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# A Win-win Approach in Human Rights Advocacy? Lessons Learned from the Book Titled “Human Dignity and Law. Studies on the Dignity of Human Life”

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*The universal respect for human rights should be the tie that binds, not the tie that divides our societies. In recent years, we have experienced the monopolization of interpretation in several legal questions. The authors recognized that there is a need for competition in the ‘marketplace of ideas’ in order to respect our diversities and preserve alternative and valid legal interpretations in different cases. The book human dignity and law leads us to believe that based on our human dignity, we should rebuild a culture of respect for those who think and live differently. Its authors’ contribution is vastly important in order for us to understand how we can build a better understanding going forward.*

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**Key words:** human dignity, human rights, legal interpretation, Roman law, EU law, constitution, diversity

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The universal respect for human rights should be the tie that binds, not the tie that divides our societies. In recent years, we have experienced the monopolization of interpretation in several legal questions, although we consider diversity and freedom of opinion as our fundamentals, a common heritage of humankind. The unilateral

interpretative tendencies lead to the weaponization of human rights in various social and political situations instead of protecting individuals on legal grounds – as they should do. One-size-fits-all legal interpretation minimizes the need and space for open discussions and exchange of views and, therefore, fastens the polarization process

in societies. As a result, questions related to human dignity, fundamental rights, and values are becoming wedges among us; however, they should be the essential ties for social cohesion. The Authors recognized that unilateral interpretation in human rights advocacy is a zero-sum game, where no win-win could be achieved. There is a need for competition in the ‘marketplace of ideas’ in order to respect our diversities and preserve alternative and valid legal interpretations in different cases. This book serves as a set of ideas on the various aspects of human dignity. The Authors’ valuable contribution shows that we need new, renewed, alternative ways to approach social conflicts to prevent

dition). The core principle is ‘*Hominum causa (omne) ius constitutum est*’, which is ‘(Every) law has been created for the sake of men (humankind).’ The maxim implies that the law is a tool (rather than an end) and should aspire to improve the lives of persons – rather than to achieve doctrinal purity or to perfect abstract principles. This is the basis for the fundamentals of the human dimensions of law.

The *persona* was considered the unit of the society, who could engage in contractual relationships with other society members and within the family. The concept of a person has developed over time – especially in the light of the *homo* (which term covered



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driving society to disintegration. Hyper-judicialization of human rights and applying only one solution for all cases only lead to injustice. Therefore, based on our human dignity, we should rebuild a culture of respect for those who think and live differently. In this process, retrieving and rediscovering the concept and content of human dignity is crucial. The Authors show us the ‘know-how’.

The first lesson is that going back to the roots is helpful when we try to understand the present and prepare for the future. *Franciszek Longchamps de Bériet* returns to Roman law and the Justinian concept of *persona* as the bearer of rights and anthropology for law in the book’s very first chapter. Roman law evolved over centuries; it became highly developed and dogmatically rich. One fundamental concept that Roman law has introduced is the *persona* which is the center of our culture (and not just the legal tra-

persons and things (*res*) too) and the development of the *homo* definition – and in Christian times, human dignity became the core of the way of thinking about the *persona*. The *hominum causa* precept has always been taken as inspiring and full of promise and became the basis for the continental way of thinking about persons as human beings and dignity, which is an undividable aspect of human nature. This leads us to Ulpian’s – one of the five greatest Roman jurists – an innovative approach. Ulpian connected *ius* (law) with *iustitia* (justice) in order to connect law with human beings forever. From that point, *ius* and *iustitia* together became a point of reference, declaring that humans are the center of culture and not just the center of legal traditions. The *persona* existed before the law, and the law serves the *persona* as existing – which means that the person creates the law, and not the law creates the person; therefore, the person shall always be in the

center. This concept was more or less the base for the European approach towards persons – although the twentieth-century events and the legal positivist perspective to justify the discriminative laws had challenged that. The Author names Marxism as a factor that has invoked philosophy rather than used it and undertook its own anthropological reflection relatively late as a result of intellectual and academic confrontation with Thomism (which is a philosophical and theological school that arose as a legacy of the work and thought of Thomas Aquinas (1225–1274)). Thomas Aquinas’s view does not link human beings’ existence with cogni-

