which may include rationality, self-consciousness, language, moral agency; and exclude egotism, elitism, environmental imperialism, bestiality, cruelty, genocide...); and explaining personal-identity as continuity of these functions as and within an organic unity with no external causal intervention in the whole but only, at most, in parts of that unity. If we explain these concepts in this way, then we have a concept of human nature: a concept of the human being that includes 'personal' elements and is sufficiently transcultural because partly biological.

Such a concept of human nature provides an objective limit to our personal practical enquiries into fundamental obligations. It means that these obligations will concern actions intrinsically or instrumentally necessary to, or in some other way importantly relevant to, the person we are, and to our continuing survival and flourishing as a member of the human species. The fundamental human goods which even unreflective humans can know are those things necessary or important to maintaining survival without damaging personhood, and maintaining personhood without destroying other (non-personal) aspects of humanness. These will constitute the realisation or perfecting of dimensions of our organic, objective, well-being: aspects of our existence without the realisation or completion of which we will be impoverished or harmed, whether we appreciate this or not and whether we gain tangible benefits from self-perfection or not.

It seems clear that such aspects of objective human well-being include more than the capacity for law-making. In fact, depending on how we interpret Kantian autonomy, it may be (merely) instrumental to (all) aspects of our well-being rather than the whole or even a part of well-being. Just which human goods are basic depends on what natural and metaphysical science discovers to pertain essentially to the continuing, personal and biological beings we are, and what the sincere practical attempts of any person to reach beyond their perceived obligations reveal. Evidently, these will include human needs (e.g. physi-

cal and mental health, procreation, nurturing, rationality), personal needs (eg. knowledge, creativity, aesthetic sensitivity, friendship, conscience) and requirements of personal continuity (eg. life, sociability, judgement and life-planning, religious faith). Our primary interest in all of these things is based not on benefit or appetite or universal law but on their importance to our nature. And an interest in human nature is not a cultural or theoretical prejudice because it is based on considerations of both practical and theoretical reason: fundamental parts of human well-being identified by scientific and philosophical analysis. Our interest in these fundamental goods is, therefore, based upon their intrinsic importance: it is an intelligible interest, one upon which it is paradigmatically rational to act, and an interest in the irreducible complexity of human well-being rather than the single end of autonomy.

I suggest that this implies that our participation in each of these goods is a separate ground of our inherent dignity. That is, our capacities for realising the human goods of life, health, work, knowledge, religion, sociability etc. (capacities which are enhanced by choice but have their beginnings in natural human inclinations) are each ultimate reasons for our dignity.[50] This implies not that dignity is cumulative and that some have more or greater human dignity than others, but that dignity has substantive content, and can be expressed in different ways by different people, although all living persons possess it equally.

Four

Some people would argue that even if we do have intelligible interests, we have no such interest in life itself: life is, at best, an instrumental good, one whose value consists in the ability it gives us to realise capacities in which we do have intelligible interests. Thus Michael Meyer argues that 'individuals in a persistently vegetative state lack human

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[50] Cf. John Finnis, *Natural Law and Natural Rights* (Oxford: OUP, 1980), pp. 225-6: "An unwavering recognition of the literally immeasurable value of human personality in each of its basic aspects (the solid core of the notion of human dignity) requires us to discount the apparently measurable evil of looming catastrophes which really do threaten the common good." For another account of the relation of human goods to human dignity see Gormally, ed., *Euthanasia, Clinical Practice and the Law*, pp. 123-4. For an account of human dignity as formal, empty of content, see Richard Watson "Human Dignity and Technology," in Gotesky and Laszlo, eds, *Human Dignity: This Century and the Next*.

dignity because, though they continue to live they lack completely, if in a unique way, the capacity that may be thought to be the paradigmatic ground for human dignity' - the capacity for higher psychological functioning.[51]

It seems to me that this is wrong and that life *is* a fundamental and not merely an instrumental good.[52] The unique value of being alive is not that without life one enjoys no other goods (although this is also true), but that being alive is more basic to being oneself than are any of one's other goods. My life is more clearly constitutive of myself than even my activities, faculties, values and relationships, and valued by me even if they are corrupt. Biological life is not a vehicle to (aspects of) my biographical life or well-being, but a dimension of that biography or well-being and a part of my nature with a natural priority over my religion, work, sociability, reasonableness, conscience etc.[53] If being alive is one ground of my dignity, then not taking my life — even if I request it — may well be crucial to respecting my dignity.

