



Achieving Global Justice through Decolonizing Human Dignity

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Abstract

Human dignity is, or should be, at the heart of global justice. This is because dignity underpins conceptions of human nature and is simultaneously a fundamental foundation and an intrinsic end of human rights. However, conceptions of human dignity vary significantly in western and non-western societies, with important implications both for the theory and practice of human rights and global justice. This is because in major international declarations, conventions and agreements about human rights and international justice, human dignity is articulated using a repertoire of linguistic/philosophical resources originating in the west to the exclusion of the non-west. This phenomenon is what I refer to as the coloniality of human dignity, arguing that an acceptable theory of global justice ought to be preceded by a decolonial articulation of human dignity, a notion of dignity that eschews the parochialism of nativist essentialism and disavows the oppression of civilisationalist universalism masquerading as cosmopolitanism.

Key words: Decolonial; global justice; human dignity; human rights; universal

1. Introduction: The Coloniality of Human Dignity and the Discourse on Global Justice

Human dignity, in my view, is or should be at the heart of (global) justice discourses. This is because dignity, despite its opaqueness as concept, underpins theories of justice and human rights all over the world, and is equally fundamental in practices and imaginings of the organisation of human society globally. Dignity is at the heart of conceptions of personhood and human nature and is simultaneously a fundamental foundation, an invaluable driver, and an intrinsic end of human rights. It is a relational human quality that defines the roots of how we should be treated by others, how we view ourselves and, more importantly, how we must treat others. Thus, human dignity underpins or should undergird any acceptable iteration of human rights both as concept and in political practice and the administration of law. However, conceptions of human dignity vary significantly in western and non-western societies, and this has important implications both for the theory and practice of global justice. This is because in major international declarations, conventions and agreements about human rights and international justice (including the UN Charter, and the Universal Declaration of Human Rights, UDHR), the idea and role of human dignity are very frequently articulated using a repertoire of linguistic/philosophical resources originating in western culture, to the exclusion of the lived experiences and imaginings of dignity in non-western cultures. This state of affairs has two additional implications: (1) The UDHR as Polycarp Ikuenobe points out, “involves cultural and value imperialism: an effort to universalise and impose western view of human rights on other cultures” (2018, 589). (2) Human dignity – which the dominant western standpoint equates with human rights (Macklin 2003) or entitlements *individual persons* hold simply by virtue of being human as embedded in these “universal”, read western laws and declarations – is very frequently at odds with domestic constitutional provisions and adjudication, as well as juridical interpretations of human dignity in non-western societies (Cf. Donnelly 1982; also Cf. Wingo 2009). This entire situation is what I refer to as the implicit coloniality of human dignity.

The coloniality of concepts – especially political concepts with global import like human dignity – is a datum that scholars of decoloniality, following Anibal Quijano would recognise as integral to *coloniality*, or as a critical item in what Walter D. Mignolo famously describes as “the colonial matrix of power” (Mignolo 2011, 54). Maldonado-Torres describes the condition of coloniality succinctly;

Coloniality... refers to long-standing patterns of power that emerged as a result of colonialism, but that define culture, labour, intersubjectivity relations, and knowledge production well beyond the strict limits of colonial administrations. Thus, coloniality survives colonialism. It is maintained alive in books, in the criteria for academic performance, in cultural patterns, in common sense, in the self-image of peoples, in aspirations of self, and so many other aspects of our modern experience. *In a way, as modern subjects we breathe coloniality all the time and every day* (Emphasis added. Maldonado-Torres 2007, 243).

This implies that the coloniality of the key concepts deployed in our educational, political, and social life is often normalised and invisible. To decolonise political concepts like citizenship, democracy, human dignity, and human rights ought to begin from making sense of the insidious afterlives of imperialism – or what Kwame Nkrumah theorised as neocolonialism – as it spreads its tentacles on every aspect of postcolonial life (CISRUL 2019; Ndlovu-Gatsheni, 2015, 487).