tive truth, human freedom, etc.). Marxism defined work as a way of liberation, leading to the unfortunate creation of the so-called “Málenkij Robot” (Forced Labor in the Soviet Union labeled as ‘little work’). It has nothing to do with human dignity or the person as the center of laws; the laws served an absurd, atheist, and totalitarian system and were tools to oppress those who disagreed. The Author sees the conflict between Thomism and Marxism as the confrontation of the understanding of the man. Law and justice should be the base for an understanding of man (humankind) and should therefore provide a universal tool to serve



**Recently, the biotechnologies and the artificialization of the human, biocentric egalitarianism, and technological convergence along with the production of humanoids – are all challenging and imposing threats to human dignity. These new threats place human dignity on the agenda today. Human dignity is not just an ethical principle and a legal category. Still, it is a term determining all political and social relations as it is naturally linked to human existence.**

tion; the most important dimension of a human being is existence. Marx and Engels draw a new theory of alienation to deduce their concept of human nature, which considered man to be a socio-historical being who, in cooperation with people, creates himself and, in everyday life, is guided by basic life needs. In their understanding, it is a man who creates his world and draws his own responsibilities either for himself or by the community the person belongs to. This leads to alienation, which has always been a significant element of Marxist ideology. Since the man of the present cannot be happy, they must always seek liberation from various dependencies (God and religion, objec-

the realization of human values. This might be a good starting point for further discussions about human dignity, especially when our common grounds and mutual understanding are often questioned.

Human dignity faces erosion as it is challenged by those contemporary threats about which *Maria do Céu Patrão Neves* writes in her chapter. The second lesson of the book is probably that although we consider our diversity a value, we tend not to respect it when it comes to concepts and their meanings. Dignity, human rights, and terms do not always invoke the same meaning. In contemporary discourse, the definitions sometimes cover very different or contradictory content. *Maria*

*do Céu Patrão Neves* presents the etymological and historical conceptualization of human dignity in the light of its ethical, legal, social, anthropological, and ontological dimensions. There are permanent threats to human dignity and contemporary threats which arise from time to time. Recently, the biotechnologies and the artificialization of the human, biocentric egalitarianism, and technological convergence along with

Human Rights, Charter of Fundamental Rights, etc.). However, its universal respect is under threat every time – especially because the universality of legal protection and the diversity of individual features seemingly collide many times. However, diversity is a fundamental feature of human beings; therefore, human dignity and respect may include different societal treatment. Although, this does not mean that the



**The main threat to human dignity is not our diversity but the new technologies that created a new possible dimension for life and human existence. A new capacity emerged by which humans can change and modify themselves partially or wholly. In addition, it became possible to create human life outside the human body, revive a body, suspend the death process, replace parts of a body with artificial parts (biological or mechanical), etc.**

the production of humanoids – are all challenging and imposing threats to human dignity. These new threats place human dignity on the agenda today. Human dignity is not just an ethical principle and a legal category. Still, it is a term determining all political and social relations as it is naturally linked to human existence. The term – introduced to legal thinking by Cicero – means to deserve honor, to be worthy. Although the concept used to cover a prominent social or political position, by today, human dignity is linked to all human beings regardless of their social status unconditionally, absolutely, inalienably, and genuinely.

Human dignity<sup>1</sup> is the core of every international legal document (e.g., the Universal Declaration of

level of legal protection should differ based on individual features. Since all human beings are equal, the protection given by law shall be universal. The Author of this chapter raises attention to the fact that human dignity is often invoked to justify certain decisions (e.g., to ban euthanasia) or to demand certain interests. That is why it is important to specify a crucial set of rules that determine human dignity in the first and second generations of human rights – according to the Author.

Regarding the first generation of rights, non-discrimination is the core principle according to the Author. In contrast, for second-generation rights, the promotion of

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Constitutional Identity and minority”, *Minority and identity in constitutional justice: case studies from Central and Eastern Europe* (edited by: Norbert Tribl), International and Regional Studies Institute, Szeged, 2021.

