Where Does Human Dignity Come From?

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In dealing with the dramatic issue of human trafficking, it seems necessary to go back to the source of the present universal rejection of human slavery and all forms of degrading treatment.

The condemnation of human trafficking has deep roots in religion and culture. However it is not shared by all cultures and religions. To find out where is the source of our present condemnation, we have to follow the steps of abolition of slavery and more deeply the anthropological views shared by communities who do not accept discrimination of human beings. Our purpose is to find out ways to eradicate the new appalling forms of human slavery.

I. Rejection of slavery

1. The rejection of slavery was a long process. In ancient times all civilisations admitted slavery not only practically but also with theoretical justification. The ancient city was made up of few free men together with slaves and affranchised people. Women and underage youth had no civil or political rights either.

   From an economic point of view distinctions are made between “slave societies” where slave work was the main contribution to economic life, and “societies with slaves” where compulsive work was admitted along with dominant free work. The first group ranges from the Ancient Greek and Roman cities, Brazil and colonial Antilles and the southern states of America before the war of secession. To the second belong the western Middle Ages and the Arab world.

   a) To be distinguished from slavery as a status is the slave trade of the 16th-18th centuries, which involved slave suppliers in Africa, slave traders coming from European companies and slave buyers in North, Central and South America. The slave trade was the first practice to be formally rejected.

   b) Historians point out that the criticism of slavery in the West came from the first economists such as Adam Smith arguing that free work is more productive than slave work. The same argument is developed by 18th century Physiocrats, observing that a free worker shows interest in his job and does not need to be monitored. The cost of wages for free workers is lower than the cost of maintaining continued repression and surveillance of slave colonies. Moreover economists stressed that the inner market needs to develop thanks to wages and salaries, and that slavery jeopardized technological progress.

   In France, for instance, slavery was abolished in 1794 after a slave revolt in the colonies, but was re-established by Napoleon in 1802. The slave trade, which means the trading of slaves sent to the colonies, was abolished by the Congress of Vienna in 1815, but not slavery as such. In the process of abolishing slavery, economic and commercial considerations took an important place. Yet some voices, like the Congress of Vienna, made reference to “the general principles of morality and humanity”.

   Only later in the 19th century the European States abolished slavery in their colonies: Britain in 1833, and France in 1848. Nevertheless, this trade continued for several decades, and forced labour even later. In 1865 the US adopted the 13th Amendment prohibiting slavery, thus engaging the country in the civil war.

   c) The Brussels Conference of 1889-1890 declared the intention of the European States to put an end to the trafficking of African slaves. This proposal was restated after WWI. These intentions flowed into the Slavery convention of Geneva signed on 24 September 1926. Herewith not only slavery as such – defined as “a condition of a person over whom rights of ownership are exercised” (art. 1, 1) – but also forced labour analogous to slavery was condemned. While abolishing the slave trade, the Convention could only encourage the progressive and “complete abolition of slavery in all its forms” (art. 2). The Convention admitted that forced labour could still be exacted for public purposes.
On 28 June 1930 the General Conference of the International Labour Organization adopted a *Convention Concerning Forced or Compulsory Labour*. It decided that after a period of five years even forced or compulsory labour for public purposes should be abolished. Forced or compulsory labour was understood as “all work or service exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily” (art. 2).

2. Facing these issues, the post-war philosophy of universal human rights definitely condemned slavery. Art. 4 of the *Universal Declaration* (1948) states: “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”, to be read in reference to the preamble and Art. 1: “All human beings are born free and equal in dignity and rights”. Art. 5: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. This text and those preceding ones bear magnificent witness to the evolution of humanity in matters of recognition of equal dignity to all.

The *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery* adopted on 30 April 1956 witnesses the impact of the new ethos of universal human rights, as it mentions “the dignity and worth of the human person” in its Preamble. Now all forms of slavery are condemned, including debt bondage, servitude, forced marriage, child exploitation, slave trade, the marking of person of servile status.

Where does that awareness come from? We should recall that behind the work of the *Universal Declaration* is the tremendous failure of civilized nations which engaged in the most inhuman ideologies of the 20th century which ended up in the Second World War. The *Declaration* was a reaction to what appeared as absolutely unacceptable. To what extend did all the nations who signed the document share these views? Apparently all national constitutions do not prohibit slavery. It is still admitted in some Islamic countries like the Arabic peninsula, Niger, Mali, Mauritania, and also India. Some states in India practice discrimination of non Hindus. In these cases we face forms of survival of slavery as an accepted social status.

II. New forms of slavery

In spite of all the efforts of the international community, the International Labour Organization observes that about 25 million people in the world still live in slavery conditions, in spite of legislation and human rights.

Modern slavery has new features. It consist mainly in various forms of human trafficking by which we understand any form of reduction of human being to an object, merchandise, a thing to be used for the benefit of others human beings, an individual considered as owned by somebody else, to be sold or bought.