In this article, I focus, in the main, on the discourse on global justice, and argue that the coloniality of human dignity is a major hindrance to the realisation of global justice both in theory and practice. *Global justice* is a specialised discipline, considered one of the most important discourses in contemporary political philosophy. The fundamental and urgent problem of global justice is about how to develop a set of universally valid principles of justice. If universal principles of justice are developed and enforced, then the dignity and worth of every human being, regardless of where they live or their ideological or religious persuasion, would always be preserved and protected. This would happen, if my articulation is correct, because human rights will expand in scope, even as these rights will more consistently be anchored in a truly representative and *universally valid* conception of human dignity. Thus, I argue, a theory of global justice ought to be preceded by and anchored in a theory of human dignity. The problem, to reiterate, is that at present, human dignity is conceived in significantly different and opposing manner in its dominant articulations in Euro-American and non-Euro-American societies, with serious implications for the idea of (universal) human rights. The core difference is often juxtaposed as individualistic in Euro-American societies and communalistic in African societies, for example. But extant writings on global justice have not begun to foreground the human dignity debate or recognise the full extent of the importance of that debate. And yet, it would seem that a universal conception of human dignity or a theory of global justice must at first settle this debate in one way or the other or reach a vanishing point between the two seemingly non-overlapping notions of the dignity of the human person. To be clear, my contention is that (a) human dignity which retains and should retain a high moral appeal globally is currently a colonial concept in the

ways it has been conceptualised and applied in certain international documents, but (b) a decolonial account of dignity can be justly held as a cross-cultural universal, so long as previously marginalised conceptions of dignity are introduced into the global discursive space. When this decolonial effort is complete, human rights, I argue, can now be correctly interpreted with reference to human dignity.

As I have been arguing, the conception of human dignity prevalent in the cultural west is implicitly colonial especially in the fashioning of the principles guiding the international order, such that “human rights” becomes a concept of otherness used to calibrate positioning and belonging. Far from defending international human rights as an act of human solidarity, western iterations of efforts to defend human rights in non-western societies, especially in Africa, have often been couched as efforts to defend “our” (western) superior values against some aberrant other. “Our” values very frequently, include liberal democracy and neoliberal capitalism, both of which rest on the western ideal of human nature. The coloniality of human dignity in dominant western discourses further leads to and is expressed in the erroneous view that global justice or human rights is something to be bequeathed, in Mahmood Mamdani’s wording, by “saviours” from the west to hapless “survivors” from other parts of the world, Africans in particular (Mamdani, 2009). The greater problem, Adam Branch argues, is that,

...although the category of humanity provides a supposed foundation for Western (cosmopolitans’) identification and commiseration with Africa [for example] and claims to grant dignity, respect, and equality to Africans, it fails to provide any foundation in Western imagination for agency or action by the African ‘victim’ – he or she is seen as the helpless child, the despairing woman.... [T]he West’s dominant image of Africa, despite its pretense of equality, entails a basic inequality: whereas Africans are mere humans and unable to raise themselves out of that denuded state, those in the West give themselves the privileged, [dignified] position of both being able to go beyond the mere human and re-assume their political, social, and economic personalities as globally powerful, responsible redeemers (2013[2011], 5).

In short, for many westerners, poor people in non-western societies, especially Africa, belong to a category of the poor that can be designated as “the deserving poor”. And this has much to do with the fact that for centuries many people in the west have failed to recognise people of colour, Black people especially, as fully human and deserving of dignitarian human rights or the moral worth associated with humans (Wynter 1994; Mba 2018). When the “revered” German philosopher, Immanuel Kant, and other enlightenment philosophers, for example, penned their ideas about human equality, dignity, and autonomy, this, in fact, paradoxically “*fueled* the development of

the ideas of race and the ideology of racism in the period” (Frederickson 2002,68). In the specific case of Kant, many philosophers from various philosophical traditions have in recent times become very critical of his person and his famous ethical theory. Some critics are dubious about Kant’s autonomy-based conception of human dignity, arguing that Kant’s morality in its obsession with “universal rationality” is over-reliant on willing and thinking, and is consequently too dry, impersonal, and detached from concrete human embodied lives (Makwinja 2018, 125; Kass, 2008).

In addition, one could follow other critics, as I do, to wonder whether Kant included non-western peoples in the category of the human when he articulated his influential second formulation of the categorical imperative, according to which we are invited to “Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.” This is a genuine worry because Kant was a racist and developed a hierarchical theory of race and taught his atrocious racist philosophy in German universities and public space for over forty years, during which he ironically developed his famed *Critiques* (Eze 1997; Kleingeld 2007; Allais 2016). Could we then believe that Kant later changed his mind about race (say in *Perpetual Peace* for example)? In the context of the rise of Nazism and neo-Nazism in Germany, we must wonder which of his two conflicting approaches to human ethics – racism or cosmopolitanism – has actually had the greater influence on subsequent generations, and also wonder genuinely which one of Kants’ double ethical standards he *really* believed. Similarly, history suggests that it would be a mistake not to reflect on the consequences of Kant’s racism and other enlightenment prejudices for such phenomena as intellectual imperialism and racism in the history of ideas (Park 2013). To be sure, over the historical course of enslavement, Empire and the ensuing (neo)-liberal politics, people of colour have frequently been seen as occupying the zone of non-dignification and bare humanity without a right to an identity and therefore without a right to have (political) rights. Once human dignity (and by extension the right to knowledge) is estimated from the point of view of a “higher power”, it is easy for the self-appointed architects of human rights, as Branch saw, to input degrading conditions of aid and humanitarian assistance, ironically, to preserving the “human rights” of the weak and the poor.