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1 M. Sulyok, “Nation, Community, Minority, Identity - Reflective Remarks on National Constitutional Courts Protecting

social, economic, and cultural development is the key. In recent years, the erosion of dignity is tangible due to the intensification of migratory movements and the changes in their triggering reasons (such as war, climate change, etc.) – among other circumstances. This leads to the marginalization of people and the polarization of societies based on the altering interpretative views on certain rights and dignity. The main threat to human dignity is not our diversity but the new technologies that created a new possible dimension for life and human existence.<sup>2</sup> A new capacity emerged by which humans can change and modify themselves partially or wholly. In addition, it became possible to create human life outside the human body, revive a body, suspend the death process, replace parts of a body with artificial parts (biological or mechanical), etc. These – at least on a social and legal level – challenge human dignity and open the debate over formerly considered to be obvious – often biological – facts. In addition, the artificial interventions to human existence raise religious concerns for many, which raises a new threat to human dignity in the dimension of different religious views. Another aspect is the legal consideration of humanoid robots in different legal systems. The Author highlights a case where ‘Sophia’<sup>3</sup> – a humanoid – was provided Saudi citizenship, by which the state declared that that certain robot is equal to other citizens – presumably human beings.

Moreover, in 2017 Sophia became Ambassador for the United Nations Development Programmes and raised great attention with her speeches. The appointment to represent a country as an ambassador forces the international community to accept the human nature of the humanoid robot, regardless of whether

other states would consider the robot as a *persona* or a ‘*res*’ (thing). The Author closes with two important questions: who we are and who we intend to be as individuals in the community. Concludes as follows: “Human dignity is not a consequence of a previous reality, nor a reward that can be displayed; it is an essential and structuring feature of our unique and universal identity, inherent in being human, which is exercised as a responsibility in the development of oneself and society.” Giving this up means losing ourselves – as humans.

The content of human dignity may vary based on what the current social and legal environment accepts as persons. Formerly, it was obvious that human dignity could only be linked to human beings; however, by enabling robots to represent sovereign countries before international organizations and extending the dimensions of formerly natural human life, the layers of dignity and legal protection are questioned. Suppose we accept that the law serves humans, and not the humans serve the law. In that case, we should be able to interpret these fundaments in light of the changing circumstances – e.g., emerging technological revolutions.

The third chapter is an outlook on the dignity of Native Americans and Africans enslaved in the Spanish Crown from a moralist point of view by *Guillermo F. Arquero Caballero*. The Author presents the views of the theologians and clergymen who dealt with the moral issues in the 16–18 centuries. The Author introduces the readers to the right of native Americans to property and land and the dignity of the enslaved people. Christianity changed the vision of the enslaved – since the enslaved humans were also considered to be the sons of God who deserved respect. The Author concludes that although the moralists accepted the institution of slavery according to the traditions and values of that time, they (the moralists) tried to defend the human dignity of these non-European minorities on moral and religious grounds. Moralists agreed on the essential ideas of protecting enslaved humans (for example, that these people have the right to property, their land, and resources, there is no ethnic base for slavery, etc.). However, they debated the intellectual maturity of the enslaved and the moral responsibility of those who purchased these enslaved people.

- 2 N. Tribl, “Predestined future or persistent responsibility? Constitutional identity and the PSPP decision in the light of the Hungarian Constitutional Court’s most recent practice”, *Minority and identity in constitutional justice: case studies from Central and Eastern Europe* (edited by: Norbert Tribl), International and Regional Studies Institute, Szeged, 2021.
- 3 Jack, Kelly, Sophia—The Humanoid Robot—Will Be Rolled Out This Year Potentially Replacing Workers, Forbes online, 2002, <https://www.forbes.com/sites/jackkelly/2021/01/26/sophia-the-humanoid-robot-will-be-rolled-out-this-year-potentially-replacing-workers/?sh=1d1236906df2> (access: 30.08.2022).

