

Dialogue on Gender Equality: Equal Dignity and Women's Rights

A summary by Rita Antoni

Friedrich-Ebert-Stiftung held, within the framework of its regional program entitled “Gender Equality in East-Central Europe” (launched in 2012), its dialogue forum called “Equal Dignity and Women's Rights” on the 21st of March 2016. What is the political relevance of the concept of human dignity? How does it relate to equality and equal rights? Is there a difference between the dignity of men and women? What does dignity mean for our understanding of the role of the state or in terms of media freedom? These and other related questions were discussed by experts from Lithuania, Poland and Hungary, in front of a large audience including university students, researchers, as well as representatives of political parties, companies, trade unions and women's rights NGOs.

In her opening speech, Eszter Kováts (FES, organizer of the dialogue series) emphasized the importance of dialogue between people of different worldviews, and she listed four recent cases where the question of women's human dignity was highly relevant: 1) Hungary hasn't ratified the [Istanbul Convention](#) (which, among others, prescribes measures in order to restore the dignity of victims of violence); 2) the day of the roundtable discussion coincided with Single Parents' Day, in whose interest women's groups initiated an amendment; 3) on the previous day a demonstration for the human dignity of women giving birth took place; 4) recently, a website wrote about the wife and daughter of the leader of a political party in such an unacceptable tone that resulted in general outcry. Kováts concluded that there are issues of agreement regardless of political parties, which – due to the intervention of NGOs – could benefit the work in the subcommittee “For Women's Dignity” in the Cultural Committee of the Hungarian Parliament. (The opening speech has been published in edited form, you can read it [here](#).)

After the opening speech Andrea Petó moderator (historian, professor at CEU) asked Šarūnas Liekis (Professor and Dean of Political Science and Diplomacy Faculty of Vytautas Magnus University, Kaunas, Lithuania) to deliver his lecture entitled “Political relevance of the concept of human dignity”. Liekis gave an outline of the history of the concept: in the antiquity and the Middle Ages, *dignitas* was related to being human. The concept of dignity came to be used for a variety of other social and political movements advocating specific types of social reform during the 19th century, in order to balance the effects of social stratification and the influence of those in power. Others relate the spread of the term to secularization: sanctity, from now on, is not the privilege of a few, but every human being possesses it. (According to a member of the audience the spread of the term can be connected to democratization and decolonization, too.) The Declaration of Human Rights (1948) was pivotal for the use of ‘human dignity’, however, since it has no fixed meaning (and is widely used by people of different party affiliations and worldviews) does not provide a universalistic, principled basis for judicial decision-making in the human rights context. Thus, the interpretation of the term is context-specific and highly debated. An example for this is the debate on ‘dwarf tossing’: in 1995, several French towns banned this form of ‘entertainment’, referring to the human dignity of the person who is tossed by the

participants. However, a person living with dwarfism, Manuel Wackenheim filed a complaint claiming that the game does not hurt his human dignity, but its ban deprives him of his source of income, and being unemployed does hurt his human dignity. The European Court of Human Rights in Strasbourg, however, decided (Wackenheim v. France, 2002) that respecting human dignity is a public affair, and not a matter of individual judgment. (In a following lecture Lídia Balogh suggested that this argument should be considered in the feminist debate on prostitution/‘sex work’.) A member of the audience commented that the individual consequences of collective interpretation of dignity should be addressed (in other words, saying that something violates human dignity is not enough; an alternative, e. g. other form of employment should be provided).

The second lecture entitled “Men’s and women’s dignity in the teachings of the Roman Catholic Church” was delivered by **Zuzanna Radzik** (PhD candidate at the Pontifical Faculty of Theology in Warsaw). The progressive Catholic theologian summarized the different pontifical approaches to gender equality. For believers, human dignity is rooted in God’s creation of ‘man’ in his own image – Catholic documents, however, are not consistent when it comes to the dignity of women. After the social changes of the 20th century it was impossible to prescribe women’s subordination openly, and it could also be seen that women cannot be confined to their homes anymore. Thus, in order to counteract the supposed transgressions of secular feminist schools, a direction, which was called (from the outside) “new feminism”, began to evolve within the church. It was not devoid of the old expectations: ‘true’ women’s dignity and ‘true’ feminism always turn out to be, in fact, the fulfillment of traditional women’s roles.

John Paul II discussed the dignity and vocation of women in his apostolic letter entitled “Mulieris Dignitatem” (1988), and he also expressed his critique of the sexual revolution. In “Letter to Women” (1995, written on the occasion of the Women’s World Conference in Beijing) he introduced the notion “feminine genius”, in which, according to Radzik, all the ‘comfortable’ character traits are brought together which are necessary to sustain patriarchal order. In 2004, Joseph Ratzinger, that time cardinal (later Pope Benedict XIV) followed John Paul’s footsteps and published “Letter to the bishops of the Catholic church on the collaboration of men and women, in the church and in the world”, which, as the lecturer pointed out, in spite of its title, hardly ever mentioned men. Pope Francis says that a new theology on women must be elaborated on – he, however (and, according to Radzik, this is the weak point of his papacy), does not explicitly say that the old one is problematic. He also uses the term ‘feminine genius’.

