

# QUADERNO

INFINITE DIGNITY, HUMAN FREEDOM  
AND THE PLACE OF LAW



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## Introductory Remarks

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The first of the three days that make up the course *How to Teach Social Morality Today* had the form of an International Seminar entitled *Infinite Dignity, Human Freedom and the Place of Law*. It was co-organized by the Faculty of Theology of the Pontifical University of the Holy Cross and the International Center for Law and Religion Studies of Brigham Young University.

Why begin with a day dedicated to reflecting on human dignity? From a Catholic perspective, the answer is because the primacy of the human person (respecting and promoting it) is the first principle of the Church's social doctrine—that body of truths which the Catholic Church teaches about how social life ought to be just and good. All other principles (such as the common good, solidarity, subsidiarity, etc.) and all teachings on particular issues (such as the organization of labor, economic life, politics, international relations, ecology, etc.) are founded on the primacy of the human person. In fact, such teachings are expressions or applications of the whole truth about the human being; they are answers to the question of what kind of society allows the person to be fully respected and to flourish—a person understood with these specific characteristics.

In the following two days participants would reflect on the major themes of the Catholic Church's social doctrine (work, economy, politics, ecology, etc.), but it was important to begin with a reflection on human dignity that could provide a conceptual map of what is happening in secular culture, in the thought of different religious traditions, and in interreligious dialogue, regarding awareness of human dignity and the various ways it is put into practice in our societies. We see, in fact, that

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alongside a growing sensitivity for human dignity in declarations and public opinion, there are different (and sometimes conflicting) ways of understanding it and applying it concretely in social life, institutions, laws, economic and political systems, and so forth. In this sense, it was important to integrate various skills and expertise. That is how this collaboration project was born.

The International Center for Law and Religion Studies is celebrating its 25th anniversary this year. It is a young institution, but 25 years is an important milestone. Its mission is to strive to help in the promotion of freedom of religion and belief for all people in all places, and has done this, especially over the last decade or so, largely by *promoting human dignity for everyone everywhere*. It works at the intersection of law and religion, interested in the institutional relationships of religious groups and the state, and also the individual rights of freedom of religion and belief. It pursues this mission largely through teaching, scholarship, holding conferences, and building networks, all of which are evident in this International Seminar, as the reader will see in the texts we are presenting.

About eight years ago, in 2018, the directors of the Center together with a group of international colleagues were reflecting on what might be done to commemorate the 70th anniversary of the *Universal Declaration of Human Rights*. We were doing this at a time when it was clear that human rights were becoming much more politicized than they had been a generation earlier, and religious freedom was also much more politicized. For example, in the United States in the late 1990s, both the Religious Freedom Restoration Act and the International Religious Freedom Act passed almost unanimously in the U.S. Congress. But 20 years later, it is fair to say that religious freedom is viewed as a partisan issue, with cleavages not only between Democrats and Republicans, but between liberals and conservatives, between those who are church-going and those who are not, and between those who are older and younger. This is worrisome, and so we, as a Center, were brainstorming about what we might do to try to depoliticize freedom of religion and to broaden its appeal in places where human rights are viewed with suspicion, or where religious freedom is viewed largely as a Western value or something that is suspect.

One thing we realized as we were studying this is that the basic, fundamental underlying principle that grounds human rights, but also religious freedom, is the principle of human dignity. There is no place

where this is more evident than in the magisterial Vatican II declaration *Dignitatis Humanae*, which expresses the Catholic doctrine of religious freedom, rooting religious freedom in the dignity of the human person. While it is a profoundly Catholic doctrine, it resonates deeply with other Christian traditions and people. Because human dignity is a universal value—probably the closest thing we have to a genuinely universal value in the world—it offers the best prospect we have for finding a basis for human rights generally and religious freedom specifically.

