

DISRESPECT FOR THE ONTOLOGICAL DIGNITY OF THE HUMAN PERSON IN A VALUE-FREE SOCIETY: THE CONTEMPORARY NIGERIAN EXPERIENCE

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| A B S T R A C T | K E Y W O R D S |
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| <p>It is an indisputable fact that respect for the individual person is grossly depreciating in Nigeria. Philosophers of old did appreciate the value of the human person. Ancient philosophers such as Socrates, Plato and Aristotle celebrated the intellectuality of the human person, which they saw as the distinguishing feature of man in the hierarchy of beings. The patristic and medieval philosophers such as Boethius and Thomas Aquinas defined the human person as an individual substance of rational nature, which implies the irreplaceability and inviolability of the human person. In the modern period, Kant underscored the pre-eminence of the human person when he warned that no human person should be used as a means, but as an end in himself. In contemporary times, the 1948 Universal Declaration of Human Rights confirmed the philosophical conception of man as a being of ineluctable dignity.</p> <p>Experience has shown that in contemporary Nigeria the respect for human person has depreciated considerably. Cases of serious human abuses abound. The aim of this chapter is to explore the evolution of the idea of human dignity across historical epochs, the elements and occurrences of the ugly trend of violation of human dignity in Nigeria and the possible way out of this dehumanizing phenomenon.</p> | |

INTRODUCTION

The Evolution of the Idea of Human Dignity in the Annals of Philosophy

The root of the intellectual conception of the idea of human dignity in the Western world is remotely located in the thoughts of some erudite philosophers in the ancient epoch of philosophy. The Latin term ‘dignitas’ was used in translating the Greek cognate *axia* which refers to the worth or value of a person. Greek’s *axia* or worth has multiple nuances. The Socratics fundamentally view human dignity as a quality humans possess, namely, rationality which constitutes the essence of humanity and accords humans respectability between likes and higher value among other animals. This expression of dignity as an innate human quality portrays the inalienability of dignity. The inherency of human dignity constitutes the foundation for the universal equality of human beings. Human dignity as a foundational

and fundamental term upon which human equality is contingent is even conveyed in the etymological rendition of ‘axiom’ as a derivative of ‘axia’. In this understanding, human dignity is an axiom (a non – demonstrable principle) on which the demonstration of other principles depend. Human dignity from the ongoing exposition is therefore the ontological foundation (axiom) for moral and legal egalitarianism.

Besides the ontological conception of dignity expounded above, there is also a Socratic meritocratic conception of human dignity. The meritocratic element of dignity is premised on the predication of dignity on merit or possession of virtues. This understanding expresses the other nuance of ‘axia’ as the worth for which a person counts for more or less in the society. Dignity in this sense is perceived as a relational instrument for justice and valuation of individuals. Persons with more virtues are considered as possessing higher merit and hence cannot justly be treated equally with persons with less merit. Meritocratic dignity is therefore a function of the quantum of virtues one possess which accord higher or lower merit on a person (Josiah Ober, “Meritocratic and Civic Dignity Greco – Roman Antiquity” 54) The ontological and the meritocratic elements of dignity were deftly articulated by the Roman Orator, politician and author, Marcus Tullius Cicero in the letter to his son, Tullius, thus;

But it is essential to every inquiry about duty that we keep before our eyes how far superior man is by nature to cattle and other beasts: they have no thought except for sensual pleasure and this they are impelled by every instinct to seek; but man’s mind is nurtured by study and meditation... . From this we see that sensual pleasure is quite unworthy of the dignity of man (*dignam hominis*)... but if someone should be found who sets some value upon sensual gratification, he must keep strictly within the limits of moderate indulgence. (Cicero, M. T. “De Officiis” 107- 109)

In the discourse above, Cicero emphasizes the dignity of man as an inherent substance of humanity borne out of the possession of the rational faculty. This defines the ontological element in Cicero’s conception of dignity. The rational faculty in turn constitutes the meditative power that prompts humans into the pursuits of virtue which implies the activity of moderation. This conveys the meritocratic idea of dignity. Dignity in the ontological sense is a natural possession. In the meritocratic sense, it is a social acquisition. Most despicably, there was an existing paradox in the Greco – Roman world between the ideals of dignity and its practice cum observation. The contradictory equipollence between the principle and practice of human dignity in the Greco – Roman world is embodied in the indignifying treatment of slaves, women and non – citizens in that era. In spite of this anomaly, it has to be said that the abuse of a principle does not vitiate its use (*Abusus Non Tollit Usus*)