Understanding the different humanitarian and fundamental legal aspects of slavery, the next lesson arises from the dehumanization of work. The chapter titled “Dignified work and dehumanization of work. Some reflections on the prehistory of labor law” by *José María Puyol Montero*, provides valuable insight into the process of dehumanization of work. *Montero* states that since the Industrial Revolution, the evaluation of labor has undoubtedly changed. This is indeed a fascinating idea because while mechanization decreased the price of and the need for them, it also created laws protecting workers from exploitation and inhumane working conditions.<sup>4</sup>

This chapter starts by providing context for how the fabric of society shifted during the 18<sup>th</sup> century and why it ultimately led to changes that are felt until this day.

After this introduction, the attempts to define “work”. This definition is layered and mindful of the time period in which it was first created. It contains the balance of genders when it comes to work, the effect of religion on how we view labor, the personal aspects of the worker, and its implications for society – as a whole. When discussing labor and its context within economics, it is also vital to mention that work was seen as something unbecoming of nobility for a long time. This underlines the fact that the dehumanization of workers is something that has been around for a long time.

The chapter accurately showcases the author’s thought process, which is about how the right to work is tied into the conversation revolving around negative views of labor. It is worth asking ourselves: how



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The birth of capitalism resulted in people migrating to live in cities, as opposed to continuing their rural lifestyle. This, of course, had its advantages and disadvantages, as it was the perfect opportunity to trap many workers in unfavorable situations, suffering through unacceptable conditions.

4 G. Blicharz, “Humans as a Service: Ethics in the Sharing Economy and the Ancient Model”, in: *Human Dignity and Law. Studies on the Dignity of Human Life*, J.M. Puyol Montero (eds), Tirant lo Blanch 2021, 144–145.

could something seen as undesirable become a sign of dignity in society? Of course, the right to work<sup>5</sup> encompasses the right to a dignified salary. Nowadays, work is a fundamental right that helps people realize their potential. One aspect of this was not particularly touched upon as a continuation of this thought process. Still, feminists often see work as a way of liberation for

5 Section 27B of the Human Rights Act 2004 says that: Everyone has the right to work, including the right to choose their occupation or profession freely.



women.<sup>6</sup> In our modern society, particularly in Western countries, having a career is equally important as raising a family. With steps being taken to ensure that women become leaders, the wage gap<sup>7</sup> disappears, and both genders have equal socioeconomic opportunities,<sup>8</sup> we can safely say that work has become much

workers' dignity is a cornerstone of every fundamental right we have today. Industry and contracting are also mentioned as steps that have led to recognizing the importance of labor.

Furthermore, social welfare associations are mentioned in the text as having a long history of protecting



**The dignity of humans and work may be subject to threat due to improper legal categorization – or the new challenges of the technological revolution. Global corporations – such as the Big Five – have created a new kind of work-life relationship where trust has a significant role. However, algorithms and Artificial Intelligence measure everything in the digital environment. Trust is also measured this way by collecting and mining the user's personal data. How could human dignity be kept in a life where everything is online, shared, and visible?**

more integral to the self-image of members of society than we have thought. The third part of this chapter is the one that delves into individual aspects of the right to work. Freedom is a facet of how much autonomy one can have in society. This concept ties into dignity, thus developing social rights. To put it simply,

the working class. They are integral to the development of dignity when it comes to working. The fourth section of this chapter is titled "Human dignity at work" and ties everything that came before into the present. The concept of dignity is explained in great detail, showing the reader how integral this is when discussing human rights. The fifth section picks up the birth of social rights,<sup>9</sup> mentioning Christianity, political changes, and the change in the role of the state as factors that all led to an intervention and the granting of rights to workers. A huge step toward this was the Declara-

6 R. E. Howard-Hassmann, "Universal Women's Rights Since 1970: The Centrality of Autonomy and Agency", *Journal of Human Rights* 10:4, 2011, 433–449.

7 R. H. Oostendorp, "Globalization and the gender wage gap", *World Bank Policy Research Working Paper* 3256, April 2004.

8 F. Blau - L. Kahn, "Understanding International Differences in the Gender Pay Gap", *NBER Working Paper* No. 8200, 2001.

