

## ***Existence and manifestations of human dignity: can a person be deprived of dignity?***

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### ***Abstract***

The criteria for assigning human dignity have been a subject of debate among researchers for years. Regardless of what criteria are chosen for human dignity, each school of thought must provide a method to identify them in people. The authors of this article consider voluntarily in choosing goodness and virtues to be the criterion. The purpose of this article is to present a method for establishing the existence of this criterion in humans and to examine the various manifestations of acting freely on what is good and virtuous by citing philosophical Islamic sources, especially the Qur'an. In this article, we will first discuss the differences among people regarding the existence of dignity and its manifestations, and move on to investigate the special conditions that can be challenging for allocation of dignity across different schools of thought. Finally, we will examine various Islamic sources to evaluate the methods of identifying human dignity in people. Our investigations show that since concepts such as “right” and “good” are of a subjective nature, there is more than one manifestation for presence of criterion of human dignity, and in practice, no one can be deprived of their dignity.

***Keywords:*** Humans; Personhood; Human dignity; Minority groups; Personal autonomy; Freedom; Human rights; Bioethics; Religious ethics; Islam.

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## ***Introduction***

Human dignity is one of the most important topics in bioethics, and is rightfully considered the cornerstone of human rights. Assigning dignity to humans makes them deserving of specific rights and privileges higher than those of other creatures, and therefore it has been a topic of interest to researchers and scientists for years. Different schools of thought have proposed different criteria for human dignity, which is a major topic of discussion in this field (1-3). However, aside from choosing the criteria for human dignity, the issue of how to determine the existence of this criteria in each person and measure its extent are questions that every school of thought must answer according to its principles. Those perspectives that consider the criteria for dignity to pertain to human biology only need to examine their subjects' biological features to find the answer and do not face any more difficulties than biologists, although they may receive some theoretical criticism (4, 5). On the other hand, those who consider the criteria for dignity to be of an intellectual nature face more difficulties in verifying the existence of these criteria and measuring their extent (6). In our previous study titled "Examining the Criteria of Human Dignity", after reviewing the criteria

proposed by different schools of thought, we concluded that "free will in selection of virtues and goodness" could be considered as the criterion for human dignity, and in another study, its compatibility with Quranic teachings was investigated (7, 8). In this perspective, special attention should be paid to the fact that in various ideological schools of thought, as well as in Islam and the Qur'an, there are differences in the definitions and scope of good and bad. However, in the practical stage, these differences are not recognized and as a result, nonbelievers may be deprived of their human dignity. This is the main challenge between liberal and religious perspectives as the latter imposes limitations on freedom. The liberal school of thought even rejects religion in social relations to defend freedom, and is content with defining dignity in terms of human biology. Religious people also deny freedom and consider liberal ethics as animalistic. The aim of this study is to explain the external manifestations of dignity in humans by considering "free will in selection of goodness" as the criterion. In order to do so, various Islamic and philosophical sources will be examined, with special attention to circumstances that are causing differences of

opinion between religious and secular points of view.

## ***Discussion***

### *The Difference between the Existence and Manifestation of Dignity*

The main problem and the most common mistake that is made regarding evaluation of human dignity is failure to distinguish between the dichotomies of quiddity and manifestation, or essence and appearance, or noumenon and phenomenon. Perhaps the main reason for liberals' opposition to religious perspectives (that is, the different levels of human dignity) and their insistence on an equal degree of dignity for all individuals (despite the irrationality of equality among diverse individuals) lies in how to allocate dignity. Even if the existence of dignity and its level in humans is considered dependent on their "free will in selection of virtues and goodness", where can this feature be shown in the appearance of humans' superficiality and their tendency to simplify have led them to consider ostensible belief in a particular religion as the criterion for allocating dignity to someone, and punish non-adherence to that religion by depriving a person of their dignity. The word "Islam" indicates freedom in accepting and adhering to a belief, and not imposition of a particular belief.

Paying attention to this sense of the word is an important point in defining human dignity from a religious, especially Islamic point of view, and it can bring new jurisprudential and legal results.

Observing people's behavior and actions does not usually provide accurate information about their faith in the correctness of that behavior. What we see in humans may not always match their level of acceptance, and belonging to a group with certain beliefs does not indicate wholehearted faith in their views. For example, some people may simply follow the beliefs of their families, while others, after a lot of investigation, cannot accept a belief or religion and will not adhere to it.