The medieval conception of human dignity was founded on two major anthropological traditions. The first is the ancient claim which conceives man fundamentally as a rational animal (*animal rationale*) and the second is the Biblical theocentric tradition which conceives man as the image and likeness of God (*imago et similitudo Dei*). In consonance with the ancient tradition, Anicius Manlius Severinus Boethius defines the human person as an “individual substance of a rational nature” (*naturae rationalis individua substantia*) Hugo of Saint Victor elaborates the Biblical theocentric anthropology as meaning that human being is the *image* of God by virtue of man’s possession of reason and *likeness* is by virtue of man’s possession of love. Following the idea of Boethius Aquinas conceived the person as an individual substance of rational nature. These various definitions project the fact that dignity resides in the possession of rationality. Notably, rationality for the medieval christian theologians was a divine endowment. Thus human dignity is negated through the act of sin. The restoration of such damnation of dignity is accomplished through the redemptive act of Christ.

The revival of learning during the renaissance era came with a shift of focus from the theocentricism of the medievals to anthropocentricism of antiquity. The human being was the central figure in renaissance thought, hence the philosophy of this epoch is duly called Renaissance Humanism. The ‘humanism’ used in characterizing the renaissance epoch is defined as “any philosophy which recognizes the value or dignity of man and makes him the measure of all things or somehow takes human nature, its limits, or its interests as its themes” (Piet Steenbakkens “human Dignity in Renaissance Humanism” 86) The work of Giovanni Pico Della Mirandola, *Oration on the Dignity of Man*, is referenced as the *Locus Classicus* of the era. In this celebrated masterpiece, Pico locates ‘freewill’ as the embodiment of human dignity by averring thus;

that to which nothing of its very own could be given should be, in composite fashion, whatsoever had belonged individually to each and everything. Therefore He took up man, a work of indeterminate form, and placing him at the midpoint of the world, He spoke to him as follows: ‘... in conformity with thy free judgment in whose hands I have placed thee, thou art confined by no bounds; and thou wilt fix limits of nature for thyself. I have placed thee at the center of the world... thou canst grow downward into the lower natures which are brutes. Thou canst again grow upward from thy soul’s reason into the higher natures which are divine. (Pico Della Mirandola, “On the Dignity of Man” 1 – 34)

Pico’s fame is established on his masterpiece cited above. This work, *On the Dignity of Man* was constituted as a unit of a set of 900 theses on which Pico intended to organize a public debate or oration in Rome. Tough Pope Innocent VIII stifled the possibility of the public dispute and Pico died at 31 in 1494, his work with the title, *Oration on the Dignity of Man* was posthumously published in the 1557 edition. Enshrined in Pico’s thought on human nature as quoted above is the notion of freewill as the seat of human dignity. The exercise of the freewill, however, is contingent on the possession of intellectual faculty. This contemplative faculty is the distinguishing property between man and other animals, hence Pico asserts “if you come upon a pure contemplator, ignorant of the body, banished to the innermost place of mind, he is not an earthly, not a heavenly animal; he more superbly is a divinity clothed with human flesh” (6). Pico’s emphasis on the mind’s contemplative activity as the act which accords man the distinctive premium of pre-eminence in the comity of animals demonstrates the truth that rationality is essential for man to function per se.

The modern era descended with the vestiges of ideas on human dignity from the previous epochs. A plenitude of philosophers and thinkers in the modern era have discussed the concept of human dignity. The determining salient factors of fundamental importance that permeate the various conceptions of the subject matter in this period are those of rationality and freedom. The French Mathematician and philosophers, Blaise Pascal offers a focal place to reason in the conception of human dignity by stating thus: “Man is but a reed, the most feeble thing in nature, but he is a thinking reed... All our dignity consists, then, in thoughts”. (*Pensees* 97)

The thoughts of the modern era on dignity crystallized in the philosophy of Immanuel Kant. The Ideas of Kant on human dignity can best be cognized by mapping Kantian responses to the inquiries of what human dignity is and what can be conceived as the foundational elements of human dignity. Kant’s discussion of human dignity is found in his the *Groundwork of the Metaphysics of Morals and the Metaphysics of Morals*. He defines dignity thus: “In the kingdom of ends everything has either a price or dignity. What has a price can be replaced by something else as its equivalent; what on the other hand is raised above all price and therefore admits of no equivalent has dignity” (*Groundwork* 42).

