

SHAPING DIGNITIES – A PLURALISTIC AND RELATIONAL APPROACH TO DIGNITY USING ARTS-BASED METHODS

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Summary: While the concept of ‘dignity’ builds a cornerstone of Human Rights, as well as international and national legal structures, it has been critiqued since its inception, particularly in regards to issues of diversity. This paper argues that, if we aim to respond to the major ongoing struggles, we need to enhance our awareness about different approaches to dignity that coexist but are not equally attended or represented in the legal field. In this vein, I propose an exercise and utilize the experience of an arts-based workshop conducted recently with social scientists on the issue as material to explore different shapes of dignity. In order to engage with this material, I introduce approaches of the field of Peace Studies (Many Peaces Theory by Wolfgang Dietrich) and contemporary political philosophy (Donna Haraway), as helpful theoretical frameworks. On this base, I propose that a revised view on dignity can offer us a more relational, integrative and useful perspective in the field of law and Human Rights.

Keywords: Dignity, Plurality, Relationality, Arts-based Research, Peace.

1 Dignity: A hollowed cornerstone

Drafted in the context of post-World War II, the UN Declaration on Human Rights (1948) acknowledges human dignity as the foundation of freedom, justice and peace already in its Preamble and Art. 1. This principle was restated at the Vienna Conference (1993) as well as through numerous documents of international and national law worldwide, building a cornerstone of legal structures and argumentation.¹

Since its inception, however, critique to the predominant understanding of dignity arose from theoretical positions and social movements from the most different perspectives: cultural diversity (anthropology and cultural

1 The first legal document with an explicit mention of ‘dignity’ is according to Masferrer the Irish constitution of 1937. MASFERRER Domingo, Aniceto. Una historia retrospectiva de la dignidad humana. De la Constitución española (1978) al Descubrimiento de América (1492). *Glossae. European Journal of Legal History*, 2017, vol. 14, pp: 492 ff.

studies)²; feminist and queer thought³; ecology⁴ and socio-political movements (eg. ‘Los Indignados’ in 2011). Basically, critics assert that this concept of ‘dignity’ grounds on individualistic and rationalistic perspectives on the human being, and thus it does not acknowledge difference, relationality and situatedness of the experience of being human in its complexity. As a result, it turns into an ‘indignating dignity’ which nurtures (global) relations that invisibilize human diversity, dislocate human life from the many living systems it is embedded in, reduce the human experience to mechanistic functioning and consequently disregard (if not annihilate) forms of knowledge, learning, and transformation crucial for humanity to confront contemporary struggles. Scaringly enough, this might be also ‘the’ dignity that builds the bedrock of research aiming towards social transformation.

The question for the diversity of ‘ways to be fully human’, rephrasing the conundrum of ‘dignity’, mirrors also a psychological-anthropological struggle of the 21st century. ‘Human dignity’ as it frames Human Rights today is based on a specific model of the human experience and the human mind directing our (inter-)actions. However, the underlying model of a purely (or even mainly) rational and free individual does not match the insights of large portions of contemporary psychology and neuroscience.⁵

In terms of global politics, during the 21st century the increasing emphasis put on ‘dignity’ in legal structures and political discourse, has accompanied paradoxically a general increase of ecological, cultural, social, military and economic violence. Since 2020 COVID-19 has added dramatic challenges, igniting debates in the line of ‘ones’ dignity against others’ life.⁶ Furthermore, the pandemic has made the regnant global inequality even more obvious and imminent.

Moreover, while dignity and a better Human Rights-standard had been seen for a long time as tied to so called ‘underdevelopment’, the 21st century showed other realities. In 2011 the Spanish movement ‘*Los Indignados*’ addressed explicitly the

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- 2 ENGLE, Karen. 2001. From Skepticism to Embrace: Human Rights and the American Anthropological Association from 1947–1999. *Human Rights Quarterly* 23, 2001, pp: 536–559.
 - 3 CAROSIO, Alba. La ética feminista: Más allá de la justicia. In: *Revista Venezolana de Estudios de la Mujer*, v. 12, n. 28, Caracas; 2007. [online] Available at: <http://ve.scielo.org/scielo.php?script=sci_arttext&pid=S1316-37012007000100009> Accessed: 28.08.2024; HELD, Virginia. The Ethics of Care. In COPP, David (ed.) *Oxford Handbook of Ethical Theory*, New York: Oxford University Press, 2006, pp: 537–546.
 - 4 PELE, Antonio, BAUER, Katharina, RILEY, Stephen. Biodignity: Rethinking life and respect in the Anthropocene [online]. Available at URL: <<https://www.openglobalrights.org/Biodignity-life-and-respect-in-the-Anthropocene-nature-rights/?lang=English>> Accessed: 30.11.2022.
 - 5 See eg. the approaches of depth psychology (Freud, Jung, Adler), humanistic psychology (Rogers, Perls, Satir), systems psychology (von Bertalanffy, Bowen) and transpersonal psychology (Grof, Wilber), See HOUSE, Richard et al. *Humanistic Psychology: Current Trends and Future Prospects*. Routledge, 2017. All of them contrast and contest from different stances, the so called Cartesian model of the human being.
 - 6 GÜNTHER, Klaus. Die Verschränkung von Würde und Leben. In GÜNTHER, Klaus, VOLKMANN, Uwe. *Freiheit oder Leben? Das Abwägungsproblem der Zukunft*. Berlin: Suhrkamp, 2022, pp: 284 ff.

existent outrage about feeling treated without dignity while living in industrialized Western Europe. The fact that this experience was not owned exclusively by young Spaniards in economic and political distress, is shown by its influence on posterior movements in other parts of the so called 'Global North', like 'Occupy Wall Street' in the United States, and similar movements in Italy and France.

Interestingly, one of the main sources of inspiration for '*Los Indignados*' was the book of German-French diplomat, ambassador, writer, concentration camp survivor and French Résistance member Stéphane Hessel. Noteworthy, HESSEL had been observer of the editing of the UNDHR. In his book *Indignez-vous!*, he proposes an upheaval "against indifference and in favour of pacific insurrection."⁷ Hessel's biography and words are quite paradigmatic for the dramatic detour of dignity in the 20th and 21st centuries.