9 W. Rosen, "The Most Powerful Idea in the World: A Story of Steam, Industry and Invention", University of Chicago Press, 2012, 149.

tion of the Rights of Man and the Citizen in 1789. As civil law was increasingly unable to provide adequate protection to workers, a need emerged for a separate branch of law dealing with these issues. This is how labor law was created,<sup>10</sup> with administrative policies aiming to protect the most vulnerable population and male adult workers. The chapter concludes that while we have made progress, we still have a long way to go when properly valuing labor.

Grzegorz J. Blicharz continues the dignity-labor law evaluation by his views about humans as a service in the light of the sharing economy. The chapter teaches us that natural law and its Roman legal connections help to understand the concepts of dignity and equality in the changing world. The fundamental legal and social principles had not changed over time – why should their legal evaluation change? Thus, the Author raises the question of whether universal rules for protecting human dignity in work-like relationships apply in the controversial and dynamic hiring modes nowadays. The Author declares that the gig economy as a business model is ancient and asks why we are not immersing ourselves in Roman law if we use its concepts for our relationships today. The dignity of humans and work may be subject to threat due to improper legal categorization – or the new challenges of the technological revolution. Global corporations – such as the Big Five – have created a new kind of work-life relationship where trust has a significant role. However, algorithms and Artificial Intelligence (AI) measure everything in the digital environment. Trust is also measured this way by collecting and mining the user's personal data. How could human dignity be kept in a life where everything is online, shared, and visible? The courts struggle to handle this challenge by extending the protection of labor law by classifying the new kind of relationships as employment – when they can. However, courts are not unified in this question since the European legal systems are not harmonized. There are no detailed labor rules for all European Union Member States; only principles and frameworks are applied. Significant differences could be found – e.g., different tax-

ation rules, working hours, working ages, flexibilities, etc. That is why legal interpretations shall consider these differences. The Author closes his analysis on humans as a service by going back to ancient times and noting that work is interpreted as service – and not only as a commodity. Regardless of which category is better for the situation of the gig economy, there are universal moral assumptions that shall apply due to the fact that the contractors of these relationships are human beings who are the bearers of dignity and human rights. There is a significant similarity between the activities of the 'freedmen' and the gig economy. Many protective laws were based on respect for human nature or the principles of natural law.

The next chapter evaluates the Environment<sup>11</sup> as a Public Concern.<sup>12</sup> Hugo S. Ramírez-García talks about Ecological Citizenship. The chapter highlights the importance of environmental protection, but instead of the usual approaches, he proposes that citizenship entails the obligation to protect nature. The Author contrasts his point of view with those who are preparing to live in a damaged ecosystem or willing to accept the fact that we are going extinct. The Author highlights two phenomena that shape citizenship: globalization and sustainability. Both have an intriguing history and consequences that we can observe today, and both point toward a future where we must restructure our relationship with

10 S. Deakin - P. Lele - M. Siems, "The evolution of labour law: Calibrating and comparing regulatory regimes", *International Labour Review*, Vol. 146 (2007), No. 3-4.

11 O. J. Sziebig, "The Implementation of the Aarhus Convention's Third Pillar in the European Union – a Rocky Road Towards Compliance", *European Studies: The Review of European Law Economics and Politics* 6, 2019, 205-218. I. Olajos – M. Mercz, "The use of the precautionary principle and the non-refoulement principle in public law - Or how far the boundaries of constitutional principles extend", *Journal of Agricultural and Environmental Law*, Vol. 17 No. 32, 2022, 79-97. DOI: <https://doi.org/10.21029/JAEL.2022.32.79>. M. Mercz, "Constitutional or environmental law?", *Constitutional Discourse*, 2022, <https://www.constitutionaldiscourse.com/post/monika-mercز-constitutional-or-environmental-law> (access 28.09.2022)

12 This is underlined by Elliott and Esty's paper on this issue, "imposition of a credible risk of a risk without someone's informed consent, not merely provable actual injury, should be cognizable as a harm that environmental law should address to the extent practical"



nature. The relationship between morality and law must be reshaped in order for humanity to realize its vulnerability and act in a way that helps preserve our planet. This requires dependence, leaning on each other, and truly organizing a community of peers. While this chapter may sound particularly idealistic about the nature of humanity and our ability to organize a global scale of community, it is commendable that such a positive and hopeful idea was put forward. With technological advances, wars, and a pandemic, we are definitely heading towards a new world order, where concepts such as citizenship must be redefined in order for us to be able to continue living on this planet.