One objection to this on moral grounds (and there are others) is that for chronically ill or suffering people life ceases to be a benefit and thus refusing to allow them or help them to end their lives when they request this is prolonging their suffering and violating their dignity.[54]

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[51] Michael Meyer, "Dignity, Death and Modern Virtue," p. 49.

[52] For the opposite view, see J. Glover, *Causing Deaths and Saving Lives* (New York: Penguin, 1977, Ch. 3; James Rachels, *The End of Life* (New York: OUP, 1986).

[53] Cf. John Finnis "A Philosophical Case Against Euthanasia," in Keown, ed., *Euthanasia Examined*, p. 31: "[human life] is human through and through, a capacity, more or less actualised in various states of existence such as waking, sleeping, infancy, traumatic unconsciousness, decrepitude, etc. — for human metabolism, human awareness, feelings, imagination, memory, responsiveness and sexuality, and human wondering, relating and communicating, deliberating, choosing and acting. To lose one's life is to lose all these capacities, these specific forms and manifestations of one's humanness; it is to lose one's very reality as a human being"; and Joseph Boyle "A Case for Sometimes Tube-Feeding Patients in PVS" in Keown, ed., *Euthanasia Examined*, p. 192: "A person's life is not something other than his or her very self, and so the living human organism, however deprived, cannot be separated from the person in the way an instrument can be separated from the purposes for which it is used. The value of a person's life, therefore, cannot be reduced to its role as a condition for realising other goods of the person."

[54] Cf. *Airedale NHS Trust v Anthony Bland*. Lord Keith argued that the life of Bland, a PVS patient, is of 'no benefit' to him. Also, Singer *Rethinking Life and Death*, pp. 79-80.

I have already given an argument against seeing life merely in terms of its (subjective or objective) benefits, and an argument for inherent human dignity which does not claim freedom from pain or suffering is itself a basic human good. Finally here I will answer the charge that these arguments imply a violation of the dignity of the sick and suffering.

Meyer distinguishes the dignity of death (i.e. of corpses) and dignity in the moment of death from the process of dying with dignity. He argues that 'acting with dignity is virtuous activity. Dying with dignity is one specific form of this more general modern virtue.'[55] Dying with dignity is a 'modern moral virtue' found in societies which believe in human rights and reject the notion of natural social hierarchies. Meyer argues that one possessed of a sense of his own dignity can express this 'ultimately' in his death, and that a sense of dignity means one "has a sense that he is in important respects the equal of others, and in this respect uniquely accountable for the moral quality of his own life."[56] Meyer here makes the important point that the right to die does not entail that one will die with dignity: death with dignity is a matter of character and virtue and not just of being granted one's rights. However, he believes that if the decision to die or to be killed expresses a sense of your equality with others and of your "unique accountability" for your actions, then the decision *is* an expression of human dignity and respect for dignity involves complying with the request. He wants to distinguish this sense of equality and accountability, which he calls "self-possession," from autonomy since it includes freedom not just from others but also from strong internal passions and drives.

It is interesting that while this theory claims to address the inherent and equal dignity upheld by philosophical tradition and embodied in documents of the UN and other bodies, Meyer in fact refers to the individual's 'sense' of his or her own dignity — a sense of accountability and equality with others which can be expressed, when nothing else seems possible, in choosing the time and manner of one's dying. I have three points to make about Meyer's argument. These concern the notions of self-possession as believing oneself to be "in important respects the equal of others, and in this regard uniquely accountable for the moral quality of his own life," the notion of "a sense of one's dignity"

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[55] Meyer "Death, Dignity and Modern Virtue," p. 50.

[56] *Ibidem*, p. 51.

and the suggestion that "acting with dignity" is a virtue.

First, Meyer's concept of self-possession. It is clear from an earlier paper 'Stoics, Rights and Autonomy' that the concept he appeals to here involves: (1) liberty from control by others, and (2) liberty from control by internal forces. Both of these matter, though (2) — which he calls 'stoic autonomy' — matters intrinsically as well as instrumentally, whereas (1) — 'rights-sensitive autonomy' — has no value of its own in the absence of (2).[57] Whether or not this theory is correct, the important point for our purposes is that self-possession, which Meyer believes is necessary in addition to integrity if a life is to express dignity, consists primarily in self-control, and secondarily in freedom from coercion. It consists, then, in personal autonomy (rather than Kantian, 'moral autonomy'), and though this does require the absence of the moral wrong of being controlled by others, it includes no other moral requirements. An exhortation to self-control apart, one's plan of life or personal integrity is tempered only by freedom, and not by moral principles.