Feminist theology criticizes this “equal but not identical” view and conservative teachings which declare that women have two options: motherhood or virginity. The ideal woman is Virgin Mary, who combines both, and feminist theology points out that conservative theology makes women follow an impossible role model. Feminist critique also dwells on the fact that a spiritual form of motherhood is expected even of nuns. Thus, due to their biology, women can no way get rid of the expectation of motherhood (although the church does not provide any similar teachings on men’s roles and fatherhood). Furthermore, as we can see in the Genesis, God created man and

also woman as human beings. Thus the question may be raised: how can we sacrifice ourselves for others if we do not first possess ourselves?

The first lecture after the break, entitled “Human dignity versus media freedom?” was held by **András Koltay** (Media Committee Member, National Media and Infocommunications Authority). Fundamental rights were originally created as individual, subjective rights: freedom of speech, for example, protects the individual from the state. In the 90s, the objective content of fundamental rights was added to this subjective meaning, which means that from now on, passive non-interference is insufficient from the state: it must take active steps to protect fundamental rights with due diligence. Media freedom, for example, is a fundamental right, and it is a positive duty of the state to maintain a media market which ensures the simultaneous presence of various opinions.

The Hungarian Media Law (Act CLXXXV of 2010 on Media Services and Mass Communication) states that “(1) Article 24 (1) The commercial communication broadcasted in the media service (a) shall not violate human dignity; (b) shall not contain and shall not support discrimination on grounds of gender, racial or ethnic origin, nationality, religion or ideological conviction, physical or mental disability, age or sexual orientation;...” It does not define, however, the cases it involves. The Media Authority usually rejects complaints of individual breach of honor, because the ban on violation of human dignity should not be interpreted on an individual level, but on an objective one: media providers must steer clear of communication which violates human dignity. Unlike in case of civil lawsuits, the complaint of the offended individual is not a prerequisite of the procedure at the Media Authority, because the protection of human dignity is an objective right. In other words, the audience has a right not to be exposed to a media content which hurts human dignity, so anyone can initiate a prosecution against an objectionable media content.

A relevant case was a scene of a commercial television contest “The Price of Truth” (2008). In this program, participants were connected to a lie detector and asked intimate questions about their private lives, but were not allowed to see the results given by the machine. They were asked the questions again in the live programme, and if they gave an answer which was, in reference to the lie detector’s previous – and hardly reliable – results, a ‘lie’, they dropped out. A female participant dropped out after being asked “Have you ever been paid for sex?” and she answered “no”. A viewer filed a complaint at the Media Authority, which stated that the contested media content “suggests that human personality has no integral, untouchable domain, and a human being can be humiliated until they become transparent. The participants of the programme agree to reveal their most intimate private lives in the hope of a prize, so the programme transfers the message that the private sphere and human dignity is not inviolable, but, due to material interest, it can be made public and be consumed.”

Another similar case occurred in 2011, in a programme called “Love on the highest levels”, in which twelve female participants competed for the male presenter, who found out different tasks for them. One of the players had to take a shower with various, unsuitable objects like a frozen

carp, and scrubbing herself with them. The Media Authority again decided that the programme violates human dignity, independent of the question whether the participant herself felt her human dignity violated or not. As the judgment pointed out, “participants’ consent to activities violating their personal rights shall be restricted at the point from which the activity in question violates or imperils social interest”.

In the Class FM case of 2014 – radio presenters made fun of the rape case which took place in a university summer camp – the possibility of violation of personal rights was not raised, because the victim was not identified, but the violation of human dignity was declared again. „The prevailing cheerful, teasing tone of the program hardly seems fit to discuss the topic without the violation of human dignity, and the presenters showed rape (and other forms of violence against women in university summer camps) as an inescapable, natural, sometimes even desirable occurrence” – the decision states.

Even the lecturer found the “Eden Hotel” scandal of 2015 – in the reality show of this name, a male player initiated a sexual encounter in an aggressive way – depressing, in spite of the fact that he had seen many violations before. As he pointed out, in the contested scene the female participant was degraded and objectified. Violence against women is an existing social phenomenon, but it should not be portrayed without reproval. That is, the editors of the programme should have problematized the male participant’s aggressive behaviour, and not tolerate it without any punishment. “The Media Authority stated that the media provider portrayed aggressive sexual advances and the verbal abuse following rejection as an acceptable behaviour.” Due to the lack of objection the media provider transferred the message that “this behaviour is compatible with the respect of human dignity, does not reach the level where the participant should be punished, it is within the boundaries of normal behaviour and can be legally presented in a media service without any kind of disapproval.”