In parallel, the encompassing state of environmental emergency has shaken the ground of a vision of 'the human', its (individual) dignity and (subjective) rights, as independent from its natural ecosystems. More recently, a world-encompassing outcry has emerged from the awareness of ecological concerns as intimately interlinked with the understanding of 'the human' and 'its dignity': "Human dignity, when it asserts humanity's moral primacy in the world, or when it over-values human reason, is symptomatic of humanity's self-destructive and dominating relationship with nature"⁸. Thus, "if biology has become ecology, if individuals are ecosystems, where does that leave human rights, which arose to protect individual homo sapiens?"⁹. Even the concept of sustainable development, addressed by the SDGs as a "road to dignity"¹⁰ seems to be counterproductive.¹¹

But the current sense of emptiness regarding 'dignity' goes even beyond political debate. The deeper question to be posed to 'dignity' is: When our current way to coexist is so brittle¹² that each breath is potentially a threat to life: what does it mean to live in dignity? And what could then a right to be treated with dignity aim for? The general confusion about the meaning of dignity was pointed out poignantly by Janisch on occasion of the 70th anniversary of the German

7 HESSEL, Stéphane. *Time for Outrage*. New York: Twelve, 2011.

8 PELE, Antonio, BAUER, Katharina, RILEY, Stephen. Biodignity: Rethinking life and respect in the Anthropocene [online]. Available at URL: <<https://www.openglobalrights.org/Biodignity-life-and-respect-in-the-Anthropocene-nature-rights/?lang=English>> Accessed: 30.11.2022.

9 RODRÍGUEZ GARAVITO, César. More than human rights: What can we learn from trees, animals, and fungi?, 2022. [online] Available at: <<https://www.openglobalrights.org/more-than-human-rights-trees-animals-fungi/>> Accessed: 30.11.2022.

10 DALY, Erin, MAY, James R. The Indivisibility of Human Dignity and Sustainability. In ATAPATTU, Sumudu A., GONZALEZ, Carmen G., SECK, Sara L. (eds.). *The Cambridge Handbook of Environmental Justice and Sustainable Development*. Cambridge: Cambridge University Press, 2021.

11 ESTEVA, Gustavo. Development. In DIETRICH, Wolfgang et al. *Schlüsseltexte der Friedensforschung*. Wien: LIT Verlag, 2006.

12 Our times have been addressed as 'BANI': Brittle, Anxious, Non-linear, Incomprehensible. CASCIO, Jamais. Facing the Age of Chaos, in *Medium* [online]. Available at: <<https://medium.com/@cascio/facing-the-age-of-chaos-b00687b1f51d>> Accessed: 31.05.2022.

Grundgesetz: “the beautiful and the dangerous about [the idea of dignity] is: Everyone can conceive something by this, but it is different for everyone”¹³.

If we take this seriously that dignity ‘is different for everyone’, then we might go a step further into this insight. Naturally, the question cannot turn into “how do we make that this diversity does not affect the (or rather ‘our’ seemingly univocal global) dignitarian (Enlightenment-)project?” We need to ask ourselves: how do these different *dignities* look like? how do they relate to each other? What does such an approach entail for the legal field?

I argue that, if we aim to respond to contemporary conflict, we need to enhance our awareness about existing approaches to dignity. In this vein, I propose an exercise and utilize the experience of a workshop with social scientists on the issue as material to explore different shapes of dignity. In order to engage with this material, I introduce approaches of the field of Peace Studies and contemporary political philosophy, as a helpful theoretical framework. On this base, I envisage that a revised view on dignity can offer us a more relational, integrative and useful perspective in the field of law and Human Rights.

2 On the researcher’s dignity: Curiosity, experience, polylog

My engagement with the question about diversity within “dignity” encompassed different experiences within and outside academic settings, ranging from historico-philosophical research of the European unfolding of ‘dignity’ in the Renaissance¹⁴ to sampling references to dignity in music and theatrical environments. Many of the ‘dignitarian moments’¹⁵ addressed seemed inadequately represented in contemporary legal-philosophical discourse. The biggest difficulty, however, was not that they endowed a different *concept*, but that they addressed specifically experiential, non-rational and non-individual aspects of the human condition. Thus, these experienced realities could not be fully ‘translated’ into vectoral (linear) rational thinking, at least not without losing their ‘dignity’.¹⁶

13 JANISCH, Wolfgang. Das kühne Versprechen der unteilbaren Menschenwürde, *Süddeutsche Zeitung*, 8th May 2019, [online]. Available at: <<https://www.sueddeutsche.de/leben/grundgesetz-artikel-1-menschenwurde-versprechen-1.4428138>> Accessed: 28.08.2024.

14 BENITEZ-SCHAEFER, Florencia. Bringing Our Hearts Together: Envisaging Dignity. Towards a Dynamic Balance Amongst Justice, Freedom and Community. Communication at the World Congress of the Internationale Vereinigung für Rechts- und Sozialphilosophie (IVR) 2022, Bukarest (8th July 2022, unpublished).

15 I owe this phrasing to M. RUPNIEWSKI (2024). RUPNIEWSKI, Michał. *Human Dignity and the Law A Personalist Theory*. London: Routledge. 2023.

16 This problem has been addressed from a different stance by Wittgenstein in his ‘Über Gewissheit’ (‘On Certainty’, 1969), where he questions many of the grounding principles of his previous works on logic. To be sure, this is a conundrum at the base of anthropological research – and social research at all: engaging with ‘otherness’. The field of law has largely avoided this issue besides some strands in queer-fields like Legal Anthropology or Law & Literature.

Starting an open exploration that would allow a polylog¹⁷ of ‘dignities’ required corresponding methodological shifts that led me to arts-based research.¹⁸ In order to find a first access to this type of inquiry, I propose you to do a 5-minutes exercise before reading about the workshop I will refer later. This exercise resembles the experience at the AIBR 2023 on which I will focus as well as the exercise I introduced in the International Workshop “Human Dignity – Element, Source or Essence of International Human Rights Law”.¹⁹

It is convenient to read first the whole exercise and then try it out. It can be done in 5 minutes, but you can take more time if you wish so or repeat it. You will need 2 separate sheets of paper and something to write.²⁰ It is very simple:

1. Take one sheet of paper and write in 1 minute all what comes to your mind about ‘dignity’. It is speedwriting, do it as fast as you can. Just put it out there. Put the sheet of paper away, somewhere where it does not disturb you.
2. Now, just concentrate on yourself. At least until the end of the exercise, leave aside any concern that could distract you from the task, including all what you have read, known or written about ‘dignity’. Rather concentrate on taking note of any feelings or sensations arising and make them part of your inquiry. If you prefer, you can close your eyes, take a couple of good breaths or try to listen to your heart or pulse.