The next lesson could be learned from *María Luisa Gómez Jiménez's* chapter on "Dignity and the Projection of the Red Queen Effect in Healthy Emergency Public Policies During COVID-19 Crisis". The Author presents dignity in light of the recent global pandemic, focusing on digitalization and artificial intelligence,<sup>13</sup> which have become more important because of COVID-19. As technology offers a significant improvement when it comes to our quality of life,<sup>14</sup> the author believes that it should be implemented to a further degree in public spaces, creating smart cities in the name of sustainability. In regards to the pandemic, the process of implementing smart devices and further building a digital era of society became vital,<sup>15</sup> as many researchers started focusing on bettering the quality of life<sup>16</sup> of those who had to

stay at home due to illness. However, the digital gap leaves many members of society behind,<sup>17</sup> unable to participate in new technologies. This makes administrative law, an area of law that must be accessible to everyone, an awkward place. A possible solution for this problem shall emerge in the near future, which will probably be tied to further education on digital technologies, seeing that they will probably become a part of our lives to a further degree.

*Luca Valera* evaluates Human Dignity in the Digital Age. The chapter describes the difference between real and virtual to define a 'virtual body'. The Author raises ethical questions about dwelling with digital beings in an unnaturally curated environment. The Author provides definitions at the beginning of the chapter, with which we may discuss ethical questions in this newly developed environment. These definitions describe persons and bodies as inter-action, inter-acts, as well as interactions by the person. The virtual body is different per definition, as instead of the passive aspects, it is an interaction. We can conclude that it is an action that defines human interaction. But how can we preserve our dignity in the digital world?<sup>18</sup> The author states that humans are essentially ecological beings and cannot be separated from their physical surroundings. In *Luca Valera's* perception, Dignity is irrevocably tied to the place in which a person lives. This chapter leaves the reader wondering if humans can or should flourish in such environments in the digital age.

The structure of this chapter is expertly done, as it leads to this question. The answer depends on many variables, of course, but to my mind, it is essential in our modern society, smart cities, and developing an understanding of AI further to discuss ethical behavior and self-expression in a digital concept.

*Liviu Olteanu* has done extensive research when it comes to how the global pandemic has affected policies

13 B. Szabó - A. Laczik, "The impact of coronavirus in the EU and in Hungary - especially in regulation", *Curentul Juridic*, 2021, [http://revcurentjur.ro/old/arhiva/attachments\\_202201/recjurid221\\_3F.pdf](http://revcurentjur.ro/old/arhiva/attachments_202201/recjurid221_3F.pdf).

14 New tendencies in e-government in the European Union, *Curentul Juridic* 20, No. 4 (71) 90–101. [http://revcurentjur.ro/old/arhiva/attachments\\_201704/recjurid174\\_9A.pdf](http://revcurentjur.ro/old/arhiva/attachments_201704/recjurid174_9A.pdf) (access 20.09.2022)

15 R. Vaishyaa - M. Javaidb - I. H. Khan - A. Haleem, "Artificial Intelligence (AI) applications for COVID-19 pandemic", *Diabetes & Metabolic Syndrome: Clinical Research & Reviews*, Volume 14, Issue 4, July–August 2020, 337–339. <https://doi.org/10.1016/j.dsx.2020.04.012>

16 L. N. Kiss - O. J. Sziebig, "Defining the Common European Way of Life", *Hungarian Yearbook of International Law and European Law* 9, 2021, 111–131.

17 E. Hargittai, "Minding the digital gap: why understanding digital inequality matters", In: *Media Perspectives for the 21st Century*, (Edited By: Stylianos Papathanassopoulos), London, 2010.