The coloniality of human dignity as an expression of intellectual imperialism is not limited to the discourse on human rights and global justice; indeed, it pervades the overall social and political writings of major scholars in the global north. The coloniality of human dignity and therefore of human rights can be seen in the characteristic self-confidence of colonial societies of the global north, persuaded of their superiority and civilising mission, to manifest in the very fact that some northern

scholars go so far as to assert that human rights are a western discovery – “an artifact of modern western civilization,” and that “most non-Western cultural and political traditions lack not only the practice of human rights but the very concept” (Saada 2002, 98 – 99; Donnelly 1982, 303 – 304). This line of thinking, of course, reinforces my argument that major international documents about human dignity and human rights are often tailored to fit a western notion of humanity with the implicit belief that nothing important can be drawn from elsewhere.

At the same time, an in-depth study reveals that contrary to purported claims to seeking global equality, the global justice discourse, as embarked upon by its (major) proponents in the global north, is a little more than a smokescreen venture, and may not really be pursuing a just world for everyone. The problem is twofold: (1) the framing of the debate by major scholars in the global north is not really global as it ignores the many agitations against global *injustice* by people of colour even at the time of the inception of that discourse, notably in the United States of America beginning in the 1970s. (2) In what is supposed to be a global discourse, there is a marked refusal by major western philosophers to take into account the writings of notable “non-western” philosophers of global justice, Africans in particular (Graness 2015; Chimakonam 2017). After all, the “western” theorist/philosopher has no difficulty in believing that s/he can understand other people’s problems, perhaps even better than those indigenous to that problem, and this explains the ease with which western scholars lay claim to the universal validity of their theories. As Anke Graness points out in disappointment:

[M]any ‘Western’ philosophers claim the universal validity of their theories, often without even being informed about the conditions and necessities of other cultural, religious, or politico-social contexts. In contrast, non-Euro-American philosophers might not receive due recognition in Euro-American circles for theories which claim universal validity, but are rather expected to develop concepts applicable to or typical of their region only. Here we are confronted with biased expectations which shape our perception of theories from different regions of the world, namely that ‘Western’ scholars formulate universal theories, whereas scholars from all other regions formulate regional theories (Graness 2015, 132).

The other even bigger worry is that in the global justice discourse, an important programme for cosmopolitans seems to be to demand an increased humanitarian assistance to poorer societies. First, it should by now be obvious that foreign aid (especially to Africa) appears to do more harm than good to recipient societies, incentivising tyranny, and capitalist exploitation, as well as helping to keep them in a dependent status perpetually. Cosmopolitans ought to move from their

strong awareness of global interdependence to take up, as a key programme, the dismantling of the real factors and social structures behind global poverty and inequality such as structural racism, unrestricted capitalism, neoliberalism and the “modes of production that place some in positions of submission and powerlessness” (Nielsen 1988, 30). For it is impossible to maintain any kind of socio-economic balance in the face of structural inequality and orchestrated exclusion, which is what structural racism, neoliberalism and unrestricted capitalism represent in the current global order (Amin 1976; 2006; 2010a; 2010b; 2010c; Rodney 2009). Pogge is one of the few cosmopolitans who raise hard questions about harmful global institutions and practices that keep the poor down; but even for him, there are restricted areas, boundaries that must not be removed. These boundaries, as a renowned Indian political scientist, Neera Chandhoke points out, are in the area of political ideology and political culture;

Thomas Pogge is a liberal philosopher, and liberals tend either to pay scant attention to the insights of Marxists or to dismiss these insights altogether. Though Pogge does agree with the Marxist thesis on the causes of global poverty, he would, I think, write off the remedy that dependency theorists offered to the world: that the erstwhile colonized world can develop only if world capitalism is either smashed or radically transformed because intrinsic to capitalism [and neoliberalism] is the exploitation of labor and raw materials found in the Third World. Pogge’s resolution of the problem of global poverty is much more modest ... [than one might initially think]. At the same time his resolution may well stop short of what is needed to meet the challenge of global poverty (Chandhoke 2010, 70).