Enter in a state of sincere, innocent, almost childlike curiosity. This includes particularly that you allow everything that comes and let it impress you. Do not attempt to sort out and avoid reflecting on these impressions for now. Searching for order or clarity at this stage is rather counterproductive. Superposition and chaos of images and concepts are okay.

1. Take 1 minute to recall a moment in your life when you felt “fully you, fully in the right spot”. Maybe it helps to ‘translate’ in your mind this invitation into your mother tongue. The idea is: What you were experiencing or

17 Wimmer elaborates this concept in the context of intercultural philosophy addressing the integration of diverse voices in dialogue. WIMMER, Franz Martin. *Interkulturelle Philosophie. Eine Einführung*. Wien: Wiener Universitätsverlag, 2004.

18 For the sake of academic authenticity, I have to add that these methodological shortcomings echoed my inner need to use more than my ‘head’, and so find more integration of myself within my academic practice. Otherwise, which kind of knowledge are we doomed to produce as compartmentalized and alienated academics? Despite the indifference of the law field, there is a vast literature on arts-based research and transformative methodologies in the social sciences, eg. GREENWOOD, Janinka. Arts-Based Research. *Oxford Research Encyclopedia of Education*. 2019 (February 25) [online]. Available at: <<https://oxfordre.com/education/view/10.1093/acrefore/9780190264093.001.0001/acrefore-9780190264093-e-29>> Accessed: 26.01.2024; STOLLER, Paul. *Sensuous Scholarship*. Philadelphia: University of Pennsylvania Press. 1997; PINK, Sarah. *Doing Sensory Ethnography*. Thousand Oaks: SAGE. 2009.

19 4th–5th Dec. 2023, Palacký University in Olomouc, Faculty of Law, Czech Republic, hybrid.

20 Electronic devices might work as well but analogue tools work, in my experience, better.

doing corresponded completely with whom you were at the moment. You were *digna/dignus* of that experience and your environment was *digna/dignus* of your presence, your commitment, whatever you were doing. Being where you were, doing what you did, sensing what you sensed... all of it was completely in tune with whom you are/were. Your experience was in tune with your own sense of being (human), with that what being (human) is all about – whatever that means for you – or was about at that point of time. It can – but it does not need to – be a ‘happy’ moment. Probably various moments pop up. Take each of them as what they are – unique.

2. Take 2 minutes to draw or scribble images that represent those moments, including the sounds, smells and sensations that popped up. Collect, do not select. Care for the nuances, do not homogenize. If you cannot do without words, leave them for the end and connect them to your scribbles.

If you want, you can take a moment (as in step 2) and explore how was this short experience. Later, look at your doodles. What calls your attention? If you drew different things, pay attention to the connections, contrasts, relations... If you want, you can add things to your drawing. Finally, it is possible to revise to what extent and more importantly *how* do your experiences with dignity, embodied in this drawing, relate to the words you wrote in the beginning.²¹ If you feel adventurous, you might even wonder how your engagement with law could look like if you would integrate the dignities you have touched upon in your doodles.

3 Engaging with dignities

The workshop ‘Exploring Dignities: Using Creative Methods in Cultural Diversity Research,’ held within the framework of the 9th International Congress of Anthropology AIBR (Antropólogos Iberoamericanos en Red) 2023²², included a similar experience as the exercise described above.²³ The workshop continued with a longer part, in which the participants made each one a collage exploring the meaning of dignity from their perspective. After having some time for silently observing the different collages, the participants used a thread to connect the

21 Naturally, I will be more than happy to receive your images, words, reflections, feedback etc. upon making this exercise! Do reach out: florencia.benitezschaefer@gmail.com.

22 The workshop took place between 5:00 and 7:00 PM at the UNAM Graduate Unit, the congress venue. The group encompassed 13 people, 12 female and 1 male, including 1 online participant. The workshop was led by the author and technically supported by a member of the AIBR team.

23 I would like to especially thank the participants of the Workshop ‘Exploring Dignities: Using Creative Methods in Cultural Diversity Research,’ held at the 9th International Congress of Anthropology AIBR, “The Intercultural Challenge: Dialogue and Diversity” (Mexico City, August 8–11, 2023). Thank you for your dedication and sincere openness to the individual and collective exploration of dignities. I also extend my gratitude to the Office for Diversity and Equal Opportunities at the University of Passau, Germany, for their financial support of my participation in this congress with a presentation and this workshop.

individual collages exploring the relations amongst their creations. We finalized with a common reflection space.²⁴

Later on, I offer a description and interpretation of the collages as empirical information about the topic at hand. While here the produced collages will be in the focus because they give us concrete starting points, the working perspective has intrinsically a procedural emphasis. In other words, the exploration (and the relevant results for our issue) did not start neither ended with the production of collages. On this note, I address firstly some of the difficulties when it comes to engaging with the collages. Secondly, I share one major framework that shaped my reading.

It might seem a 'natural' impulse to 'simply' describe the collages and classify the images. I see this "automatic" response I experienced as an attempt to deal with the sense of being overwhelmed by the quantity of images, their disparity, and the desire to give "meaning" to them, particularly in order to introduce this experience into academic dialogue.

While this classifying impulse is not *per se* 'wrong', clinging only to it results insufficient, devitalizing, inauthentic, and, on a personal note, quite boring. If we only stick to differentiation according to a pre-established scheme, we turn these creative materials, through our gaze, into brick walls, composed of parts or modules. But they are all more than the sum of their parts: They are alive and offer multiple possibilities to weave networks of meaning.²⁵

Disregarding the dialogical character of observation/description/interpretation would assume that the spectator/researcher's own vision occurs in a sterile place, outside of time and space, and outside the moment of creation: "Before *they* played (maybe *they* even made art!) – now *I* do science", and dissect the dead bug on the table. This could easily be done with artificial intelligence tools playing to be quite decontextualized and objectively distant. But this methodology would not align with what I or the participants, present here through their work, can or want to bring in. In other words, such a treatment would be indecent, it would attempt against the creator/researcher's dignity.

