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Human Dignity as a Key to Confront the Future

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Abstract

Do we need disasters and catastrophes as a wakeup call in order to change the society, or are these events themselves in vain if they are not understood on the basis of a more radical paradigm shift in the underlying theories about the human mind and its way of grasping reality? In this paper I will present some reflections as to this latter question, starting with some words on the task of philosophy, and then passing to a special theory of human consciousness and society as a presupposition for critical analysis. Finally I will draw some conclusions as to the understanding of the challenge of human dignity in the aftermath of the 22nd July 2011.

Key words: Philosophical analysis, human consciousness, society, social rights and obligations, human dignity

I. Philosophy and concepts

1. As a start I want to point out the following: It is a common truth that the way we understand the world, is determined by our concepts and words. But what perhaps is not always so easy to grasp, is that the concepts usually narrow our comprehension of the world. My first point is that we start with an intuitive experience of reality itself, that is an experience which is direct and not mediated by any symbols. This experience is in its turn split up into a certain amount of images which function as symbols by which we understand reality. These symbols are the concepts or words.

2. My next point is that these symbols are created by the human mind for practical reasons. Our immediate experience of reality, is always moving and fluctuating, it is rather something becoming

than being, and thus not very useful for us if we will have a practical grasp of reality. Hence we create symbols which are static and which let us transform reality into fixed points of reference. These points of reference are our concepts. The conclusion is therefore that the concepts are stiffened images of a moving and changing reality, and hence, that there is less in the concept than in the objects they point back to, the concept being a transformation and alteration of reality.

3. My third point is that this fact reveals to us the meaning of philosophy. Philosophy consists in what I call a special form of analysis showing how the concepts come about, what are their legitimacy, and what are their limits. Since concepts are the fundamental basis of day to day life and equally of science, I understand philosophy as the analysis of the fundamental presuppositions for each science and the various forms of day to day life.

4. But philosophy does more. By showing us that there is more to the human mind than the concepts which it for practical reasons creates, it can also tell us something of the true reality, i.e. our immediate experience of the world. In doing this it creates a new kind of concepts in order to express this reality, a so to say second order of concepts transcending our ordinary concepts, and which pretend to go behind them. This analysis is important whenever we have to deal with the human phenomena itself, and particularly when we are reflecting upon questions as the human person and human dignity.

5. Now, what I want to present, are two ways in which we can understand the world. The one I call a durational way of understanding, the other a conceptual way. Of course, in either case we have to use concepts, but the concepts we use in the first case, are of a special kind, different from the latter ones. Human dignity is such a concept. I will come to that a little later.

II. Durational versus conceptual analysis

1. I use the word 'consciousness', here, as a general term to designate any mental state or whatever it is about a state that makes it mental. Hence consciousness includes not only awareness of our own states, but also these states themselves, whether we have cognisance of them or not. If a man is

angry, that is a state of consciousness, even though he does not know that he is angry. To be aware of the fact that he is angry, is another state of consciousness, and not the same.

2. Human consciousness can be said to be constituted of different levels of layers. In order to understand it, I want you to imagine an onion or an apple, and then that you peel off the outer layers in order to get into the heart of the fruit or vegetable, which are more softy and juicy than the outer parts. Let us then start with the inner kernel of consciousness and try to reconstruct by way of analysis the outer layers.

3. What we find in the heart of consciousness, is a flowing, irreversible succession of states that melt into each other to form an indivisible stream of consciousness. The experience of this inner stream of consciousness is not an abstract concept. It is a concrete experience. It is an experience of real or “pure” time, also called inner time, something immediately experienced as active and ongoing.

The fact that consciousness is pure succession or movement, does not entail a Heraclitean flux, whereby everything that appears in consciousness disappears and is inevitably lost, without ever repeating itself. On the contrary, it belongs to the properties of inner life that consciousness receives every new impression within itself and keeps it there. In this way, consciousness constitutes an organic whole, where the past is preserved and continues to live. The paradox is that change and continuation are both characteristics of consciousness. This dual process is the condition for the growth of all of our feelings and even for the development of the personality: The personality is in each moment an organic result of every experience it has had.