It seems to me that lives and acts, including acts of choosing to die or to be killed, which are characterised only by absence of coercion and a reflective attitude to one's passions and drives are insufficient to express inherent human dignity. To express inherent dignity I must show in my choices not only that I believe I am the equal of others with respect to liberty but also with respect to duties. I must show that I exert myself to live up to the highest standards of human obligations, not only that I have political freedom and detachment from passion. Dignity is something we must live up to: being accountable for our lives is insufficient to express it, but living responsibly, choosing in accord with fundamental duties as well as freedoms, can do so.[58]

Secondly, to equate dignity with one's *sense* of dignity is to equate it with a subjective judgement about one's merit or possession of treasured capacities. Meyer believes it is the possession of capacities that matter, and for this reason he is disposed towards counting as lacking

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[57] Michael Meyer "Stoics, Rights and Autonomy," *American Philosophical Quarterly* 24, 1987, p. 270.

[58] Of course, such duties may sometimes require choosing to do what we know will result in deaths: 'There are situations in which nothing short of war can defend or establish the dignity of the individual', Paul Tillich quoted in Gotesky and Laszlo, eds, *Human Dignity: This Century and the Next*, p. 241.

'inherent' dignity those who have irreversible loss of consciousness. I have suggested that dignity consists not in valuing one's existence but in the value of basic elements of one's existence, including one's human bodily life. We can act contrary to the dignity of an unconscious person by, for instance, sexually abusing them, not respecting their privacy, abandoning them, using their body as an organ bank and 'harvesting' organs from them while still alive, experimenting upon them etc. ...none of which affects their 'sense of dignity' as they are not conscious of it.

A sense of dignity comes from reflection on activities and attitudes. Our judgements have the advantage of being able to survive violations of our human dignity by other individuals or the state; but the disadvantage of allowing us to violate our own dignity. Human dignity cannot be equated with a sense of one's dignity because, once again, this may amount to no more than an assertion of personal autonomy or of sheer will.

Finally, on the alleged modern virtues of acting and dying with dignity. I am not convinced these are virtuous. We must distinguish 'modern virtues' from contemporary fads and fashions. If there can be new or culturally specific virtues, these will be choices which protect or promote newly discovered parts of human well-being or paths to human well-being. It is not sufficient that they be based on new political creeds or doctrines such as equal opportunities or personal autonomy. The virtues of antiquity were not just a set of rules of choice based upon existing political arrangements: they were a (the) set of choices which philosophers and persons of good will believed to be required for the maintenance of *any* political arrangement which would enable individuals to realise the human good, i.e. they were habits of choice based upon the notion of the common good. Revision of the canon of traditional virtues would require new discoveries about the common good or about necessary revisions in the means of achieving it in the modern world.[59]

Belief in human equality is certainly not a contemporary fad, but that this implies choosing to die as one wishes and so being accountable for one's own death is a fad. There is no indignity in dying in ways one does not wish, or even in dying in humiliation. There is frustration,

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[59] Cf. Onora O'Neill 'Kant: After Virtue' *Constructions of Reason* (Cambridge: CUP, 1989), pp. 159-161.

shame and suffering, and very few people can retain the sense of their dignity throughout. But human dignity is not being self-possessed and fully accountable for one's actions, and dying is the event which most graphically illustrates this. Dying with dignity calls for the loss of self-possession and the endurance of acts for which the individual is not accountable. To argue otherwise on the basis of a modern virtue of living, acting and dying with dignity is to bury the moral requirement to make choices compatible with the human good under contemporary obsessions with appearance, image, control and getting one's own way. No one should deny that dying "a good death" can be one of the hardest things to do where it requires facing up to suffering and powerlessness in dying and to using them as means to reconciliation, peace and strength. To act instead upon subjective judgements is to give in to impatience, pride and *hubris* and so to collaborate in the violation of one's own inherent dignity. ❑