Moral worth is based on following rational beliefs, because if people do not follow their beliefs, they must rely on their own assumptions or indecisiveness, and choosing assumptions and indecisiveness over beliefs is obvious foolishness. Therefore, although beliefs cannot be imposed, not having any is foolishness, as the highest outcome of wisdom is belief, and non-adherence to beliefs is in conflict with wisdom. Anyone who follows their beliefs fulfills their duty. A wise man cannot be forced to abandon his beliefs and accept another's, and no one can be punished and excommunicated on account of their beliefs.

On the other hand, it is not easy to determine whether people reject a certain belief out of enmity and animosity, or whether they acquire another one without truly believing in it. People may be deprived of their dignity only in the case of objective proof of their rebelliousness or conflict with their own wisdom and consequently, their own beliefs, not the beliefs of others, and this cannot be established without voluntary confession or knowledge of their inner consciousness. Therefore, no one can be considered either receptive to goodness or rebellious toward it, because there is no way of ascertaining that they really believe in the goodness of their beliefs and are acting based on their convictions, or they are rebellious toward goodness. As the famous rule in jurisprudence states: "When doubt arises, the argument becomes invalid" (9).

Taking into account the above discussions, the topics that are the most controversial among researchers with different points of view will be discussed in the following section.

#### *Dignity of the Human Species or Individuals*

Most interpreters believe that the essence of dignity is reflected in the verse "We have certainly honored the children of Adam and carried them on the land

and sea"<sup>1</sup>, but they think it refers to dignity for humankind, not its direct implications for each individual (10 - 13). Accepting that human dignity in this verse points to the essence of human nature and does not have a direct implication for each person creates a fundamental jurisprudential principle, that is, "the authenticity of human dignity". Based on this principle, each and every person is considered an example of dignity in practice, and conclusive evidence is needed to prove that an individual has stepped outside the realm of dignity. However, as mentioned before, in normal circumstances, such evidence is not accessible.

#### *Definition of Disbelief and Different Thinking*

The word "kofr" (disbelief) means "to cover" (14). Based on this, a "kafir" (disbeliever) is someone who covers up the truth and denies it. This characteristic can be attributed to individuals who are firstly, presented with the truth, and secondly, oppose it while they know it is the truth.

This should not be confused with "dissidence", which can arise from differences in perspectives and interpretations. However, presentation of truth is not merely conveying a message, as Prophet Noah (AS) said of his people, "Indeed whenever I

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<sup>1</sup> *The Holy Quran, Surah Al-Isra, verses 70*

have summoned them, so that you might forgive them, they would put their fingers into their ears and draw their cloaks over their heads, and they were persistent [in their unfaithfulness] and disdainful in [their] arrogance”<sup>2</sup>. The children of Israel killed prophets one after another and sometimes killed several prophets in one day, while other prophets came to them (15). Therefore, it cannot be said that the argument is whole by merely hearing a message from a distance.

Intellectual opposition or even open rejection is not necessarily disbelief or willful ignorance. Imam Sadiq (AS) did not expel Abdul Karim ibn Abi Al-Awja and Ruzbih Dadviyah/Abdullah Maqfah despite their apparent disbelief, and engaged in discussions with them near the Holy Mosque (16); seeing as the Quran had prohibited polytheists from approaching the sacred mosque<sup>3</sup>, this shows that Imam Sadiq considered their doubt to be a lack of belief, not opposing the belief. Therefore, the title "kafir" cannot be used to label a "dissident", except in cases where there is evidence of covering up the truth and opposing righteousness.

Sheikh Muhammad Hussein Baha'i and Mr. Mohammad Ali Kermanshahi even state that someone who reaches a belief other than Islam

through research on religions and sects is considered for reward in the eyes of God (17).

### *The Jurisprudential Status of Disbelievers and Dissidents*

In jurisprudence, there has been little focus on proving and enumerating the rights of disbelievers/Dissidents, to the extent that the well-known misconceptions regarding the value of their life and death has emerged (18). It is clear, however, that disbelief does not render everything worthless, as the Prophet himself praised Hatem Ta'i, who established a virtue among the Arabs, and said that due to his generosity, he will be spared the fire of hell (19). It should be noted that Amir al-Mu'minin Imam Ali (AS) also praised the poetry of Imru' al-Qays Jundhi, but stated that it was proof of his misguidance<sup>4</sup> and indicated his moral impurity (20). We will go on to discuss the rights of disbelievers below.

