



# DIGNITY LAW

## Global Recognition, Cases and Perspectives

Erin Daly & James R. May  
Professors of Law and Founders of the Dignity Rights Project

- The only comprehensive and current survey of the growing global jurisprudence in dignity rights
- A theoretically grounded work that equips educators with core materials for courses in this newly emerging area of law
- An exploratory resource that offers lawyers, jurists, and other advocates the practical tools to operationalize dignity rights claims
- Compiled by the cofounders of the first and only dignity rights project in the world

### About Dignity Law

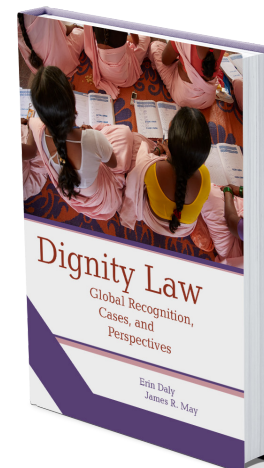
Human dignity is the essence of what makes us human. Human dignity recognizes and reflects the equal worth of each and every member of the human family, regardless of gender, race, social or political status, talents, merit, or any other differentiator. It is an idea that has been around for millennia, but only in the last few decades has it come to be recognized as a legal right that can be claimed in court.

Today, the concept is recognized in most of the world's constitutions, and these days, few constitutions are adopted or meaningfully amended without adding a reference to human dignity as a fundamental value or an actionable right, or both. Increasingly, courts around the globe are recognizing the right to dignity and applying it against governments and others to ensure that the dignity of all is respected. In the aggregate, dignity law ensures that every person is entitled to the same respect under the law.

In thousands of cases from all parts of the world, courts have shaped the meaning of human dignity and given it content and form. They have made it relevant to people from all cultures and societies seeking to protect their identity, their way of life, or their own integrity.

This unique casebook provides an introduction to this emergent and dynamic area of law, showing how the value of human dignity permeates all legal areas and how the right to have one's dignity respected is shaping the development of law. Cases, constitutional provisions, and secondary materials illustrate the diversity and scope of this discipline, providing the first-ever practical yet theoretically grounded survey of this important legal innovation.

Read the publication's [Preface](#) and [Overview](#) chapter.



# Dignity Law: Global Recognition, Cases and Perspectives

## Table of Contents

### [Preface](#)

Selected Constitutional Texts (2020)

### [Overview: Mapping Dignity Law](#)

#### **Unit One: Introduction to Dignity Law**

##### **Chapter 1.** Definitions of Dignity

- A. Dignity for Some
- B. Dignity for All
- C. Dignity under Law

##### **Chapter 2.** Dignity in History, Theory, Philosophy, and Religion

- A. Dignity in Western Thought
- B. Dignity and “Asian Values”
- C. Dignity and Ubuntu
- D. Dignity and Islam
- E. A Universal Value

##### **Chapter 3.** Dignity in the Human Rights Era

- A. The United Nations Charter
- B. The Universal Declaration of Human Rights
- C. International Human Rights Law
- D. Dignity as a Value and Right in National Constitutions
- E. Dignity in Professionalism

#### **Unit Two: Dignity and Identity**

##### **Chapter 4.** The Worth of the Human Person

##### **Chapter 5.** Identity and Personal Freedoms

- A. Freedom of Movement
- B. Freedom of Action
- C. Freedom of Conscience
- D. Right to Work
- E. Right to Control Personal Information

##### **Chapter 6.** Agency over One’s Life

- A. Forced Sterilization
- B. Contraceptives and Abortion
- C. Marriage
- D. Family
- E. Right to Die

##### **Chapter 7.** Gender and Sexual Identity

- A. Same-Sex Relations
- B. Same-Sex Marriage
- C. Gender Identity

##### **Chapter 8.** Dignity and Equality

- A. Discrimination on the Basis of Gender
- B. Religious Discrimination
- C. Discrimination on the Basis of Disability