It is more risky and confusing, but more sincere and 'juicy', to open our gaze to how the collages intertwine, as in a cat's cradle²⁶, different images, making certain figures of dignity emerge at one moment and disarming others that remain latent in the weave. In the language of Gestalt, our gaze puts certain images as figure

24 The experience was repeated with some adaptations at the World Congress of IUAES in New Delhi, India (October 2023; IUAES 2023). Experiences in legal contexts have taken place also after the writing of this article, eg. at World Congress IVR 2024 (Seoul).

25 Certainly, this is not only here the case, but rather a quality of *any* text.

26 These are string games found in very diverse cultural groups. In English, "cat's cradle" allude to the tangle that results when a cat gets involved with a thread. In German, it is interesting to note that they are called both *Fadenfiguren* (thread figures) and *Hexenspiele* (witches' games), highlighting the mystical connotation this activity holds for many human groups. Recently, these figures have gained greater discursive relevance due to the metaphorical and even methodological usage proposed by Haraway, see HARAWAY, Donna. *Staying with the Trouble. Making Kin in the Chthulucene*. Durham: Duke University Press, 2016.

at one moment and as background at another one. The figure in the foreground changes the next moment and others remain behind, although they do not disappear. However disparate they may be, the images of a vampire with bloodied fangs and of an electricity tower are both part of the same encounter, play the same ‘game’ and are intertwined with the same string.

The same thing happens with the inner associations of observers, including myself as I write this text. As the interpreter and through this co-creative action of finding meaning on these images, I inevitably assemble and reassemble certain string figures, I organize what I see – or I see nothing. Triggered by an external impulse, for example the image in a collage, hundreds of impressions come to my consciousness like a tide (and how many will remain as unconscious as they are relevant!). Eventually, they bond with another image from the collages, only to dissipate into foam and once again join, densified by these new images my own imaginary.

Therefore, although I will offer a proposal to engage with these images, the aim is not to dissect the collages into their parts and structure their ‘content’, but rather to perceive, allow to emerge, and share forms in/of relation. I elaborate here on some of the background-and-figure games that take shape in these collages and allow us to explore various manifestations of lived dignities.

4 Learning from the Many Peaces

When encountering images on ‘dignity’, unavoidably frames of reference are activated, shaping what we see. In my case, Donna Haraway’s and Wolfgang Dietrich’s approaches²⁷ strongly influence my reading.²⁸ While I will address Haraway’s work later, Dietrich’s proposal requires already now a short introduction.

Like ‘dignity’, also the concept of ‘peace’, the twin-cornerstone of Human Rights, has suffered a loss in legitimacy, becoming as much void of meaning as dreadfully necessary. As a consequence, new conceptualizations emerged in the last decades. Based on Muñoz’ concept of *imperfect peace* and Galtung’s differentiations of positive and negative peace²⁹, a key line of Peace and Conflict

27 HARAWAY, Donna. *Staying with the Trouble. Making Kin in the Chthulucene*. Durham: Duke University Press, 2016; DIETRICH, Wolfgang. *Variationen über die vielen Frieden I. Deutungen*. Wien: Springer VS, 2008.

28 I will also make use to a smaller extent of some tools of anthropology and depth psychology to explore how the images of the collages are linked to archetypal contents, ie. symbolic references that repeat in very diverse socio-cultural contexts. The notion of ‘archetype’ links the work of anthropologist Adolf Bastian and psychologist C.G. JUNG (see KOPPING, Klaus Peter. *Adolf Bastian and the psychic unity of mankind: The foundations of anthropology in nineteenth century Germany*. Münster: LIT Verlag, 2005; BURNS, Charlene P.E. Archetypal Symbolism. In LEEMING, David A. (ed.) *Encyclopedia of Psychology and Religion*. Cham: Springer, 2020, pp.132–134). One of the best-known applications of archetypes, explicitly related to anthropology and archaeology, can be found in NEUMANN, Erich. *La Gran Madre. Una fenomenología de las creaciones femeninas del inconsciente*. (Trad. Rafael Fernández de Maururi). Madrid: Trotta, 2009.

29 See MUÑOZ, Francisco A. *La Paz Imperfecta ante un Universo en Conflicto*. In IDEM, *La Paz Imperfecta*. Granada: Universidad de Granada, 2001, pp: 22–66; GALTUNG, Johan. *Sobre la paz*.

Research has explored socio-linguistic, cultural and historical variations of understandings of peace. In his Many Peaces Theory, Dietrich differentiated 'families'³⁰ of peace approaches gravitating around certain key-principles (Many Peaces Theory).³¹

It will not surprise that one peace 'family' emphasizes the importance of justice ('moral peaces').³² In this line, peace depends on the realization of certain moral values. It responds to the logic that when certain pre-defined just values are upheld, peace reigns. As much as we advocate for the importance of justice in the world, this understanding also implies that war can still be legitimized if it responds to the pursue of justice. In this line, we find the concepts of 'just war' as much as the brutal Conquest of the Americas in the name of the betterment of Humanity. Sadly, reiterations of this type of argument have been found in contemporary approaches to 'Development'.³³

A different, even if related, approach to peace, is based on the primacy of the pair 'security-freedom' ('modern peaces')³⁴. It responds to questions like: Which institutions and structures can be engineered to secure peace? To what extent does an individual's freedom need to be constrained in order to secure another's person freedom, and thus social peace? Following an appeal to reason, concrete subjects subordinate their individual freedom to structures, eg. the modern state, that will manage their freedom-security according to what is best for general peace. Modern state law is a paradigmatic example of this promise.³⁵

In line with postmodern critique, a third approach to peace, focuses on the relevance of recognizing the validity of diverse subjective truths ('postmodern peaces').³⁶ Thus, speaking of 'peace' depends upon the particular perceptions and experiences of the individuals involved. Peace becomes a matter of contention (and negotiation) between individual perceptions embedded in a (power)

Fontamara: Barcelona, 1985.

30 It is not coincidental that both Haraway and Dietrich use concepts related to kinship ('kin' and 'Familie'), which are more organic than that of 'category'.

31 Dietrich's exploration is profound and vast and links to various other scholars like Adam Curle and John Paul Lederach. I refer here only to some key aspects that frame the current paper.

