

The Fundamental Right to Human Dignity: Narratives of Loss, Violations or Safeguarding in Literature

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In the aftermath of the traumatic experience of World War II, the right to dignity was enshrined in the preamble to the United Nations Charter on 26 June 1945, which affirms belief in the dignity and worth of every human being. Furthermore, it is the first right listed in the catalogue of fundamental rights in the 1948 Universal Declaration of Human Rights (Article 1): "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".

At a national level, however, the position and legal status of this right to dignity can differ. Germany, Québec and France are just a few examples.

In Germany, the right to dignity is enshrined in the Constitution: Art. 1, par. 1 of the German Constitution immediately establishes the intangibility of human dignity. Consistent with the Kantian understanding of dignity, the German Federal Constitutional Court has repeatedly affirmed the supra-constitutional nature of Article 1, on which the entire German constitution is based. The right to dignity is defined as an inalienable fundamental right, reflecting the intrinsic value of every human being by virtue of their personality and exempting it from the proportionality test. According to the 'object formula' (Objektformel), every human being is therefore *ipso facto* the bearer of this right, which prohibits them from being treated as an object: "Human beings cannot be reduced to the status of mere objects of state action and cannot therefore be subjected to treatment that would fundamentally call into question their status as subjects". While the German constitution confers the right to dignity with supra-constitutional status in reaction to the experience of Nazism, the French constitution does not mention the right to dignity in its 1958 version. However, the French Constitutional Council recognised its constitutional value in a decision concerning bioethics laws on 27 July 1994. Claire Marliac points out that, in France, 'bioethics is the source of the recognition of dignity [...] as a "principle of constitutional value" [...]'. Act No. 94-654 of 29 July 1994 enabled Article 16 of the Civil Code to proclaim that 'the law ensures the primacy of the person, prohibits any infringement of their dignity, and guarantees respect for the human being from the very beginning of their life'. However, one might question whether the concept of dignity, as defined by bioethical legislation, is incomplete given that it is limited to biomedical issues relating to organ donation, assisted reproductive technology (ART), surrogacy, prenatal diagnosis, DNA testing, medical research and end-of-life issues.

Article 4 of the Quebec Charter strikes a balance between France and Germany by granting the right to dignity quasi-constitutional status, recognising every person's "right to the protection of their dignity, honour and reputation". The Canadian Court defines the right to dignity as an objective right applicable to all of humanity. In the St-Ferdinand judgment, the Court concluded that the right to protection of dignity relates more precisely to human dignity, protecting against "infringements of the fundamental attributes of human beings that contravene the respect to which every person is entitled by virtue of being human, and the respect that a person owes to themselves" (para. 105). In other words, Art. 4 protects the fundamental attributes of humanity, rather than individual rights.

As we can see, defining the right to dignity is a complex task with various potential outcomes. Philosophical reflections (e.g. the Kantian imperative, Cicero, della Mirandola, d'Acquin and Pufendorf) can complement legal considerations.

We are seeking contributions that investigate the **complexities of the meaning and interpretation of the right to dignity in relation to literature**. How does literature define the right to dignity? Does it align with legal interpretations of dignity? In which areas dignity is considered by literature? Does literature consider the loss or violation of dignity, or does it also consider how to safeguard it? Human dignity has been at stake in countless situations throughout history and still is today. It has been and continues to be exposed to violation and disregard in areas such as migration, living conditions, medical ethics, war, the treatment of women and children, assisted dying, the treatment of indigenous peoples and other minorities, the colonial past, slavery, dictatorship, human trafficking, sexual violence, religious wars, the Inquisition, the persecution of women as witches, and so on.

Contributions can consider any historical period up to the present day, but the geographical area of investigation must be limited to Europe. Legal and literary entanglements must be clearly demonstrated. The publication language is English.

Please address your abstract to: Dr Alexandra Juster (Alexandra.Juster@uibk.ac.at) by **30 April 2026** at the latest. Fully written articles must be submitted by 31 December 2026 at the latest; no extensions will be granted. Articles should be at least 50,000 characters long or longer.