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3d year of studies

## *Human dignity in the legal system of European civilization: prospects for the future*

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### **Human dignity in the legal system of European civilization: prospects for the future**

«Thought is action in rehearsal»

Sigmund Freud

In the very beginning of the European civilization, confined to a small region called «Hellas», people started to think about the sense of their life. Anthropocentric coup happened in the years of prosperity of Ancient Greek made people to change the vector of their studies. They started to look for a sense of life in the human nature, not in the surrounding nature as it was before. Ancient philosophers like Plato and Aristotle reflected a lot about humankind in general and raise points, which people didn't actively discuss before. One of the main issues they were worried about is relevant nowadays. It concerns the problem of human dignity, which does not seem to be solved in the nearest future, because instead of answering the question, people tend to go into the problem and to find new topics, which make the question even harder to be answered. In the present essay I have decided to set an ambitious target to observe the position of our human dignity, its tendencies and threats in the future of European law system. This question cannot be entirely answered empirically at present, however, the methods we use have been already tested by philosophers in the past and nowadays. I understand that no one can give an accurate answer to this questions, but I want to try despite the difficulty of the issue.



European Union and its neighbourhood.  
Network for enhancing EU's actorness  
in the eastern borderlands  
ERASMUS+ Project 2017-2625

Co-funded by the  
Erasmus+ Programme  
of the European Union



Regardless of the long lasting pursuits of the essence of human dignitary, the Western civilization has recently realized a necessity to reflect this value in legal acts, albeit its partially presence in the documents of earlier times. Due to this, human dignitary is acquiring a double nature – it is considered not only as a certain value of the European civilization, but also as a legal institution or a general trend of all the legal system or human rights. There is no explicit definition of human dignity in this dimension, however, it can be protected.

One of the reference to human dignity appeared in the Declaration of Human Rights during the French revolution in the late 18<sup>th</sup> century. Furthermore, more and more European nations came to necessity of human dignity to be enshrined in law. Finally, after the Second World War the international community seek to preserve human dignity not only in the law systems of democratic countries, but in the system of international law. Consequently, human dignity appeared in the UN Statute, Universal Declaration of Human Rights etc. The 1950 European Convention of Human Rights did not clearly define human dignity instead focused on human rights and freedoms. The European Court of Human Rights (ECHR) seeks to protect human freedoms and rights. Finally, we can see that human dignity is a part of the European law system from the certain decrees of European Court of Human Rights such as «Bloc v. Germany» where it is partially declared.

There are two ways to proceed in this regard. The first option is to start reflection of the future development of human dignity in each particular legal system of the European country. The second option is to comprehend the main tendencies and general features from the prospective of European Convention on Human Rights or specific actions of European Union. We have decided not to deepen into the first, despite its significance, due to its high complexity that makes it too difficult, time-consuming not suitable for a format of essay. However, we still can use the second way.

Our lifestyle and refrains to famous philosophers' works have made the anthropocentric model of the universe as well as the existence of the certain final point and approximate way of the future development acceptable for us. In short, the world develops not for nothing; neither the humankind nor society appeared accidentally or chaotically. Each particular situation may seem unique, for instance, love or hatred among the subjects of civic marriage. However, the statistic shows certain trends in our society. For deeper understanding of the topic we recommend to refer to Kant's work «Idea for a Universal History with a Cosmopolitan Purpose».

Using these concepts, we can assume that the idea of human dignity is the core of development of our civilization. Our history clearly shows that historical epochs, economic and political systems, state borders are in a constant fluidity. However, human dignity is more often present as the main idea of the European law system. We tend to think that the law system of ECHR will be further enhanced, a huge number of legal and regulatory and philosophical materials will appear. Therefore, it will be possible to formulate the final concept of the term «human dignity», that will be fixed in the international legal system. Europe will play a historical role of the pioneer in the forming of the new world order, which will respect basic human dignity as a core of the universal legal system.

If the world is a car, Europe is its engine, as it can arguably help a car to move to the reality better than today.

Nevertheless, it may seem that our future will be definitely prosperous and we will enjoy the life in the world of democracy and human rights. It is the best scenario, however it is not the only one. Today the world takes a lot of risks which can lead to unexpected events. We can observe a rise of political tensions and emergence of new «hot zones» on the world map. There are serious conflicts in the European countries, which increase a risk of a «bad scenario». If there is a dangerous threat to the European civilization, Europeans will probably focus on the value of their own existence and on national and cultural identity. Some hidden threats should also be taken into account, for instance, when attempts to preserve one's national identity to a certain extent can constrain human rights and dignity. Alternatively, the Western civilization can further strengthen the idea of human dignity but concurrently confront with those who challenge democracy and neglect human dignity for political goals achievement. The example of such confrontation can stem from Syria.

The envisaged scenarios can be different. The complexity of the raised questions has still to be better studied by human and social sciences to develop the best suitable concept for future development and assistance to political elites in order to enhance democracy, based on the idea of human dignity as it remains among the main goals of human society.