32 DIETRICH, Wolfgang. *Variationen über die vielen Frieden I. Deutungen*. Wien: Springer VS, 2008, 107 ff.

33 Just to name a few paradigmatically critical voices, see: SACHS, Wolfgang. *The Development Dictionary: A Guide to Knowledge as Power*. London: Zed Books, 2010; ESTEVA, Gustavo. *Fiesta. Jenseits von Entwicklung, Hilfe und Politik*, 2nd ed. Brandes & Apsel: Frankfurt am Main/Vienna, 1995; KOTHARI, Ashish et al. (eds.). *Pluriverse. A Post-Development Dictionary*. New Delhi: Tulika Books, 2019.

34 DIETRICH, Wolfgang. *Variationen über die vielen Frieden I. Deutungen*. Wien: Springer VS, 2008, 185 ff.

35 Regarding the relationship between moral and modern peaces in the legal context, see BENITEZ-SCHAEFER 2012.

36 Truth is the principle that Dietrich connects to the so-called 'postmodern peaces'. Despite Dietrich's wording, for a first approach it might be easier to understand this perspective as connected to 'diversity' in terms of the struggle amongst understandings of 'One Truth', see DIETRICH, Wolfgang. *Variationen über die vielen Frieden I. Deutungen*. Wien: Springer VS, 2008, 251 ff.

struggle. It depends upon a continuous, always unfinished and imperfect act of communication.³⁷ This pluralized vision is at the base of the postmodern critique to 'dignity' named above.

While these three approaches to peace resonate easily with currents of legal philosophy and struggles of Human Rights, a fourth 'peace family' remains rather unrepresented in the prevalent (Western) legal discourse. This approach envisages peace emphasizing a sense of harmony as a dynamic balance between opposites. These harmonic understandings of peace conceive the (individual) human being always nested within wider systems. Here, the notion of 'community' gains a central role. In Western discussion we find this type of argument today rather in the frame of ecological struggles. In 21st century, a peace conceived as separated from the wellbeing of the planet has become impossible.

On the base of these four families of peace, Dietrich calls for a relational, integrative approach, which he envisages as 'trans-rational peaces'. This understanding grounds on the notion that all approaches to peace need to be taken into account and put in dynamic balance. This type of equilibrium requires continuous adaptation and is never static. The strength of this approach to peace emanates from continuous responsive adaptation. To work towards this dynamic balance amongst the many approaches to peace is the aim of Elicitive Conflict Transformation.³⁸

This understanding of plural peaces frames the subsequent reading of the collages in regard to the perspectives on dignity they portray.

5 Shaping Dignities

Some stories told by these collages speak of order and structure. For example, one of the collages explicitly mentions 'work' alongside an image with a huge bill with a house and a man with a drink in his hand inside. A subtitle specifies: "A SALARY THAT ALLOWS YOU TO PAY RENT, SAVE, HAVE FUN". In the same collage, the word "RIGHT" is written by the artist next to a clipping entitled "RIGHT TO RETIRE AT A DIGNIFIED AGE". The reference to social structures and forms of work also appears in an image of a desk and a chair that are in complete order in a brightly lit room. Similarly, systematic work is shown in relation to scientific research. Another collage refers to political structures, representing a meeting of Latin American political leaders like Evo Morales and Lula, and in another structure, the Paulo Freire Institute.

In these images, dignity takes shape in relation to social structures, particularly related to the state. This approach aligns with the most prevalent discourse on human rights at the international level and in national constitutions. Claims for dignity generally draw from the same logic, invoking the right to 'decent work'

37 MUÑOZ, Francisco A. *La Paz Imperfecta ante un Universo en Conflicto*. In IDEM, *La Paz Imperfecta*. Granada: Universidad de Granada, 2001, pp: 22–66.

38 See paradigmatically LEDERACH, John Paul. *Preparing for Peace: Conflict Transformation Across Cultures*. New York: Syracuse University Press, 1995.

or ,decent housing‘. These dignities require structures that ensure certain ways of life in different phases of productivity of individuals organized in a society with a certain regime. In the families of peace elaborated by Dietrich, these narratives of dignity go hand in hand with ,modern peaces‘, related to order, structure, and the value of security. The absence of these structures is consequently associated with the lack of dignity and peace. As is typical for contemporary legal structures, aspects of security are also intermingled with aspects of justice, the guiding value of ,moral peaces‘ in Dietrich’s proposal.

Other expressions of dignity in the collages tell stories of these same structures in a state of disruption, of disbelieved and ironically disrupted orders. For example, a collage flooded with red colour brings blocks of text dealing with the dark chapter of state espionage of Operation Mengele in Spain. Similarly referring to dignity allied with criticism of an apparently stabilizing and necessary order or norm that ultimately proves destructive, another collage includes an image caricaturing the justification of acts of violence against women. The label “PATRIARCHY” and its association with “DEATH” are also linked to a clipping about narcocryptocurrencies and one more representing a movie-scene portraying the Oppenheimer case. What connects these disparate points is the attitude of suspicion that becomes almost a necessity for survival. In case there were any doubts, the dysfunctionality of existing structures and the fatality of established orders are underscored with the heading “DESTRUCTION/NO DIGNITY”.

These stories of dignities allied with questioning structures reappear in other works in a more comedic and ironic way. One of the collages presents, against a completely black background, in the foreground a jester or a carnival being, with the subtitle ‘HUMANIST’ (part of the original clipping). Irony and play also appear in the interaction with the spectators, performatively. This collage was divided like a triptych that had to be opened. During the workshop, it was only very late that we noticed that the collage-maker was proposing this game with our own expectations. Once we passed the cover of this humanist jester, we found other versions of dignity that, equally against a black background, show children laughing and a bright, innocent, youthful sun, painted with colours, to reach at the last door to the word “joy”.

The idea that something is hiding, that there is something concealed, something to rediscover, reappears in various collages. The dignities that emerge here invite, like the previous collage, to open doors, even when the stories they hide are not always, as in the last example, of joy. On the edge of the comic-grotesque, a vampire with bloodied fangs reminds us of “THE IGNORED HISTORY” while another collage, in a more serious tone, demands that we question: “WHAT IS BEHIND THE WITCH HUNTERS?” as a call to historical consciousness of a more realistic nature. Distrust, emptiness, and absurdity appear in a more distressing way in the images of armed pyjamas as if there were a person inside, but empty, formed in rows in a barbed wire jail.

These dignities echo Dietrich's postmodern³⁹ families of peaces, which revolve around the theme of truth or rather the multiplicity of truths and voices with greater or lesser power to be heard. As a response to underlying power schemes, these peaces propose forms of communication that 'displace' the message receiver, using irony, grotesque, and shock.