The present situation ranges from kidnapping and forced and clandestine labour, forced marriage, selling of organs, compelled prostitution, servitude for debt, inducement in irregular immigration, deprivation of basic human rights, forms of submission, work of children, or enrolment of children in military operations.

Among these new forms of slavery, Pope Francis, in his message of 1 January 2015, further listed:

- Labourers in countries where legal protection for workers’ rights is not guarantied,
- Migrants detained in inhumane conditions, those forced to leave clandestinely, those without legal residence nor labour contract,
- Slavery for debt
- Persons, even minors, forced into prostitution,
- Women forced into marriage,
- Persons made object of trafficking for the sale of organs, for recruitment of soldiers, for begging, for production or sale of narcotics,
- Those kidnapped and held captive by terrorist groups, and used as sex slaves.

In this same message, the Pope analyses the deeper causes of slavery:

- A conception that allows that some human beings can be treated as objects,
- Poverty, underdevelopment and exclusion
- Persons in the hands of criminal networks luring young people with modern means of communication,
- Corruption and complicity in the administrative sphere
- Criminal activities and terrorism.
On 2 December 2014, together with other religious leaders, the Pope signed a Joint Declaration to eradicate modern slavery, stating that “Modern slavery in terms of human trafficking, forced labour and prostitution, organ trafficking, and any relationship that fails to respect the fundamental conviction that all people are equal and have the same freedom and dignity, is a crime against humanity”.

This statement perfectly settles the problem: where does that “fundamental conviction” come from, and do all cultures in the world share this conviction? It is obviously not the case. Not only criminal individuals or terrorist organizations, but also some States still admit or cover slavery in its antique form making a person the ownership of another. Legislation does not everywhere combat slavery in its modern form.

The conviction that all human persons share the same dignity manifested in the 1948 Universal Declaration has the same roots as all efforts to bring an end to inhuman treatments inflicted to human beings.

III. Conversion of minds

The new forms of slavery must be abolished in the same way as slavery in the ancient world was abolished: through the adoption of a new vision of the human being and his dignity, through legislation but also upstream of legislation, through education and conversion of minds.

The process in the ancient world was the following. Starting from the Greek philosophers who considered slaves as objects in the hands of their masters, as a thing rather than a being, coming down to the message of Christianity that all human beings are brothers and sisters, enjoying the same human nature. It took time indeed for this new understanding to induce changes in the social status of slaves.

Slavery also existed in the Bible. The New Testament did not abolish slavery as a social institution. But a new spirit emerged. My point is that our present awareness of the inalienable dignity of each human person comes from the message of the Gospel.

It is interesting to go from the Old to the New Testament. In Lv 19, 13 there is a wonderful verse: “You will not rob or exploit your fellow”, but a few verses ahead it continues saying: “The male or female slaves you have will come from the nations round you; from these you may purchase male and female slaves... they will become your property and you may leave them as a legacy to your sons after you as their perpetual possession” (Lv 25, 44-46). The Old Testament taught the love of God and of the neighbour but the neighbour was exclusively the man of one’s own tribe, a member of the community of Israel.

The core of the teaching of the New Testament is love of God and neighbour as Christ loved us. No discrimination. In Christ distinctions between Greeks and Barbarians, between free and slaves are abolished. This means that there is only one human family, one human condition that we all share in our differences. “We are baptized into one body in a single Spirit, Jews as well as Greeks, slaves as well as free men” (1 Co 12,13).

The short letter of Saint Paul to Philemon exemplifies the change of view about the dignity of slaves. Philemon had a slave named Onesimus. Philemon was a fellow Christian, and Onesimus who escaped from Philemon’s house also converted to Christianity. Paul asks Philemon to take him back not as a slave, “but as a dear brother” (Phil 1, 15-16). As Paul puts it elsewhere, becoming a Christian meant giving up social prejudices and considering that in Christ we are all one (cfr. Ga 3, 28). The change was anthropological, but did not affect immediately the social status of slaves.

This change in considering the worth of the person did not mean abolition of the institution of slavery. It took centuries before the social context was mature enough to give up slavery as a social status. The Church did not provoke institutional changes, even if she did no longer justify slavery as did the Greek and Roman philosophers. Institutional changes came with a more incisive consciousness of the principles brought to light by the Gospel. I could remind you of a symptomatic episode that took place in Rome by the end of the 6th century. Pope Gregory the Great quietly discovered in Rome’s marketplace prisoners from Anglia sold as slaves. He did not seem scandalized by this trafficking. Instead he indulged in a dubious joke. He found that these Angles were like angels (angli / angeli), because they had blond hair and blue eyes.

It seems that the Catholic Church always questioned the anthropological assumptions which justified slavery. There is no such a statement like the Dutch Calvinist Church enforcing apartheid with biblical references. On various occasions, the Church helped slavery and serfdom to disappear from current practices.