This theory states that the elements of inner life are not indifferent to each other; they do not exist outside each other like mechanical parts. On the contrary, they overlap into each other, forming a mutual penetration. They melt together, but not in the way of forming an indistinctive mass. Through this mutual penetration each moment keeps its individuality, but is nevertheless formed and coloured by all the others.

From this conception of consciousness it follows that at each moment the individual is richer than it was the moment before. It is subject to a continuous, organic evolution and growth. This change is true creation: It is unpredictable since each new moment means something qualitatively new and hence gives the totality of the states of consciousness another colour which they did not have the moment before.

Such a living organic unity is characteristic of the deeper part of consciousness, which by its very nature is life, movement, creation, freedom. And this is what we call duration or simply time.

4. Let us then, in contrast to this living unity, take a look at the part of consciousness that is turned towards the outer world. We will find that it consists of layers of stiffened forms; conventions and habits. Such rigid, static and mechanical forms play a decisive role in the human being's practical functions. But at the same time they act as a cover-up of real life, i.e. life's own creative force. It would, in other words, be totally wrong to consider the rigid forms that consciousness presents in day-to-day life to be the only life of consciousness. On the contrary, they are a product of the human mind, created for practical reasons.

What is peculiar to these outer layers of consciousness, is their spatialization. Each impression or idea exists as a separate entity, different and recognizable from the others and is only attached to other ideas in an external way. Thus we have to do with a mere mechanistic assemblage of different levels of simple ideas and their combinations. While remaining unchanged with regard to the different combinations which they enter into, these spatial entities do not interfere with each other in any deeper sense of the word. They constitute only an exterior combination. It would on these principles be hard to see how they can result in a true, living and free activity. They are mere symbols or a spatial reconstruction of the free and ongoing activity that characterizes the deeper layers of consciousness at every moment of their life.

5. Thus we have two different ways of conceiving consciousness: Either to understand it as some mechanics, which implies a spatial and static conception of it. This is what we do when we think of consciousness by the way of conceptual analysis, each concept denoting an idea which exists independent of other ideas or as having only a mechanical and outer relation to them. Or we can conceive of consciousness in an inner organic way, which let us grasp our inner consciousness in form of pure time, what we call living time or duration, where every idea penetrates or overlaps into another idea and thus is linked internally to each other. The difference between these two understandings of human consciousness, and which I want to stress here, is that the one we call a conceptual spatial reconstruction of consciousness, implies a consciousness which is inactive: It is mere a result of incoming impressions, without any real acting. The other one is activity and lived life, it does something itself to the incoming impressions, i.e. it creates new impressions, it is a free

and acting center. To understand consciousness in this way and to apply the same understanding to other philosophical problems as well, is what is meant by durational analysis.

III. Human dignity in light of durational and conceptual analysis

1. Dignity is a term used in moral, ethical, and political discussions to signify that a being has an innate right to respect and ethical treatment. It is grounded on the notion of inherent, intrinsic values.

With intrinsic or inherent values I mean the values that an object has "in itself" or "for its own sake", as an inner property. An object with intrinsic value may be regarded as an end or end-in-itself.)

2. Analyzing human consciousness I started with the inner kernel and followed a movement outwards. Now I will take the opposite direction, starting with the outer layers and move towards the inner part.

Normally we understand a person's dignity with respect to certain outer standards, i.e. certain moral, social or religious values by which we form our judgment of the person in question. For instance some explain the human dignity in terms of man created in God's image: Following this view, human dignity originates from God and is of God because we are made in *Imago Dei* and thus are a reflection of God among us. Another view is that human dignity signifies that which alone has a moral dimension, i.e. is capable of representing a choice between right and wrong. Others are defining human dignity as that which distinguishes the human beings as a distinct class from all other things, including animals. All these conceptions presuppose certain cultural and social values which are pertinent to what we call dignity. Upon this view human dignity is a product bestowed on a person and composed of outer elements which not necessarily have something to do with his or her inner personality. This again means that dignity is not an absolute, but a relative concept.