However, the narratives of skepticism, irony, and unease, denoting dignities in struggle and questioning, are simultaneously intertwined with 'dignities' of a very different order. For example, in one of the collages the criticism of witch hunting, as a revisionist proposal of a "history of power, malice, and manipulation", marked in this particular context by gender difference, is linked in the same visual composition to figures of women and bonfires with a totally different emotional and symbolic load.

In this constellation, the pyre is reinterpreted as a communal bonfire in a festive context, and the women are transfigured. They no longer appear as objects reduced to ashes but as a collaborative, satisfied, and productive collective – with tablecloths on their bodies and jugs on the table announcing nutritious contents like cornucopias of abundance. But going even further, the same collage shows a clipping of a contemporary woman who, like the reincarnation of a witch of yore, accesses other worlds, showing us that, beyond how we tell the story, those abilities stereotyped as 'withy' and outworldly that seemed annihilated are still alive.

In this sense, dignity is related to the ability to connect with less material and less rational worlds than those visible in the predominant narrative of 'reality'. It is connected to knowledge of broader content than the paradigm of 'modern' knowledge, the latter inheriting from systematic acts of physical and epistemological destruction. And it is because it is allied with these 'other worlds' that this dignity resides in turn in the capacity to 'rise from the ashes' through time. In another collage, a group of dark-skinned women dancing with bare torsos and bodies covered in ash, in a context that seems ritualistic, reiterates this archetypal image.

The questioning, skepticism, and disbelief both towards the predominant history in the case of witches and the vampire, as well as towards the contemporary state in the case of espionage, are juxtaposed with the opening to other truths and the possibility of access to other planes of the human. It is as if the integration of veiled stories also allows us to access other existing realities of our own way of being in the world today – and other ways of experiencing and understanding what dignity is. Thus, in the same collage, the horrors of Operation Mengele (Shuto), bathed in blood red and fused in fire, are intertwined with unexpected hints of water (and its promise of life) on the desolate planet of fire and mythological representative of war: Mars.

39 It is not by chance that some key thinkers embodying the crisis of modern philosophy, such as Marx, Nietzsche, and Freud, are named representatives of the philosophy of suspicion, RICOEUR, Paul. *De l'interprétation. Essai sur Freud*. Paris: Éditions du Seuil, 1965.

In Dietrich's analysis, these aspects refer to energetic peaces, which propose experiencing peace, and in our case dignity, as an intimate and harmonious connection with a whole that transcends dichotomies. (Because it transcends dichotomies, it goes beyond the division good/bad or individual/collective). Philosophy as well as anthropology of religion and the sacred have studied in detail some key expressions around this conception. For example, the whole that integrates opposites finds a very popular representation today in the ancestral symbol of the *Tai Ji Tu*. But what is important here is that we are not investigating ancestral theologies or philosophies nor their specific symbols, but these energetic perspectives appear as concrete experiences, searches, and contemporary encounters. This is an energetic aspect of dignity experienced by social scientists.

With the denunciation of a torn world, the mythical and the marvellous are intertwined as inhabiting the same world. In the same collage, the omnipresent flames find shape and meaning in the image of the sun as the centre of the Mayan calendar, introducing both the ancient history of Mesoamerican cultures and their conception of cosmic time. These symbolic references to the human relationship with a sacred and immeasurably larger realm go hand in hand with the 'living' proof of this union in the mummified body of a Buddhist monk (*Sokushinbutsu*).

These images suggest that experiences of dignity have something to do with experiences that, while connected to the material world, exceed it as well as surpass our rational understanding. The perspective of a dignity associated with life cycles, as well as with care and companionship, is also manifested in the image of a child on the shoulders of a man. These dignities, traversing a world of unease and destruction, refer to a spiritual aspect as well as an affective and cosmic aspect of existence.

Another collage reimagines the narrative of *Zapatismo*, conceived, in principle, as a critical and disruptive force of given structures (especially state structures and global economic order). Although the creator had brought the popularized image of a Zapatista activist with a black balaclava explicitly to introduce it into her collage, over the course of the activity she gradually cut it more and more until, in the final work, only their eyes are seen. The resulting image merges with others that evoke friendly and comforting encounters, while at the same time it is linked to words like 'joy', 'humour', 'delight', and 'spiritual dimension'.

It is striking that the spiritual dimension manifests in various forms in several collages, particularly linked to images referring to nature. The collages recover both the striking magnificence of the Irish coast and its cultural and mythical references. The mention of the druid *Amergin* invoking the power of nature to unify the tribes, the reference to the sacred Irish bush, and the search for the Celtic paradise combine, in the works, nature with dignity. Importantly, this connection is not the result of mental argumentation, but the images denote experiences of immersion, anciently inhabited caves, and people imbued in the landscape.

The recurring presence of natural forces such as water, the sea, rivers, but also fire, the sun, and mountains refer to narratives of dignity related to greater forces that escape human control. At the same time, elements with opposite qualities and

energies, such as fire and water, integrated into the same collage, present dignity as an experience, and even as a force, that integrates opposites. Immersion in and interaction with these natural spaces take on spiritual connotations that transcend time similarly to the Japanese Buddhist mummy.

Thus, dignity is experienced through hands that traverse the lines carved in gigantic stones – carved by other hands, hundreds of years ago. Creative work that transcends the nature-culture division is manifested both in images of celebration around a communal bonfire and in others showing the process of casting and transfiguration (apparently ritual) into a leopard. Likewise, play, particularly play with elements beyond one's own control, appears in multiple images. It appears both in the innocent play of young people with water and in the surrender to vertigo as much as in the shouts of happiness and fear on the faces of six children riding a 'roller coaster'.

Dignities aligned with postmodern peaces experience, thus, twist⁴⁰ and transform⁴¹ when integrated with other aspects that let us envisage a transrational approach to dignity. Transposing the central aspects of transrational peaces, the works show that dignity also has to do with the possibility of (re-)creating constantly a dynamic balance between different perspectives of dignity. This approach to peace and dignity becomes also particularly prominent in the work that followed the collage-making itself, when the participants explored and made visible the relations between their collages, linking them with a thread. The movement in-between, across the seemingly empty space between the collages, back and forth, evokes the processual character of transrational approaches.