There is an interesting remark in one of Emperor Constantine’s laws. He forbids branding slaves in order not to disfigure their faces, which reflects the image of God. In the Middle Ages, the Church came across the practice of arranged marriages and the prohibition of marriage between freemen and serfs, imposing the rule of free consent given by both partners.
A new challenge came up with the European colonisation of America. In the famous dispute of Valladolid about the very nature of the indigenous Indians, Pope Paul III condemned (Veritas ipsa, 1537) the opposite thesis stating: “Are these Indians not human beings? Do they not have reason and soul? Are we not bound to love them as much as ourselves”?

Before the 20th century, the defence of our common humanity was rarely illustrated with the concept of dignity. Yet the concept appears already in Pope Leo XIII’s encyclical Rerum Novarum. In his defence of industrial workers, he stressed the necessity of State intervention in order to protect “the well-being of their soul (32)”: it is not permitted to anybody to violate this dignity of man which God himself treats with high respect (32, 3), a dignity understood as dignity of human nature.

Dignity emerges as a key concept of the social doctrine of the Church with John XXIII and his encyclical Pacem in terris. It is further elaborated by the Vatican II Council.

It is interesting to observe that the first hints of the Magisterium at the concept of freedom of conscience and religion was made in defence of believers under totalitarian regimes. Pius XI does not draw these human rights from human dignity but from the negation of such human dignity. In his radio messages pronounced during the war, Pius XII frequently uses the concept of human dignity (1942 DC 1944, 5; 1944 DC 1945, 5).

Things change after 1960. The Encyclical of John XXIII, Mater et magistra (1961), says that as the first of the true values of a just social order, one has to mention “the dignity of man in general and the life of each person in particular” (192). The concept is developed in Pacem in terris: “The dignity of the human person demands that each person may act according to her free and conscious determination” (34). Society itself has to be organized in a way that meets the dignity of its members.

The main development of the concept of dignity is to be found in the conciliar constitution Gaudier et spes. Here it becomes clear that the Church endorses human rights as flowing from human nature and dignity. “There is an increasing awareness of the high dignity of the human person, whose rights and duties are universal and inviolable” (26, 2).

The first chapter of the first part deals with “The dignity of the human person”. The constitution utterly condemns “whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children, as well as disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons” (27, 3).

The well-known Declaration on religious liberty starts with this opening sentence: “The dignity of the human person is in our day’s object of always stronger awareness”. It goes on saying that “the right to religious freedom has its foundation in the very dignity of the human person…” (2, 1). The Council remind that revelation “discloses in all its dimensions the dignity of the human person” (9). So dignity is consubstantial with human person.

Conclusion

The question we still face today is that slavery in its modern form cannot be abolished only by laws, but by conversion of minds. Slavery must disappear from human imagination as a mean of exploitation of others. This entails a cultural conversion in some places and a powerful enforcement of the universal ethical values as expressed in the Declaration of 1948. This Declaration is in no way obsolete. It should serve as a program of education and training of all generations all over the world.

Modern slavery is mainly fostered today by two kinds of actors: on the one hand, criminal States and, on the other hand, criminal organizations and individuals. Both should be repressed by States under the rule of law everywhere in the world.

On the side of repression, special mention must be made about the recent appalling practices of Islamic terrorism mainly in what is called Da’esh, a self-proclaimed Islamic State and in parallel organizations like Al-Qaida or Boko-Haram operating in Africa and spreading terrorism everywhere, as in Paris in January of this year. Radical Islamic terrorists claim to act under Islamic law or sharia. This law is understood in such a way that it urges followers to combat misbelievers, to oppress them, to kill them if necessary, and to submit them as slaves by conquest just as in ancient times.

The only remedy to this unexpected return to dark ages is a strong commitment of all nations perfectly aware of their responsibility in front of the spreading terrorism exactions. It has to be underlined in this context that we face here a religion based slavery justification.

There is a tremendous gap between the Universal Declaration of Human Rights and the Daesh ideology. The international community has the duty to prevent or repress any attempt to question the fundamental human rights, which proclaim that all men and women are equal and vested with the same dignity. There can be neither
compulsion nor intimidation in religion. A State order must respect the inherent limits of its mission, which is to protect the inalienable rights of individuals and to guaranty freedom of religion.

Repression must also to be exercised against criminal organisations or individuals who profit from the misfortune or weakness of others. This means that State legislation be enforced and duly implemented, and that it fights against corruption.

Human trafficking is also a consequence of poverty and economic failure when too many people are practically excluded from access to work and to autonomy.

My point is that human trafficking must be addressed at its heart, by education and return to the source of human dignity. This source is for me the message of the Gospel. All men and women are radically equal in dignity and worth. No human being may be treated as an object or a means. Each one is an end in itself. This consideration implies that rejection of human trafficking begins with a conversion of minds. This conversion must be shared by the entire human community through active campaigns of information at national and international level. Legislation will follow and pursue traffickers. But conversion of minds also means fostering action on the causes of human trafficking: such as extreme poverty, illegal immigration, and administrative corruption.