This way of understanding dignity as an intrinsic value, implies a relative way of understanding it, depending on individual and cultural views and/or the individual choice of life stance conforming to certain outer standards.

3. Digging further into the notion of human dignity we will find, I believe, that the question of dignity is not so much about what dignity is, but how we respect it. Though connected, these two

questions are two different problems. Let me therefore try to put forward a new answer to the first question by starting with answering the last one.

We then start with pure consciousness, with that part of the human being which consists of free creation, movement, duration, time or pure novelty. Next step would be trying to understand the words “respect of a person” and a person’s “dignity” by durational analysis. To put it shortly: Understanding the meaning of human dignity in a durational way is to have an intuition of the other, i.e. to coincide with him or her, to participate with him or her in his or her own lived experience and to make his or her experience a living part of oneself. This attitude consists in respect of what is original, new and creative in each person. It represents an absolutistic conception of intrinsic values by coexisting with the person’s inner nature through a specific experience in time and duration.

An example of this way of understanding dignity is touched upon by the analysis of courtesy given by the French philosopher Henri Bergson (1859-1941): Spiritual courtesy, he says, consists in the faculty of putting oneself in the other’s position, of being interested in their occupations, of thinking their thoughts, of re-living their lives, in short, of forgetting oneself. This is what courtesy of spirit signifies, I believe it is no more than a kind of intellectual agility. The real man of the world can talk to everyone on what interests them, can penetrate into the views of others without always adopting them, he understands everything, without excusing it all”.¹

Hence human dignity must not be understood as a static concept or as an arrangement of static concepts. It consists on the contrary in a living experience, which constitutes a common string between ourselves and other personalities. Exactly as our personal consciousness is given to us in an intuition or an immediate experience, which transcends every symbol or concept, dignity must be thought of by the same kind of immediate intuition with another person, which transcends every conceptual arrangement.

4. Which consequences does this view entail? As I said, dignity arises from an activity. What is proper to this activity, is the obligation that it imposes on humans, the moral requirement not only to avoid harming, but to actively assist one another in achieving and maintaining the other person’s state of “well being”.²

From the point of view stated above it follows a major consequence as to the link between dignity and human rights, and which I believe can help us to resolve some puzzles concerning the ordinary conception of human rights.

Article 1 of the Charter of Fundamental Rights of the European Union states that “The dignity of the human person is not only a fundamental right in itself but constitutes the real basis of fundamental rights. The 1948 Universal Declaration of Human Rights enshrined this principle in its preamble: ‘Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’. [...] It results that none of the rights laid down in this Charter may be used to harm the dignity of another person, and that the dignity of the human person is part of the substance of the rights laid down in this Charter. It must therefore be respected, even where a right is restricted”.

This article is highly ambiguous as to the question what dignity here really means, and which person’s dignity and which person’s rights are implied. If the kind of dignity referred to is that of another person, and the rights implied are my own rights, which are restricted by the respect I owe to the other person, it would, I think, be hard to distinguish between the two in a practical way. Considered as a separate and special kind of right (or some kind of “super” right) without specifying what is to be considered as dignity, dignity becomes a very abstract concept, which makes it hard to delimit the fundamental rights one person is said to have, and which should obey to another person’s dignity. If on the other hand the dignity in question is my own dignity and the rights are my own rights, the statement of the charter amounts to treating dignity as the sum of certain rights and the scope of their realm (meaning that my dignity consists in a choice between certain rights of mine and the restriction thereof): In other words dignity becomes relative to the nature and application of these rights and hence to those cultural and social standards or values that are expressed by those rights, instead of being an absolute, inalienable and universal right.