#### *1. Right to Preservation of Life*

In the Quran we read that the angels consider one of the reasons for the wrongdoings of humans to be their (inclination for) bloodshed<sup>5</sup>. Since this issue is absolute and predates the emergence and inclination toward religions, it indicates the inherent foulness of the act of killing. A second

<sup>2</sup> The Holy Quran, Surah Nuh, verses 7 - 9

<sup>3</sup> The Holy Quran, surah Tube, verse 28

<sup>4</sup> Nahj al-Balagha, Hikmat 445

<sup>5</sup> The Holy Quran, Surah Baqarah, verse 30

reason for angels' condemnation of humans is corruption. In another verse, the Quran considers instances of corruption on earth to include cutting off lineage and progeny<sup>6</sup>. Based on this, in Sunni jurisprudence, especially among the Malikis, the preservation of life and progeny is considered a "delegated expediency" alongside religion (21).

The verse "... nor take life - which Allah has forbidden - except for a just cause"<sup>7</sup> expresses the universal sanctity and dignity of life because the phrase "which Allah has forbidden" is a statement and emphasis, not a specification or restriction. The specification and restriction of the verse are contained in the phrase "except for a just cause", which indicates that human life must not be taken away and should be respected.

The Torah also prohibits killing without mention of any religious conditions in the Ten Commandments<sup>8</sup>. The Holy Quran also states: "Therefore, we ordained for the children of Israel that whoever kills a soul, without [their having committed] murder or corruption on earth, it is as if he had killed all of mankind. And whoever saves a life, it is as if he had saved all of mankind"<sup>9</sup>. These statements are also unconditional, and

extending one killing to all of mankind indicates that with respect to human dignity, quantity is not taken into account and dignity is a matter of quality.

Verses such as "Perish the people of the ditch! The fire abounding in fuel, above which they sat as they were themselves witnesses to what they did to the faithful"<sup>1</sup> also indicate the abhorrence of killing those who have different beliefs. Thus, one cannot consider the killing of Christians by Jews, for example, due to their conversion to Christianity as a wrongdoing, and then engage in similar actions against other nonbelievers and dissidents.

## *2. The Right of Covenant*

The right of covenant and the necessity of adhering to it, which happened under Prophet Mohammad's supervision, is another reason why the dignity of disbelievers cannot be denied. On this basis, it is also not permissible to lie to disbelievers.

## *3. The Right to Security*

Providing refuge to disbelievers and bringing them to their sanctuary, even after they have heard the word of God and rejected it, is another right of disbelievers: "and if one of the polytheists seeks your protection, grant it to him so that he may hear

<sup>6</sup> *The Holy Quran, Surah Baqarah, verse 205*

<sup>7</sup> *The Holy Quran, Surah Asra, verse 33*

<sup>8</sup> *Torah, Exodus, Chapter 20, Verses 1 - 18.*

<sup>9</sup> *The Holy Quran, Surah Ma'edah, verse 32*

<sup>1</sup> *The Holy Quran, Surah Buruj, verses 4 - 7*

the word of God; then bring him to his place of safety"<sup>1</sup>. This sort of sheltering was common among the companions of Prophet Mohammad.

#### 4. *The Right to Hospitality*

This right is emphasized by the Prophet's statement: "Honor your guest, even if he is a disbeliever" (22).

#### 5. *The Right of Possession*

It is not permissible to belittle or disregard the possessions of any human being: "Do not deprive people of their belongings and do not cause corruption on earth"<sup>1</sup>.<sup>2</sup>

#### 6. *The Right to Maintain one's Reputation*

It is clear that accusing disbelievers of corruption will go beyond injustice and oppression. Just as the Quran does not consider disbelievers to be corrupt on account of their disbelief<sup>1</sup>.

#### 7. *The Right to Honor*

Another right of the disbelievers is their honor; therefore, forced sexual relations with them are prohibited and punishable.

#### 8. *The Right to Cooperation*

Assisting and cooperating with disbelievers is permissible and even commendable: "Allah does not forbid you from kindness and justice toward

those [polytheists] who did not make war against you on account of religion and did not expel you from your homes. Indeed, Allah loves the just"<sup>1</sup>. This verse shows that it is acceptable to assist disbelievers and even supports fair cooperation with them, unlike the opening verses of this surah that forbid friendship with the polytheists who expelled Muslims from their land and went to war with them<sup>1</sup>. It can be concluded<sup>5</sup> that war and expulsion can be the criteria for prohibition of cooperation, and disbelief cannot justify lack of kindness and cooperation.