This definition of Kant is in direct contrast to that of Hobbes who defines dignity as contingent on price thus, “The value, or WORTH of a man is, as of all other things, his price: that is to say, so much as would be given for his power” (Hobbes, T. *Leviathan* Part I, Ch. 10, Para. 16) Hobbes premised human dignity on the price or worth the society attaches to an individual. Hobbesian dignity is a contingent dignity. The Kantian dignity is a worth that enjoys unconditional qualification and it is synonymous with the categorical imperative because of its unqualified demand for respect. In response to the second inquiry, it is evident from a study of Kant’s *Groundwork* that rationality and autonomy constitute the foundational elements by virtue of which dignity is attributed to human beings. Kant regards humanity interchangeably with rational nature. Thus aside autonomy, a being possesses dignity by virtue of possession of a rational nature.

Kant’s conception of human dignity brings to the fore some categories with which to describe human dignity. These categories include *unconditionality* and *incomparability*. Human dignity has unconditional worth because of its intrinsic goodness. Human dignity is also incomparable in value to another thing because it does not have any equivalent for which it can be exchanged. Kant regarded human dignity as providing the regulative principle of human relation which is encapsulated in his categorical imperative of treating humanity both in oneself and in others not merely as a means but an end.

The various conceptions of human dignity above, especially the Kantian conception congealed into and provided the intellectual framework in the formulation of many international instruments and national constitutions. The *Charter* of the United Nations (1945) is the first international document that incorporates the concept of human dignity. This document in its preamble states thus:

We the people of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind and to reaffirm faith in fundamental human rights, in the dignity and worth of human person, in the equal rights of men and women and of nations large and small (United Nations Organization, “Relevant Provisions of the United Nations Charter, 1945” 1 – 13)

Similarly, the 1948 *Universal Declaration of Human Rights* avers that “the recognition of the inherent dignity and of the equal and alienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” (“The Universal Declaration of Human Right” in *Every Citizen’s Handbook: Building a Peaceful Society* 586). These international documents illuminate the prime position of human dignity among other values. Human dignity serves as the foundation and fulcrum to other values such as rights, equality and liberty.

The *Universal Declaration of Human Rights* employs the term ‘inherent’ as the qualifier of human dignity. This term is used to demonstrate that human dignity is an innate ontological consequence of our existence that is not dependent on our status in life but is a necessary condition for being human. Hence, ontologically, an outlaw and a law abiding citizen possess the same level of human dignity. This means that human dignity is inalienable.

Human Dignity and the Nigerian Situation

Respect of human dignity is enshrined as a fundamental right in section 34 of the 1999 Constitution of Nigeria. This article of the constitution provides that “Every individual is entitled to respect for the dignity of his person.” The Constitution, under this section, goes ahead to prohibit torture, inhuman or

degrading treatment, slavery and forced labour (with relevant exclusions) as violations of the fundamental right of respect of human dignity.

The Nigerian landscape is inundately replete with scenarios of human dignity violation that it has become a cliché in most quarters that human dignity in Nigeria is observed more in its abuse rather than in its protection. Let us commence our narrative on human dignity violation in Nigeria by exposing the different conditions or elements that represent or constitute a violation of human dignity.

Violation of Human Life

The right to life and the accompanying sanctity of human life are contingent on the inherent value of human dignity. The sanctity of human life implies that human life is inviolable. Immanuel Kant in his assertion of the ultimacy of humanity observes that humanity possesses an unconditional worth which makes it to be an end in itself, hence he cautions in his practical imperatives thus, “a human being, however, is not a thing and hence not something that can be used merely as a means, but must in all his actions always be regarded as an end in itself. I cannot, therefore, dispose of a human being in my own person by maiming, damaging or killing him” (*Groundwork* 38). This statement of Kant has far-reaching implication for human life. The statement unveils the fundamental fact that human life is inalienable and inviolable. Thus no one has the right neither to deprive nor to violate the life of another arbitrarily. The acknowledgement of human life as an ultimate end that must not be desecrated is enshrined in various international, continental and national legal norms such as Article III of *The Universal Declaration of Human Rights*, Article IV of *The African Charter of Human and People’s Rights* and Section 33 of the 1999 *Nigerian Constitution*.