In either case we are confronted with the problem that the very concept of human rights as it is employed in this statement, however we choose to understand it, does not denote absolute, inalienable and inherent rights, as the human rights in an abstract and general way are said to be, but rights relative to a right that overrides them all and make them dependent upon that special right.

If we on the other side understand dignity not as a special kind of rights, but of obligation which we owe to another person, it becomes clear that dignity constitutes the basis or fundament of the human rights not by way of a special right, but by way of a fundamental duty.

This view changes likewise the understanding of the human rights. It means that human rights do not belong to a subject as a consequence simply of this person being a human, but as a consequence of this person being an acting person engaged in concrete, living relationships with other persons. Moreover, they belong to him as a consequence of the very nature of his

consciousness, whose existence is inwrought with the consciousness of every other person. If we then think of man as having a moral obligation towards the people with whom he interacts (if nothing else, at least the obligation to secure their life, freedom and independency), this interaction being as I said, a kind of a mental or spiritual relationship which is the very condition for his duties to the other, it would follow that some fundamental rights have to be ascribed to every human being, by virtue of his or her being a part of this common relationship of duties binding each human to another. Hence we would have to say that human rights are rights that pertain to every individual as part of a common and universal community of commitment, and which are thought of as necessary conditions for the human being to fulfil his or hers commitment and responsibility within this community.

The central point in this view is that rights are deduced from the principle of obligation. The obligation is your obligation to the others. This obligation is thought of as an obligation to an inner society within human consciousness. But what is more, as at the same time human consciousness also constitutes your own personality, your own inner time, the obligation towards the others becomes an obligation towards yourself. These two things are interlinked: the obligation towards oneself and the other; your own realization as a living and an organic personality depends on this bound.

In order to fulfill these obligations, certain fundamental conditions are required. The protections of these conditions pertain to everybody, and the protection thereof I call rights. They are universal, but not absolute rights because they depend on an acting commitment towards other people. Hence they are what I call “open rights”, i. e. relative to a special situation of commitment by obligation. Indeed it would seem strange to say that a person has fundamental and inalienable rights, but at the same time that these rights depend upon a special inalienable right which make the first rights alienable. It is more meaningful to speak about an obligation upon which certain rights are founded, and which limits or justify those same rights and by so doing give them their full meaning.

Lastly we can confront open rights with “closed rights”, i.e rights that are given to you as an independent and self-sufficient subject and whose existence is not necessarily intimately linked to or coexisting with that of others. These rights are for the first relative to the society and culture which give you the rights, secondly they entail a mechanistic understanding of the person as far as it in some ways is considered to be sum of individual rights. In this case we fall back upon the concept of dignity as some kind of a human right, either as a first “super” right, or eventually as the

summing up of different rights. But then you have a dignity which a) in the last case become relative to those rights, b) distinguishes the individual from another one (as “his right” always opposes a “my right”), and c) does not arise from an activity of consciousness, but which is a static dignity, which do not create or do anything new. It becomes an empty concept, with no power of moving people to act in a dynamic, inner way, but only at the best in a mechanical and impersonal way.

III. Conclusion

I started by saying that we can look upon the human consciousness in two ways: As an inner experience which consists in pure activity, free creation, or as an outer symbol of this same reality, and which are composed of stiffened forms. In the same way dignity can be understood as a real expression of this inner creation, or as a mere mechanical reproduction of it. I have tried to show how the first one alone represents a true understanding of the word dignity by way of commitment to another person, as opposed to a conceptual pseudo right which consists in a pale reflection of the living experience of human dignity into a symbolic representation of it, and as a parallel to this, is also the term human rights to be understood.

¹ Bergson, H.: “La politesse”, in *Mélanges*, Paris, P.U.F., 1972, p. 321-322.

² White, Mark D.: “Dignity”, in Jan Peil: *Handbook of Economics and Ethics*, Edward Elgar Publishing, p. 85.