In the Quran, we read of the harsh command: "And kill them wherever you confront them, and expel them from where they expelled you, for persecution is graver than killing"<sup>1</sup>. Here there is no mention of the sin of idolatry, but the same two acts of killing and expulsion are emphasized, as in the verses of Surah Momtaheneh above.

After the conquest of Mecca, the Prophet did not kill the idolaters but rather broke their idols in the public sphere, and did not search for idols in people's homes(23).

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<sup>1</sup> the holy quran, surah towba, verse 6

<sup>1</sup> The Holy Quran, Surah Houd, verse 85

<sup>1</sup> The Holy Quran, Surah Hadid, verse 16

<sup>1</sup> The Holy Quran, surah Momtaheneh, verse 8

<sup>1</sup> The Holy Quran, surah Momtaheneh, verses 1-2

<sup>1</sup> The Holy Quran, surah Baqarah, verse 191

### *9. The Right to Citizenship*

In his letter to Malik, Imam Ali writes that the people of Egypt deserve compassionate governance, even though they may not have the same religion. He states, "They are of two types: either your brothers in religion, or the same as you in creation"<sup>1</sup>. In this letter, Imam<sup>7</sup> Ali uses "equality in creation" as clear evidence for their entitlement to rights, independent of references to the Prophet or the Quran.

There are similar instances in recent times as well, for instance Ayatollah "Hussein-Ali Montazeri" issued a fatwa on citizenship rights regardless of religion (24). Furthermore, all the rights and considerations mentioned in the Quran for "humans" (Naas) are general and also apply to disbelievers.

#### *Apostasy or converting*

The difference between apostasy/converting and disbelief is that in the former there is a background of having Islam as one's religion and then abandoning it, which adds social sensitivity and weakens the assumption of lack of knowledge about Islam. Islamic jurists have had harsher positions on this and mostly advocate severe punishments, including execution upon arrest (25).

Of course, no case of execution of people due to apostasy has been recorded at the onset of Islam, and it seems that these rulings were meant to have a deterrent effect.

It should be noted that in the course of history, opposition and even deep enmities have occurred among Muslims, but the animosity has not led to denial of rights by the leaders. For instance, in the face of all the insults and verbal attacks from the Kharijites, Imam Ali did not retaliate and even after his fatal injury, he referred to them as "those who intended the truth but slipped"<sup>1</sup>, whom he forgave according to the "Hadith of Pardon" (26). He spoke of the Umayyads, however, as "those who sought after falsehood and found it"<sup>1</sup>, which implies that Imam Ali considered them as instances of denial, unlike the Kharijites. His position in terms of social action was not excommunication, but rather a lenient approach, and he called them "our brothers who have oppressed us" (27).

#### *Feigned Disbelief, Concealment and Taqiyya*

In Islam, in order to protect one's life, and in certain cases to preserve honor and property, one can feign disbelief: "... whoever disbelieves in Allah after having believed, except for one who is forced while his heart is secure in faith..."<sup>2</sup>. This verse refers to

<sup>1</sup> Nahj al-Balagha, letter 53 <sup>7</sup>

<sup>1</sup> Sermon 61 of Nahj al-Balagha <sup>8</sup>

<sup>1</sup> Sermon 61 of Nahj al-Balagha <sup>9</sup>

<sup>2</sup> The Holy Quran, Surah Al-Nahl, verses 106



the disbelief declared by "Ammar" in order to escape death at the hands of the polytheists who killed his parents "Yasir" and "Sumayyah" (28). Although this kind of disbelief is feigned, it can also have legal consequences, and all the effects, consequences and evidentiary aspects of disbelief and apostasy will apply to the general public and external observers. Therefore, if the punishment for apostasy is death, such a person may escape the grasp of nonbelievers only to be killed by believers as a result of the distorted jurisprudence and misinterpretation of Islamic sources.