18 Perspectives on Digital Humanism (Edited by: Hannes Werthner, Erich Prem, Edward A. Lee, Carlo Ghezzi), Springer, 2022.

around the world, with an emphasis on COVID-19's effect on dignity. The chapter titled 'Questions and Answers on Human Dignity and the Legal Approach During Period of COVID-19 Pandemic, Violence and the Abuse of Power That Affects Vulnerable People. Based on Exchanges of Letters with The United Nations and the European Commission, Noting the Trends in The United States' is a result of a scientific investigation. The Author asked the European Commission four questions, namely about steps that could be taken against governments who abuse National Security and State of Emergency laws, how minorities could best be protected from the negative impact of the pandemic, how the UN can help combat famine and if religious freedom is still upheld to a satisfactory degree.

The UN High Commissioner for Human Rights referred to upholding human dignity as a key aspect of tasks the UN needs to prioritize. Despite the encouraging answers the author has received, it is noteworthy that the text mentions a consequence of the pandemic: we rely more on artificial intelligence. As has been discussed in previous chapters of this book, *Liviu Olteanu* also expresses concern about the possibility that by 2030, 75% of the global population could be enslaved by AI-based surveillance systems developed in China.<sup>19</sup> With the recent introduction of China's Social Credit System, this idea does not seem particularly far-fetched.

In addition to the questions asked by the United Nations and the European Commission, the chapter also discusses the issues surrounding refugees, health workers, and inalienable rights arising out of human dignity itself. Finally, the five subchapters of this work conclude with the author's thoughts about the possible future. *Olteanu* acknowledges that we have reached a crossroads and have an opportunity to reset our world's political stage while keeping our understanding of dignity intact. This can be achieved by education, justice, and according to the author's religious beliefs: God.<sup>20</sup>

*Carlos Espaliú Berdud* chose to base his chapter on an incredibly serious topic: smuggling and trafficking. The work is titled 'The EU Naval Operation Against Human Smugglers and Traffickers in the Mediterranean: Lights and Shadows'. In 2015, the EU launched a military-naval crisis management operation called Operation Sophia<sup>21</sup> to decrease criminal activity in the southern area of the Mediterranean region. The operation produced good results, as the area's illegal activity dropped by 95%. However, this operation failed to achieve the desired results, as the EU started hiding the real numbers of human traffickers apprehended from the public. Italy and the Libyan Coast Guard also took a role in this operation. In the sixth chapter of the paper, the Author concludes that while the business model of smuggling has not disappeared, the area has become generally safer after Operation Sophia was implemented.

On the other hand, the EU and Italian support of training for Libyan security forces has been heavily criticized because of human rights issues in relation to Libya. As a consequence of problems observed when it comes to Operation Sophia, the EU should take steps to change its course of action when it comes to similar decisions in the future. Furthermore, solidarity between the Member States should be taken more seriously if we desire the EU to be a defender of human dignity on a global scale.

*Federico de Montalvo Jääskeläinen* proposes in his chapter titled 'We Can Read Your Mind: Freedom of Thought and Law in the Age of Neurotechnology' that a new catalog of human rights will be necessary for the future because of the developments made in neurotechnology. In 2018, Microsoft patented a brain-computer interface technology,<sup>22</sup> which, together with other similar initiatives, could usher in an age where our thoughts could essentially be captured and controlled

19 J. Anderson - L. Rainie, "Concerns about democracy in the digital age", 2020. <https://www.pewresearch.org/internet/2020/02/21/concerns-about-democracy-in-the-digital-age/>

20 T. Cromwell, *The Triumph of Good: Cain, Abel and the End of Marxism*, Washington, DC 2021.

21 European Union Naval Force – Mediterranean Operation Sophia [https://eeas.europa.eu/archives/docs/csdp/missions-and-operations/eunavfor-med/pdf/factsheet\\_eunavfor\\_med\\_en.pdf](https://eeas.europa.eu/archives/docs/csdp/missions-and-operations/eunavfor-med/pdf/factsheet_eunavfor_med_en.pdf) (access: 20.09.2022)

22 G06F3/015 - Input arrangements based on nervous system activity detection, e.g. brain waves [EEG] detection, electromyograms [EMG] detection, electrodermal response detection

using new technology. Furthermore, the mobile communication industry's interest was also raised by the idea of non-invasive brain control, which proves that there is a demand for these new processes.

