

Human Dignity and Personal Identity Why Pragmatic Approaches Fail

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Abstract

Throughout the European Union the concept “Human Dignity” plays an important role in theoretical debates on human rights. One main reason for this is the UN-Declaration of Human Rights, in which “Human Dignity” is mentioned explicitly. Another reason is that the reference to Human Dignity is essential to those passages of the Constitution of the Federal Republic of Germany in which Human Rights are introduced. The discussion of Human Dignity is interdisciplinary, but focuses especially in social and applied ethics: “We have to treat humans in such a way, *because* they have a peculiar dignity.” “All humans have special rights, *because* they are objects of human dignity”. But what does “Human Dignity” really mean and how can it be explained theoretically?

In my paper I cannot speak about the problem of the theoretical foundation of Human Dignity in general. However, I am going to discuss one (nowadays very influential) way of approaching a solution to the problem of finding a foundation for Human Dignity. These approaches have their theoretical roots in new German philosophy and can be labelled as “pragmatic approaches”. In my discussion of these pragmatic approaches I will proceed in three steps.

1) First, I will try to make clear the general assumption of all pragmatic approaches: The meaning of the concept *lies* in its *practical usefulness*. In other words: Human Dignity has to be accepted (without further justification) because

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its acceptance is *useful*, for instance, for the living together of individuals in a society and for the coexistence of different societies and civilisations. (Within the first step I will also distinguish between different kinds of pragmatic approaches.)

2) In my second step I attempt to show the philosophical motives for accepting a pragmatic position. I want to point out that these motives are almost completely *negative*: Authors are pragmatists in their theory of Human Dignity because they deny the possibility of attempting to ground it positively. Metaphysical (theological) foundations do not work because (according to pragmatists) they are “miraculous” and “not commonly accepted”. The same holds (according to pragmatists) for positions which try to ground the specific dignity of human beings in some of their capacities, e.g. in their intellectual and volitional capacities. The reason is that there are humans without these capacities and, as they say, non-humans with these capacities. But, Human Dignity should pertain to all Humans and only to Humans.

3) My third step is a critical evaluation of pragmatic approaches. I think that pragmatism within the discourse of Human Dignity fails because of three reasons: a) arguments, which pragmatists offer against other approaches, also concern their own position. b) Pragmatism leads to a concept of Human Dignity which is *too weak* for those theoretical purposes for which the concept is introduced. c) A pragmatically founded concept of Human Dignity is *too vague* to play the role it should play: it is simply useless.

Finally, I want to point out the relevance of the refutation of pragmatic approaches for an alternative constructive theory of Human Dignity.

Keywords: Human Dignity; Personal Identity; United Nations Declaration of Human Rights; Constitution.

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