#### **Unit Three: Living with Dignity**

**Chapter 9.** Introduction to Social, Economic, and Cultural Rights

##### **Chapter 10.** *La Vida Digna*/Living with Dignity

- A. Shelter
- B. Health
- C. Education
- D. Economic Security
- E. Migration with Dignity
- F. Healthy Environment
- G. Culture

#### **Unit Four: Protecting the Dignity of People with Particular Vulnerabilities**

**Chapter 11.** The Dignity of People Who Are Vulnerable

- A. People in the Care of the State
- B. Children
- C. Survivors of Rape
- D. Survivors of Hate Crimes
- E. Survivors of Human Rights Abuses

##### **Chapter 12.** In the Criminal Justice System

- A. Policing
- B. Prosecution
- C. Detention
- D. Incarceration
- E. Sentencing

#### **Unit Five: Participatory Dignity**

**Chapter 13.** The Dignity-Based Right to Participate in Political Activity

- A. Participatory Dignity
- B. The Right to Vote
- C. Political Engagement

**Chapter 14.** Incidents of Citizenship Beyond Electoral Politics

- A. Public Employment
- B. Military Service

Conclusion

Index

Cases

# Dignity Law: Global Recognition, Cases and Perspectives

## About the Authors



**Erin Daly** is Professor of Law at Widener University Delaware Law School, where she served as Interim Dean and as the H. Albert Young Fellow in Constitutional Law. She is the Executive Director of Dignity Rights International, a non-profit organization dedicated to protecting the dignity of every person, everywhere. She serves as the Director of the Global Network for Human Rights and the Environment, as the U.S. National Correspondent for the Centre international de droit comparé de l'environnement (CIDCE), and as a member of the Normandy Chair for Peace. She is the author of *Dignity Rights: Courts, Constitutions, and the Worth of the Human Person* (2d ed. 2020) and the coauthor of *Reconciliation in Divided Societies: Finding Common Ground* (2010), *The Advanced Introduction to Human Dignity and Law* (2020), and *Global Environmental Constitutionalism* (2015), and the coeditor of *Human Rights and the Environment: Legality, Indivisibility, Dignity and Geography* (2019) and *Implementing Environmental Constitutionalism* (2018), among others.



**James R. May** is Distinguished Professor of Law at Widener University Delaware Law School where he established the Dignity Rights Project and the Dignity Rights Practicum, served as the H. Albert Young Fellow in Constitutional Law, and founded the Global Environmental Rights Institute. He is the President and Senior Counsel of Dignity Rights International, a founding member of the Dignity Rights Initiative of the American Bar Association's Center for Human Rights, and a Special Representative for the International Council of Environmental Law. May is the coauthor of *The Advanced Introduction to Human Dignity and Law* (2020) and *Global Environmental Constitutionalism* (2015), author of *Modern Administrative Law* (2018), editor of *Principles of Constitutional Environmental Law* (2013), and coeditor of *Standards of Environmental Rights* (2019), *Human Rights and the Environment: Legality, Indivisibility Dignity and Geography* (2019), *Implementing Environmental Constitutionalism* (2018), and *Shale Gas and the Future of Energy* (2016), among numerous books and works about environmental constitutionalism and human dignity.

## About the Dignity Rights Project

The Dignity Rights Project from Delaware Law School at Widener University sets dignity in action through public and professional education, advocacy, and support for high-impact lawyering. It works with legal, academic, non-profit, and community-based organizations in all parts of the world to advance knowledge and capacity-building around the human right to dignity. Learn more about the Dignity Rights Project here: <https://delawarelaw.widener.edu/current-students/jd-offerings/signature-programs/dignity-rights-project/>

### ***Dignity Law: Global Recognition, Cases and Perspectives***

Item #: 1006411

ISBN: 978-0-8377-4135-2

Pages: xxxv, 521p. (558p. total)

Price:.....\$125.00 paper

Published: Getzville; William S. Hein & Co., Inc.; 2020

✉ [customerservice@wshein.com](mailto:customerservice@wshein.com)

📞 800-828-7571