#### *Dual Behavior and Legitimate Defense*

Some Muslim theologians attribute the verses and rules on tolerance and acceptance of infidels to times when Islam was less powerful, and the harsh rules and punishment of disbelief to periods of Islamic power, arguing that these rulings were born out of inevitable sovereign conditions. Such perceptions may have certain adverse outcomes:

Firstly, the ugliness of this dual approach will turn Islam from a true spiritual religion to an immoral, power-oriented scheme, until it sinks to the level of Machiavellianism.

Secondly, such views encourage Muslims to declare war on other religions and the world, and

will in turn provide an excuse for followers of other religions as well as non-believers to kill Muslims.

Thirdly, this approach will close the door on promoting Islam, because people will consider Islam a potential danger and view its promotion as war and crime, as some Muslim theologians have issued fatwas regarding the promotion of Christianity and Judaism (29).

#### *Minority Rights*

Often and naturally, the discussion on dignity moves from apostasy and disbelief toward other religions and schools of thought, as religious leaders consider themselves to be in the truth and others in falsehood. This results in deprivation of dignity or restrictions on the rights of minority groups in societies. It is quite a challenge to implement the teachings of the Quran regarding non-superiority over each other<sup>2</sup> in the society, because power and governance are in the hands of the majority. Therefore, decisions about how to treat minorities are made by the majority. As a result, members of the majority who support minorities often find themselves in a double minority position because they are usually fewer than the minority itself, and the minority will still see them as outsiders regardless of their support.

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<sup>2</sup> *The Holy Quran, surah Baqarah, verse 113*

Sheikh Mahmoud Shaltout, an example of such a seeker of rights, said, "My fatwa permitting the Ja'fari school of thought has discouraged the Sunnis from me, and Shiites did not appreciate me for it either" (30). It should be noted that the reason why Sheikh Shaltut was blamed by his contemporaries was that based on the dominant culture at the time, the general Sunni Muslim community did not recognize Shiites as Muslims, and Sheikh Shaltut's declaration of the Shia religion as an Islamic school of thought was looked down upon by the common people. Therefore, Sheikh Shaltut lost his position in the public eye, but this valuable ruling of his was the foundation for the approximation of Islamic religions. This path was continued by various Muslim scholars including Abd al-Husayn Sharaf al-Din and Al-Shaykh Salim al-Bishri al-Maliki, and today, except for the extremist minorities, the rest of the Muslims live together in friendship and brotherhood.

### ***Conclusion***

Human dignity is an internal quality and its existence can have different manifestations. Since there is no objective criterion to determine a person's dignity, every human being is presumed to have dignity unless evidence to the contrary is

found. According to the explanations given in this study, it is very difficult, if not impossible, to find such evidence, so it is not feasible to deprive a human being of their dignity. In this case, the definition of disbelievers and apostates as well as their jurisprudential position will be changed and the rights of minorities will experience a dramatic upheaval. Our findings in the field of human dignity revealed a hidden rule that explains truly moral behaviors. We called it the rule of "ethical symmetry", which will be briefly explained in theory and principle below.

The continuity of the universe can make respect for others an extension of self-respect. Fundamental rights will be affected by this perspective, especially in diverse societies where different religions and sects with conflicting jurisprudential views coexist with each other, especially when practical or theoretical challenges arise between minorities and majorities. This perspective can provide a legal solution to the problem of inequality and inequity, helping to establish a system of symmetrical ethics in asymmetrical societies. It even offers a theoretical priority over the "golden rule" of ethics, because the rule of "ethical symmetry" of the world is in practice the foundation and requirement for implementing the

principle of sympathy for oneself and others. In other words, ethical symmetry is the reason behind the golden rule of ethics and can even be seen behind Rawls' theory of justice. Rawls introduces his theory of justice as a thought experiment where individuals come together to determine the principles of justice. In this scenario, they operate under a veil of ignorance, meaning they are unaware of their own social status, wealth, abilities or personal characteristics. This ensures that the chosen principles are fair and impartial, as no one can tailor them to benefit their specific circumstances, and it also represents an unconscious effort based on the intellectual foundations of the "theory of ethical symmetry" in the world.

Human dignity is a universal concept that applies to all humans and should be defined and assigned based on reasonable beliefs shared by all

individuals and stakeholders. By denying others their dignity, you are also allowing others to think about denying you your dignity. The universe is not fragmented in such a way as to accommodate conflicting rights; the system of global ethics is symmetrical, and every creature's rights are balanced in it. Indeed, the universe is continuous and justice is one and the same for all, and anything other than this is unjust.

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