Our engagement in the workshop performed itself forms of experiencing dignity by establishing relationships in a dynamic balance. While the thread served to make visible existing relations, it also embodies a process of encounter: the more we dedicated to one another's perspectives, the more a sense of dignity, of acknowledgement and respect was enhanced for each of the participants – even while recognizing tension and disagreement. New relationships became possible, our visions on dignities and our experiences of dignities got re-shaped by this experience. Our related dignities continued weaving into each other after the workshop through the conversations in the congress, the memories of the participants, and even through this very text. Suddenly, the snapshot taken during the workshop, portraying what dignity was for each individual, got nested into

40 In this context, it is particularly relevant to remind of the term *Verwindung*, which Gianni Vattimo takes from Heidegger to conceptualize a twisting of modernity in the face of the void of postmodernity. Noteworthy, this 'twist' was materially performed in the collage portraying the joker-'humanist'; see VATTIMO, Gianni. *Weak Thought*, trans. Peter Carravetta, SUNY series in Contemporary Italian Philosophy. New York: State University of New York Press, 2012.

41 Similarly, the concept of transformation acquires a particular connotation in relation to the proposal of the (elictive) transformation of conflicts developed by John Paul Lederach, see LEDERACH, John Paul. *Preparing for Peace: Conflict Transformation Across Cultures*. New York: Syracuse University Press, 1995.

an endless constantly reshaping web of relations that reaches far into the past and into the unknown future.

6 A dignity-with – what for?

While recognizing the existing variety of dignities might be intellectually appealing, it is imperative to recall why should we, professionals of the fields of law and politics, actually care for this change in perspective. In this vein, my reading of the collages and even the proposal of the workshop is intimately tied with Donna Haraway's political philosophy. Delving, if only superficially, into some of the many relevant aspects of her philosophy is inspiring to inquire further on how could a different approach to dignity help addressing contemporary socio-legal-political challenges.⁴²

In front of the ongoing world-encompassing struggles⁴³, Haraway recognizes two recurrent answers, either “yes, we can solve the issue!” or “do not bother, we are doomed anyways!”. Championing for dignity and Human Rights are not the exception. They have been portrayed as what Haraway calls a ‘technofix’ or have configured, on the contrary, a ‘technoapocalypse’. Putting it bluntly, the discourses in favour of Human Rights’ institutions propose that by following their dictates, humanity will achieve a dignified and peaceful life and that if these are not followed, we will be condemned to failure in apocalyptic proportions. In front of the contemporary tragic failures of the Human Rights system, it and the dignity it addresses have suffered attacks from fatalistic standpoints.

In contrast with this stance, that is always focusing on a future to come, Haraway “argues and tries to perform that, eschewing futurism, staying with the trouble is both more serious and more lively”. ‘Staying with the trouble’, as her book is titled, proposes that the task at hand in these “disturbing times, mixed-up times, troubling and turbid times” is to “become capable, with each other in all of our bumptious kinds, of response.”⁴⁴

The task of being human, of living a dignified life as a human being or ‘a life dignified at all’, can no longer be about keeping immaculate a pristine abstract dignity, thought for an individual human being in isolation.⁴⁵ Following Haraway, to live a life in dignity is tied to becoming capable of responding to the current

42 Due to the limitations of this paper, I concentrate only on a few ideas presented in HARAWAY, Donna. *Staying with the Trouble. Making Kin in the Chthulucene*. Durham: Duke University Press, 2016.

43 Haraways’ thoughts respond to the contemporary eco-socio-cultural crisis that has been framed with the catchword “Anthropocene”. Amongst the many valid criticisms that she formulates to this concept, one of the most important to our topic is that conceptualizing the devastation of humanity’s own ground for living in these terms reenacts an individualistic, human-centered, male and heroic storytelling, see HARAWAY, Donna. *Staying with the Trouble. Making Kin in the Chthulucene*. Durham: Duke University Press, 2016.

44 HARAWAY, Donna. *Staying with the Trouble. Making Kin in the Chthulucene*. Durham: Duke University Press, 2016.

45 The worldwide shared experience of isolation due to COVID-19 is a painful reminder of this.

situations that overwhelm us. It is about becoming, with each other, *responsible*. This task can only develop in a constant 'becoming-with,' 'responding-to,' and, in turn, receiving responses, being a space of resonance for everything that affects us.⁴⁶

Haraway's proposal echoes the idea advanced in the field of conflict transformation that living peacefully cannot be seen (merely) as destroying conflict, *solving* troubles – but it requires *staying* with them and finding creative ways of transformation.⁴⁷ The main discourse on dignity and Human Rights works, however, similar to the concept of negative peace. In fact, the emergence of these discourses in the 20th century is directly linked to the concept of the Four Freedoms, elaborated by Franklin D. Roosevelt in the "Four Freedoms State of the Union address" (1941).⁴⁸ They became part of the personal mission undertaken by Eleanor Roosevelt in 1948, who decisively influenced the UNDHR. As a result, they are explicitly engrained into the preamble to the UNDHR.⁴⁹

The emerging notion of Human Rights and human dignity depends thus on a negative perception oriented towards the future: a minimum standard of "*freedom from suffering*" will save us from falling into 'indignity'. Or, seen from the other side, the path towards a 'dignous', ie. a 'proper, real' human life is pre-set, giving free way to the failed development discourse of the 20th century. The problem with this approach is not that real inequalities and challenges are recognized or objectives are set, but rather that the way to address them, results in the insufficient logic of a 'technofix', recreates and intensifies inequalities, is oblivious of diversity and disconnects us from present experience.

46 The notion of 'affection' is relevant here particularly because it relates also to the combination of sensorial and emotional response: it touches us. It entails therefore also the call for an epistemological and methodical twist.

47 Peace, as Galtung observed, is much more than the negation of its opposite (negative peace), and entails a variety of (positive) visions of oneself's life (see GALTUNG, Johan. *Sobre la paz*. Fontamara: Barcelona, 1985). Muñoz elaborated further that, when it comes to making peace, the task is to engage with these peaces always in the making, always imperfect (see MUÑOZ, Francisco A. *La Paz Imperfecta ante un Universo en Conflicto*. In IDEM, *La Paz Imperfecta*. Granada: Universidad de Granada, 2001, pp: 22–66). Lederach adds that it is about unfolding these peaces constantly *amidst and through* the ebb and flow of conflict in an expanded present. In a similar line, Haraway emphasizes that she "is not interested in reconciliation or restoration, but [is] deeply committed to the more modest possibilities of partial recuperation and getting on together" (see LEDERACH, John Paul. *The Little Book of Conflict Transformation*. Intercourse: Good Books, 2003, p. 10). This is only seemingly more modest, because it asks for the *quality* of the relationships fostered, requiring constant *care*.

