

This thesis probes the relevance of objections against newly establishing contemporary paradigm of human dignity, based on connection between dignity and Kantian views on human autonomy, which possess universalistic ambitions.

First chapter introduces the fundamental concepts of human dignity during history. The chapter shows there have been evolved at least three different concepts: (i) dignity as an internal value; (ii) dignity as a social status; and (iii) dignity as a certain manner of social behavior.

Second chapter consequently deals with courts' techniques regarding the dignity as a legal concept. The conclusions extrapolated from German, Israeli and South African judicial decision-making noticeably support objections raised in contemporary discourse against the abovementioned universalistic concept.

In spite of these universalistic ambitions, human dignity represents concept enabling to construe individual human rights through values shared by vast majority in certain jurisdictions. This mindset naturally leads to the limitation of individual freedom rather to its expansion, in the name of an idea that ideal moral order objectively exists. Consequently, the authority of classical human rights is considerably weakened.

In third chapter the effort to analyze and construe current judicial practice is formulated. Analysis clearly shows that the most problematic aspect of this topic is methodological variety and conceptual ambiguity in legal application of human dignity concept. The disparity between an idea of human dignity as a symbol of human being's internal value connected to freedom and autonomy on one hand, and judicial practice on the other, is displayed in different judicial concept of dignity, which in fact corresponds primarily to historical concept of dignity as a social status.

In conclusion of this paper, I try to suggest a line of arguments pleading for minimalistic understanding of human dignity as a legal concept. Considering the arguments mentioned above, I assume that only this conception is able to assure rational applicability of this blurred concept.