Historically, this realization is also true. When the *Universal Declaration of Human Rights* was being drafted, the first draft was hundreds of pages long and included a compilation of virtually all rights instruments ever written. The drafting committee got stuck, and it was the Chinese delegate, P. C. Chang, who recalled that the preamble to the UN Charter spoke of human dignity and suggested they start there. If we look at the first sentence of the preamble of the UN Charter, it begins with human dignity, and the first sentence of Article 1 of the *Universal Declaration of Human Rights* begins with human dignity. That broke the log jam. By focusing on human dignity, the process of drafting the *Universal Declaration* was able to get back on track, leading to a significant miracle on December 10, 1948, when the countries of the world unanimously adopted this new roadmap. This made individual human beings the subject of international law for the first time. The significance of human dignity in making possible the human rights revolution cannot be overstated.

In March 2024, when the Dicastery for the Doctrine of Faith issued the declaration *Dignitas Infinita* on human dignity, it struck the people of the Center that this, too, was a monumentally significant contribution to the global literature and the global understanding of human dignity. It is slightly different from *Dignitatis Humanae* because it provides, among other things, a deeply Christian anthropology for understanding human dignity. For Christians, it is important to understand human dignity not just as a concept rooted in the image of God, but in the incarnation of Jesus Christ, his life, example, ministry, and ultimately his atoning sacrifice. That is perhaps the most profound and important contribution of this remarkable document.

The second thing that struck us as significant was the four-fold distinction of the concept of dignity, distinguishing ontological dignity, moral dignity, social dignity, and existential dignity. *Ontological dignity* is

the dignity that comes from our simple existence as human beings created and loved by God. *Moral dignity* is the dignity that comes from how we exercise our freedom, noting that we can behave in an undignified manner. *Social dignity* is that which can be hampered by the quality of living conditions, focusing especially on conditions of extreme poverty. Finally, perhaps least familiar to us, is *existential dignity*, which relates to living a dignified life and the implications for dignity when we are subject to serious illness, violent family circumstances, or pathological addictions.

Another remarkable aspect of *Dignitas Infinita* is that it talks forthrightly about the implications of human dignity for contemporary challenges and even crises. While we may not agree with every implication, it is noteworthy that the document engages specifically and overtly with issues such as poverty, war, migrants, human trafficking, sexual abuse, violence against women, abortion, surrogacy, euthanasia, assisted suicide, marginalization of people with disabilities, and even issues such as gender theory, sex change, and digital violence. It takes courage to engage with issues that are as polarizing and difficult as these are.

In short, *Dignitas Infinita* represents a powerful reaffirmation of the centrality of human dignity and offers reflection on the foundation of that dignity, on the various ways of interpreting it, and on the consequences this may have for social life. Using this document as a springboard, we wanted to explore the extent to which dignity (both the concept and the reality behind it) can protect our common humanity, reconcile divided social groups, and encourage a healthy relationship between law, morality, and religion.

The Seminar was structured in three sections with two presentations each, aimed at addressing the subject from three different yet complementary perspectives. First, the value of human dignity in religious thought and in its dialogue with secular culture and among different faiths: the presentations were entrusted to Riccardo Bollati, of the Dicastery for the Doctrine of Faith and D. Todd Christofferson, of the Quorum of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints. Second, the role of human dignity in political philosophy and in building a just social life: with the presentations of Dominic Burbidge, of the University of Oxford and Fernando Simón Yarza, of the University of Navarre. Finally, the role of human dignity in law and in the legal protection of fundamental rights, on which we had the

presentations of Ann Power, of the Irish Court of Appeal and Jean-Pierre Schoupe, of the University of the Holy Cross. After these lectures there was a more practical roundtable discussion, where various experts exchanged their views on how the concept of human dignity is present and operative in different areas of social life (religious freedom, bioethics, communication and freedom of expression, etc.). Chaired by Andrea Pin, the participants of the roundtable were Diego Alonso-Lasheras, of the Gregorian University; Leonardo De Chirico, of the Institute for Evangelical Formation and Documentation; Jordi Pujol of the University of the Holy Cross and Brett Scharffs of the International Center for Law and Religion Studies at Brigham Young University.

Even if not all the speakers and participants of the roundtable prepared a paper to be published, we believe that the texts we offer show how central the concept of dignity is to the foundation of human rights, and how much it still needs to be explored further, benefiting from interdisciplinary work such as that conducted in our seminar.