The Author raises some interesting points regarding freedom of thought and how it may be protected from mechanisms that can influence human behavior. As these inventions will undoubtedly play an enormous part in our future lives, it is best to begin thinking about protecting our dignity and human rights from possible abuse as soon as possible. There will also be a negative effect on the legal and judicial systems because these systems are based on free will. The question raised in this chapter is if a legal system without a free will can be accepted. Naturally, judges' judgment, faults, and fallibility have always been questioned. But should machines make decisions instead of people in the name of impartiality? Should we give up on our humanity? These heavy questions will need to be looked at more deeply in the future.

*Francesc Torralba's* 'Death with Dignity. A 'Polisemic Approach' chapter revolves around the question of what it means to die with dignity, giving eight possible interpretations. The preface of this chapter supposes that every person wants and has a right to die with dignity, but not everyone can exercise this right.<sup>23</sup> The Author puts forward the notion that dying with dignity in the digital age is quite different from how humans have died in peace before. The topic itself raises an awkwardness and avoidance in Western culture. However, death is an undeniable fact of life and should be discussed, especially because vulnerability and futility are key aspects of understanding how we can die with dignity.

The meanings of this expression that the Author puts forward are: dying in peace; dying without physical, social, psychological, or spiritual suffering; dying according to the will of the patient; reconciliation with others and God; harmony with personal beliefs and values; death at home; the practice of palliative care or knowing the truth of the situation. These eight interpretations lead to the conclusion that every human nearing death deserves to have access to holistic care

and autonomy to make their own decisions and exercise their right to die with dignity in every sense of the phrase.

### Conclusion

*Unitas via Diversitas* – that is 'Unity in Diversity' – has been the motto of the European Union since 2000. However, are we really 'united in our diversity'? Or our diversity became a ground for distinguishing and dividing us. We are living in a very controversial world where our personal features and values have become our own enemies. As a result, societies became very polarized; politics and extreme rhetoric are circulating ideological themes wrapped in trendy new layers of the concepts of 'human rights' and 'dignity'. Human rights are supposed to provide cohesion at the social level due to their universality. However, the interpretation of human rights content and applicability might be various in each state or region. This led to a reform that would be designed to tilt the role of human rights and dignity into political weapons in ideological battles. A new layer of this is the digitalization and the evolution of certain technological solutions, which all affect human nature, human dignity, and its legal and social evolution.

The authors bravely deal with these sensitive issues and express their professional opinion about human dignity and its conceptual elements based on the lessons learned from Roman law. The fact that most of these chapters deal heavily with Artificial Intelligence and digitalization as part of the broader conversation about human dignity conveys a message about the state of human rights and which direction we should move. If we wish to preserve our environment, maximize our chances of avoiding another pandemic and uphold our rights in the digital age, new perspectives must appear in conversations about the place law holds in today's society. However, we have to keep an eye on the original concepts and from time to time, we should go back to the roots, reinterpret and rethink those in the light of our present. *Human dignity and law. Studies on the dignity of human life* is a book that starts a conversation about new aspects of the challenges we are facing and, in our opinion, does a thought-provoking job. It is an intriguing work that presents revolutionary ideas grounded in extensive research. Its 306 pages

23 P. Allmark, "Death with dignity", *Journal of Medical Ethics*, Volume 28, Issue 4, <http://dx.doi.org/10.1136/jme.28.4.255>

and 12 longer chapters contain intriguing information, which is necessary for the new generation of thinkers to prepare to face the unique challenges we are about to face. Since the Authors recognized that unilateral

interpretation of human rights is a zero-sum game, where no win-win could be achieved, we applaud that they opened the floor to the marketplace of ideas on human dignity, human rights, and protection.