48 They encompass: Freedom of Speech, Freedom of Worship, Freedom from Want, and Freedom from Fear (HENNESSEY, Maureen Hart, KNUTSON, Anne. *The Four Freedoms*. Norman Rockwell: Pictures for the American People. New York: Harry N. Abrams, Inc. with High Museum of Art and Norman Rockwell Museum, 1999, p. 95).

49 "Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy the freedom of speech and belief and freedom from fear and want has been proclaimed the highest aspiration of the common people."

In contrast, Haraway argues convincingly that to engage with the ongoing humanitarian and ecological catastrophes, we need to stay with the trouble, “learning to be truly present,” intertwined in countless unresolved configurations. In this turbulent context, she invites us to re-signify dignity and with that also Human Rights, so that these concepts might engender processes of resurgence and recuperation. She talks to a concept of dignity that, while not dissolving into an uncertain magma, does allow us to intertwine in a dynamic manner, like in a string game, multiple times, spaces, meanings and experiences. Borrowing Haraway’s language, living in our times calls for a dignity-with, a dignity-in-relation. The collages, the threading through them and the further threading in this text envisage working with this perspective on dignity.

7 Reflections and open questions

It is the nature of a creative exercise – of this serious yet playful game – that its ‘product’ generates new perspectives and questions rather than closures. Therefore, I present here some of the issues that arise from this exercise with a view to unfold new cat cradles in relation to law.

Both the workshop and this narrative, along with the proposed exercise, call us to (re)encounter a diversity of experiences of ‘dignity’ and to develop a dynamic and relational perspective. Importantly, there are methodological issues to take into account. Obviously, the fact that diverse approaches to ‘dignity’ arose in the workshop results also from the ‘research question’ that was posed by me in the beginning. I have purposefully opened up the query to different – also intimate – fields of human experience. The intentional move might be seen as an (inadequate) influence of the experiment. But could we not say the same of seemingly more objective questions like “what is dignity?”.

The reification of ‘dignity’ as something objective, separate from experience, process and relation, as well as the constraints of the linguistic and socio-cultural contexts this seemingly ‘objective’ question is embedded in, are maybe not as obvious as they are limiting. They create a self-legitimizing web of meaning that to a certain extent might be necessary for communication, but should never remain impermeable if it aims to be meaningful and socially alive. In the worst-case-scenario, behind the seemingly objective framing of ‘dignity’ lurks an act of constant and subreptitious violence, both symbolic and structural, leading and justifying physical violence.⁵⁰

If something became clear out of this experience, it is that dignity as a concept cannot be treated as universal, univocal, and decontextualized. This presents us with certain philosophical-theoretical problems. But there is also a deeper questioning of what this plural and relational perspective implies for our practices related to law. Because if we take this plural perspective seriously, a practice that

50 This is the claim advanced by critics from Decolonial and Gender Studies perspectives. Legal Anthropology has recovered in the last decades many critical approaches specifically in the field of law, exemplarily discussing the notion of ‘law’ itself from a perspective of legal pluralism.

only gives space to certain aspects of dignity necessarily undermines dignity as a whole.

We must ask ourselves what a plural relational perspective towards dignity implies for how we work with law and Human Rights, both in research and in other areas, e.g. in the development of public policies. How does this perspective impact structures aimed at protecting or enhancing dignity? How does this affect our work for Human Rights, either within or outside the formal Human Rights system?

Going more into detail, this small arts-based research process shows that understanding dignity in terms of the securities that the state should provide (in line with ‘modern peaces’) or what the human being “deserves” according to a certain authoritative canon (in line with ‘moral peaces’) covers an extremely limited aspect of what it means to attend to our dignities. The same goes for the claim for the respect of diversity on its own sake (in line with ‘postmodern peaces’). Rather, beyond modern, moral, and postmodern perspectives, dignity entails, in Dietrich’s words, an harmonic or ‘energetic’ aspect.

The marked presence of these ‘energetic’ dignities in the art-works⁵¹ leads us to question to what extent this perspective receives sufficient attention in our discipline, both in terms of content and methodology. Perhaps the growing issue of the legal status of nature is an expression of how these energetic dignities are gaining discursive presence. An example in this regard is the proposal of Pele, Bauer and Riley, who speak of ‘bio-dignity’.⁵² The introduction of indigenous concepts like *sumak kawsay* (*buen vivir*) in the legal context is another example of an ongoing transformation in the field of law related to the issue of dignity that aims to take into account the human being as nested in a web of relations with other beings, both in natural and spiritual realms.

At last, taking a relational perspective on dignity demands looking at legal work, particularly in the frame of Human Rights, as a process *embedded in* conflict transformation. In this line, we need to revise to what extent and *how* do we make room in our work for relationality. Recognizing that legal engagement is a communication process that requires relational care, the perspective of ‘staying with the trouble’ puts us law agents in a soft spot. How do we foster a dignity-with? One that allows us to learn to be fully present and engenders processes of resurgence?

This general question can be addressed in every legal field: How many of the steps of judicial process are endowed with a caring relational dignity? How many of the executive processes in social law, for example, take this notion forward? Could

51 Noteworthy, the group of participants was embedded in an academic setting and composed by professional social scientists, dedicated to scientific research and social transformation that deal systematically with pragmatic issues. In other words, the setting was not from the outset pre-configured to engage with energetic peaces so prominently.

52 PELE, Antonio, BAUER, Katharina, RILEY, Stephen. Biodignity: Rethinking life and respect in the Anthropocene [online]. Available at URL: <<https://www.openglobalrights.org/Biodignity-life-and-respect-in-the-Anthropocene-nature-rights/?lang=English>> Accessed: 30.11.2022

the normative responses to the COVID crisis have been different if a relational dignity was taken into account? If we integrate energetic aspects of dignity in our vocabulary, what could this mean for ongoing eco-socio-cultural struggles? Recovering de-colonial criticisms, how can law support the creation of different relations in international Human Rights work, one that cares for a dignity-with? Finally, how can we in research and academia contribute to enhance relational dignities, learning to stay with the trouble?

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