Our experiences in Nigeria compel one to conclude that human life is yet to be accorded the supreme respect it commands. The life extirpating socio-economic conditions in Nigeria have culminated in a quagmire of ever decreasing life – expectancy, an increasing deploring of social amenities, ever worsening economic condition, the intensification and sophistication of crimes and a precipitous condition whereby the termination of life is easily expected rather than its preservation. Cases of unwarranted destruction of life litter the socio-political history in Nigeria.

The 1967 – 70 civil war in Nigeria resulted in a colossal destruction of human life. In recent history, a behemoth loss of Nigerian lives have been recorded in various epic massacres some of which include: the 1999 Odi Massacre by the military, the 2001 Zaki Biam military Massacre, the 2013 Baga military massacre, the 2018 Fulani herdsmen Massacre of farmers in Benue and across Nigeria, the never ending Boko Haram Massacre and kidnap escapades etc.

Torture, Humiliation, Rape and Kidnapping

Article V of the *Universal Declaration of Human Rights*, Article V of the *African Charter of Human and People’s Right* and Section 34 of the 1999 *Constitution of Nigeria* separately uphold the right to dignity of the human person and denounce the subjection of a human being to torture and cruel inhuman treatment. Torture means the infliction of outrageous physical or mental harm or pain on a person through the use of any means in a humanly degrading manner.

Cruel and degrading human treatment which violate the principle of human dignity occurs commonly in Nigeria during investigation and interrogation of crimes and criminal suspects, during military invasions, during the terms of inmates in prison facilities etc. Infliction of severe pains and degrading treatment are also deployed as political mechanisms to keep political opponent in a state of subjection.

The activity of security agents in Nigeria whereby excessive pain is inflicted on the suspect so as to extract confessional statements is a gross violation of human dignity. Most prison facilities in Nigeria are not by any standard conducive for keeping pigs. Prison inmates in Nigeria are kept in the most inhuman conditions. Apart from the case of starvation and malnutrition which are recurrent decimals, the inmates are overcrowded in the prisons as each cell is made to bear more inmates than it ought to. Other cases, such as kidnapping, rape, false imprisonment etc. which degrade the dignity of the human person constitute a violation of human dignity. Numerous cases of police brutality in Nigeria that demonstrate the spate of violation of human dignity by security agencies are documented in *The Nation* newspaper (*The Nation*. “Back to the Trenches as Police brutality resurfaces”, thenationonline.ng)

The Way Out: Re-conscientization for the Reclaiming of Violated Human Dignity

The despicable phenomenon of indignity that human beings are subjected to in Nigeria is of such a humongous scale that it appears the problem is insurmountable. However, the horizon is not totally bleak as we can reconscientize Nigerians and the Nigerian government to cultivate, imbibe and exemplify a new ethic of respect for human dignity. The place to begin this process of reconscientization for the reclaiming of lost human dignity is with our learning institutions. All academic programmes should be consciously rearticulated and designed in a manner that the concept of humanity dignity is enshrined as a topic for learning in those programmes.

The government and civil society organizations should embark on purposive human rights advocacy and campaigns to sensitize the general populace on the fundamental human rights of Nigerians. Ignorance of the inalienability and inviolability of human right to life is an advertent scheme to violate human life.

Most violations of human dignity in Nigeria are committed by government agents who ideally have the responsibility of protecting and securing human life. The security agent who commits such an atrocity should be publicly condemned and strictly punished according to the dictates of the law. Regular refresher programmes on human dignity and rights should be conducted for all security agents. The government is the major culprit and offender in the crime of violation of human dignity. Thus, as a step towards restitution, a truth and reconciliation committee should be constituted with the mandate to collate data, investigate, judge and punish offenders and violators of human dignity in the history of Nigeria.

Conclusion

The general state of human life in contemporary Nigeria is appallingly nose-diving towards the Hobbesian state of nature where human life is nasty, brutish and short. The core preoccupation of this of this piece was to discuss the subject of human dignity from the purview of its violations in contemporary Nigeria. Thus this work undertook a conceptual historical survey of the development of the idea of human dignity from the ancient to the contemporary epoch. The work subsequently exposed the various elements and cases that constitute a violation of human dignity in Nigeria. The work submits that a systematic re-conscientization of all the stakeholders in the Nigerian nation is needed for the reclaiming and protection of human dignity in Nigeria.

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