**Dr Anna Śledzińska-Simon - Introduction to Human Rights, LLM 2019/20**

**Lecture 7**

**Human Rights and Dignity**

The aim of this lecture is to:

* Discuss the concept of human dignity as a foundation of human rights
* Explain the role of human dignity in human rights jurisprudence
* Discuss the conflicting interpretations of human dignity in human rights discourse.

**Take 4 STEPS**

**STEP 1**

Read Chapter V “Human Rights and Other Values” in “Human Rights and Their Limits” (pp.187- 216) by Wiktor Osiatyński.

**STEP 2**

Read the following decisions:

[Wackenheim v. France](http://hrlibrary.umn.edu/undocs/854-1999.html) (UN Human Rights Committee)

and compare it with the Peep show case (BVerwGE 64, 274) (German administrative court) – see in relevant google books (like Martha Nussbaum, “Hiding from Humanity: Disgust, Shame, and the Law”, p. 145)

[Air Safety case](https://www.bundesverfassungsgericht.de/SharedDocs/Pressemitteilungen/EN/2006/bvg06-011.htm) (Federal Constitutional Court in Germany)

and compare the latter case to the [trolley dilemma](https://en.wikipedia.org/wiki/Trolley_problem) (especially the fat villain variant)

**STEP 3**

Read a blog post on a perplexing use of the concept of human dignity by the Hungarian Constitutional Court in the case concerning criminalization of homelessness

<https://verfassungsblog.de/human-dignity-for-good-hungarians-only/>

and compare it with the case-law of the Indian Supreme Court regarding homelessness

<https://www.jurist.org/commentary/2020/04/rajratnam-yadav-slums-human-rights/>

**STEP 4**

Prepare for the discussion on how human dignity is used in courts.

You can find two important studies on this topic here:

* Christopher McCrudden, “Human Dignity and Judicial Interpretation of Human Rights,” <http://ejil.org/pdfs/19/4/1658.pdf>
* Jeremy Waldron, “Is Human Dignity a Foundation of Human Rights?” <https://www.peacepalacelibrary.nl/ebooks/files/36335655X.pdf>