

# Human dignity case study

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Human dignity is a major factor as execution by the state contradicts the universally recognized fundamental rights as outlined by the United Nations. In relation to this issue, it is vital to examine Justice and enmeshment, as well as the use of force to achieve these, and its compatibility with human dignity. There is a need to take into account whether a criminal forfeits his or her claim to human dignity or do they retain it and if dignity is inherent, what is the most suitable means of Justice?

In this case, there is a need to factor in how to protect dignity and the type of punishment. This paper will discuss two perspectives in relation to Justice and punishment.

The first perspective being those who believe a criminal loses his or her human dignity by performing an inhumane act, an action not worthy of a human being, and inconsequently should be sentenced to death, the same way an animal would be if it Nerve deemed a threat to the rest of society.

On the other side of the spectrum, the second perspective argues that a criminal can never lose his or her human dignity, and in saying so, should never have to face the death penalty. After an in-depth analysis of both perspectives, the paper will conclude with a discussion of the importance of multidimensionality as part of being human with respect to capital punishment. Rhea notion that an individual loses his or her human dignity by committing an inhumane act should be sentenced to death will be discussed in Roominess's chapter, " Sins Against Justice" (2002).

This perspective will be examined by taking a closer look at the applicable concepts of human dignity, the social attitudes, norms, or cases that may

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have influenced this perspective and author, and how this particular perspective may influence individuals' actions and morals.

In Roominess's work, he explains that Thomas Aquinas implies that killing a human being might be allowed in certain cases but never states that the act of killing is always wrong.

He carries on that both the innocent and sinners should not be killed, only under the circumstances that the common good demands it. The author questions when it is permissible to kill a human being for the common good, when the violator is a danger to others in society or because the violator has lost his or her human dignity by living in oblivion, labeled as an 'animal'. Aquinas' concept of justice and punishment is described as restorative justice by Ormerier.

To conclude, this concept of human dignity highly reflects that of quadrant B, human dignity can be attained through moral behavior and lost through immoral behavior edged by others.

In saying so, those that lose their human dignity are considered no North as a participant in society (SAC, Bibb). It is important to examine the factors and influences contributing to the author's understanding of human dignity. Thomas Aquinas was an Italian Dominican priest in the thirteenth century hence why the article entails several religious references such as sinning, God and biblical quotes.

Normally, religious individuals are more likely to oppose the notion of the death penalty, as killing is highly ill advised by their divine being, however it

is unexpected in this case. It is also important to take into account that in the thirteenth century, Aquinas supported the death of all heretics, non-orthodox individuals (McMullen, 2009). Of course this isn't a significant issue in the present century however Aquinas has definitely made his mark and Professor Ornerier is a prime example, as he appears to be influenced by this historical figure's ideas.

For those individuals that believe the death penalty is an appropriate punishment for murderers, they are likely to base their argument on the grounds that this system can protect the rest of society's dignity hence for the greater good. Chief Justice Robert is a certain individual in which his opinion reflects that of quadrant B as he emphasizes how well the legal system, in effect, is in respecting the dignity of everyone in the state (Knowles, 2010). For all cases whereby an individual's basic human right to live has been removed, it is right to put the murderer to death because it is vital to aim for restorative Justice.

Even though individuals holding this perspective seek the death penalty under these circumstances, they would never support this penalty as a punishment for Justice since no other individual's dignity is moved on a large scale. Certain people might argue that a human being will always have their dignity and should never have to face the fear of losing that dignity especially in the case of death penalties. There are many points of reasoning behind this idea which will be made in respect to the article, " Human Dignity, Capital Punishment, and an African Moral Theory: Toward a New Philosophy of Human Rights" (Meet, 2010).

Perspective two will take a closer look at the applicable concepts of human dignity, the social attitudes, norms, or cases that may have influenced this perspective and author, and owe this particular perspective may influence individuals' actions and morals. In Meet's (2010) article, the author demonstrates three conceptions of human dignity based on an African moral perspective, focusing on the human right not to be sentenced to death by the state. Meet argues that it is degrading to execute human beings period because it erases our entitlement to freedom of speech, right to a fair trial, choice of employment and other liberties.

In conjunction, for those that believe in God, it is degrading because their life has a spiritual value bestowed by a higher power. Meet also speaks about how humans have the capacity to form harmonious relationships with one another and how execution by the state should exclude cases of self-defense.

Meet's concept of human dignity definitely reflects the approach of quadrant IA (SAC, AAA) which explains, humans have intrinsic worth simply because they are a member of the human species and from a religious point of view.

In order to Meet's perspective on human dignity, it is important to examine the social attitudes, norms or circumstances that may possibly have influenced his work. It is clear that the author's perspective on human dignity is culturally driven by African moral theory. The reason behind this is that he resides in the sub-Saharan as a professor at the University of Johannesburg (2011). It is important to consider that Meet is a Caucasian male whom was formally residing in the United States.

Therefore, he would understand both Western and African principles regarding punishment and human dignity, leaving little room for the possibility of bias. The argument significantly revolves around the notion that the killing of any human being is disrespecting God. In saying so, whoever attacks a human life will, in essence, be attacking God himself (Pope John Paul II, 1995). Therefore religious views, whether from the author's or African religious beliefs, or a combination of both, plays a big role in influencing and shaping the concept of human dignity.

Individuals or communities holding this particular perspective, often with a religious background, are more likely to believe that a higher being will punish the murderer because God cannot leave crimes unpunished (Pope John Paul II, 1995). Using the Pope's example, Cain, the murderer, was convicted to live in the wilderness and seers, facing loneliness and uncertainty for the rest of his life.

This is God's punishment and what is deemed accordingly for his crime. Those holding this perspective would definitely deny the death sentence and rather opt for a hefty number of years in jail, symbolizing the desert and allowing time for correction.

This is deemed more favorable by God because as the Pope said, even murderers do not lose their dignity. In addition, those that hold this perspective conceive that capital punishment as unequal treatment because it disregards the notion that everyone is of equal value and several articles as listed in the Universal Declaration of Human Rights. Consequently, if we disregard all of the other perspectives and focus only on the arguments of

the first perspective, a murderer loses his or her dignity by taking a human life and shall face the death penalty, we are threatening all aspects of human in quadrants IA, B and AAA.

This is because for every situation, it can be thought of in four different ways.

In this case, IA describes the dignity that humans already have simply because we are human, is not considered because a murderer's life has 'value' just as anybody else's life does. By putting he or she to death, it is the same concept as the murderer taking the life of the victim. In quadrant B, dignity that humans already have because they are special, including the capacity to reason and freedom. However those possessions are removed from the murderer, in particular, freedom.

As for quadrant AAA, dignity is what humans gain or lose through a sense of self-worth, the murderer is likely to have no sense of self-worth as they face the death penalty. Human dignity and the human person is multidimensional, that is, in one way or another, will involve different perspectives in every scenario of a very ample nature.

By thinking in only one perspective, we only have one understanding of human dignity and not being able to understand the full potential of being human. Therefore it is important to consider scenarios from the stance of different preceptors. To conclude, justice and punishment is clearly an extremely debatable topic as evident in all evaluated sources. Groups of individuals will continue to argue that the death penalty is morally wrong as one's dignity is jeopardized or it is correct in maintaining restorative justice to protect the rest of society, all for the greater good. To gain a better

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understanding of different perspectives, it is prime to consider what quadrant of human dignity it reflects, influential factors and appropriate behaviors.