A member of the audience raised the question whether the Media Authority handles the issue of breach of honor if the offended person is an underage or a mentally handicapped person. Koltay answered that in such a case the legal representative of the offended person can file a complaint, but this is a civil rights issue, and does not fall into the competence of the Media Authority. For another question the lecturer answered that unlike in the case of homeless people, he does see some development in the media representation of Roma people. (And this belongs to media ethics, because designating someone’s gender or race is not a breach of honour in itself.)

Lídia Balogh (Centre for Social Sciences, Hungarian Academy of Sciences) delivered a lecture entitled “Feminist perspectives on human dignity”. She pointed out that the infamous Class FM case – in which, in her opinion, the main problem was that the radio presenters talked about the female victim as a relational being, as someone’s harmed property, and they talked about rape as an inevitable natural disaster and not the rapist’s crime – was not without antecedents. In 2012 she filed a complaint to the Media Authority because the same presenters made fun of date rape (they gave advice on how to rape a woman in a Polski car), but the Authority did not fine the media provider that time. Recent judgments, however, make the lecturer more optimistic.

Referring to Peter Berger (1970) Balogh argued that ‘dignity’– which is possessed by every human being – replaced ‘honor’, which was dependent on conforming to social norms and expectations. According to Christopher McCrudden (2008) “the concept of ‘ human dignity ’ plays an important role in the development of human rights adjudication, not in providing an agreed content to human rights but in contributing to particular methods of human rights interpretation and adjudication.” Referring to Kant (1785) and Ronald Dworkin (1982) it can be argued that the state has a positive duty to protect human dignity and to ensure to individuals the (equal) right of autonomy.

Balogh also presented some relevant cases, first a commercial of a fast food restaurant entitled “Hot chick” – subsequently decorated with the inscription “Hardly used human dignity is for sale” –, which portrays the female body in a derogatory, dehumanizing way, reduced to body parts. Violating women’s human dignity may be raised in case of such products of popular culture as the book and film entitled *Fifty shades of gray* (but, being fiction, no suit can be brought in this case). Another example was an image suggested as a firewall decoration (luckily, it failed to materialize), which would have commemorated an urban legend character, who used to tap women’s buttocks with newspapers.

The European Parliament resolution of 12 March 2013 on eliminating gender stereotypes in the EU (2012/2116(INI)) “stresses the importance of promoting the representation of the female image in a way that respects women’s dignity, and of combating persistent gender stereotypes, in particular the prevalence of degrading images, whilst fully respecting freedom of expression and freedom of the press.” The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention, signed in 2014, but not ratified by Hungary) states: “Parties shall encourage the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.”

Balogh concluded that the term ‘human dignity’, considering its debated content, is a promising tool to enhance dialogue on gender equality

The last lecture, entitled “Leftist perspectives on human dignity”, was held by **Mrs. Jutka Lakatos and Gáspár Papp**. Their organization, The City is for All consists of homeless people, people living in housing poverty and their allies.

Mrs. Lakatos said that homeless people are stereotypically portrayed as lacking the ability for action. (In relation to this she also emphasized that the term ‘the homeless’ is offensive, and one should use terms like ‘homeless people’, ‘homeless man’, ‘homeless woman’.) She argued: “This portrayal violates our human dignity, represents us as if we didn’t have our own will, thoughts and feelings – as if we were empty and cold. We may arouse pity, but cannot be equal partners,

fellow citizens, politically active people.” She pointed out, also with her personal experience, that not only public attitude is victim-blaming, but even the state institutions, which are supposed to help them, tend to stigmatize homeless people for their situation, which is not their fault. Homeless people are exposed to humiliation on a daily basis when they seek medical service, looking for a job, claiming a service or managing their affairs, and if they stand up for their human dignity, it is often retaliated (e. g. with the withdrawal of allowance).

The City for All, inspired by the American organization Picture the Homeless, rejects this stigmatizing attitude and fights, in several working groups, for the safeguarding of homeless people’s interests, against their criminalization and against dislodgement. One of the groups deals specifically with homeless women and women experiencing housing difficulties. At present, their primary aim is to prevent children from being torn out of their families on the grounds of the parents’ poverty. Recently they opened a women-only group named “Power to Change” with the collaboration of NANE (a leading Hungarian organization against violence against women and children): their aim here is to restore the women’s self-respect and assertivity, from which they may benefit as activists, as well. The principle of gender equality is predominant in the whole organization as well. Due to the lecture it became obvious that – since having no place to live is not only a material loss, but also a violation of human dignity– the right to housing is a fundamental right, and the state must ensure it for everyone.

The dialogue forum made it clear that the notion of human dignity is usefully applicable in the discourse on social inequalities, especially in women’s rights and anti-poverty endeavours. The task of defining its meaning and content is yet ahead of us; the notion is, however, an excellent point of reference in the dialogue between people of different worldviews.