In short, Pogge does not seem to be willing to defend cosmopolitanism wherever it leads him, especially if it leads him to an outright departure from the liberal political culture. He thinks that he can get effective anti-poverty work while pushing a liberal political culture simultaneously.

As a matter of fact, (western) cosmopolitans, in general do not necessarily demand a radical change in the current global order, even as the question of reparation (to Africa) is deemed outside the dominant discourse. The arguments against reparation – which we must note, does not have to be economic – or the fact that reparation is often completely elided in global justice discourses in the west lends further credence to the coloniality of the dominant western standpoint. The anti-reparation stance feeds into the idea that certain groups of human beings are not worthy of an identity, and so cannot have a right to justice against certain “superior” others. The question in this regard is: how could someone who stole your family property come back to you after 400 years to make an offer of justice and settlement

that does not include even a discussion about the possibility of returning the stolen property in the first place? I am not by this suggesting that economic reparation, like foreign aid, is necessarily a good thing, just that reparation ought to be an important item in the mainstream discourse on global justice. At any rate, aid is not exactly the same thing as reparation, for whilst the former is often given as tokens of humanitarian assistance or as concessional loans, reparation, if granted, must be given as a matter of right, as items of *desert or justice*, not requiring indebtedness and subservience. As this article argues, the non-global or even *anti*-global nature of the discourse on global justice is made possible by the coloniality of the core concepts and the discourse itself, with telling implications for such concepts and ideals like global trade, multilateralism, human dignity, and human rights.

Martha C. Nussbaum is another strong representative voice in the global justice discourse, with some of her views worth taking seriously in the context of decolonial global equality. She recognises the overriding need of a truly plural conversation in the discourse on global justice, and at some point in her long involvement in the global justice discourse, she began to question her own insights and their “broad applicability” (Nussbaum 2015, 68). She sees clearly why this kind of auto-critique is important, and she explains:

First, it is a very important issue: it concerns nothing less than the question whether principles of justice can be found that really show equal respect to people who hold a wide range of different religious and non-religious views. Our world is one in which that respect is urgently needed, and the ability to accommodate this plurality looks like a necessary condition for any lasting peace in the world (Nussbaum 2015: 68).

In what seems like a determined effort to approximate a truly horizontal global respect for difference and engage a plurality of global voices, Nussbaum, in the end, is unable to look beyond her own narrow circle of globalist Rawlsians and the equally restrictive conceptual closures of political liberalism and functionalist/capability approach (Nussbaum 2008). Nussbaum seeks to transcend Rawls’ rigid and narrow insistence that his political liberalism “applied only to Europe and North America, thus neither domestically to nations outside this group, nor to the forging of norms of transnational justice” (Nussbaum 2015, 68). Nonetheless, beyond the occluding echo chamber of her own writings and a number of her colleagues in the western academe, Nussbaum could not find any non-western philosopher or concept from Africa, India or South America whose ideas about global justice could help her develop a much more inclusive theory of global justice.

I am not saying that Rawls and other political liberals like Nussbaum are necessarily wrong in articulating a conception of liberal theory that they are attempting

to keep distinct from theories born of traditions other than the liberal tradition. Respect for different “metaphysical views” in an “overlapping consensus,” an approach Nussbaum draws from Rawls, is clearly the point of Nussbaum’s political liberalism (Nussbaum 2015,70). She follows Jacques Maritain to celebrate the belief that the framers of the UDHR “refused to use divisive religious or metaphysical notions, such as ‘soul’, but felt that they could come together around an inclusive ethical notion, such as that of *human dignity*” (2015, 70; emphasis added). But this is a baffling rhetoric at best. Human dignity may have greater chances and broader routes to inclusivity and political overlap than certain other “comprehensive doctrines”, but that does not mean that the concept is by default inclusive before the hard work of deliberative inclusion has been done in the formation of social life, political practice, and the legal order. The representatives of the different nations at the UDHR summit might have been able to make sense of the idea of “human dignity”, but this does not mean that they shared the same notion of the concept as this paper has been arguing. If anything, apart from differing notions of the key concepts that ultimately formed the basis of the Declaration, and the unequal power relations among the framing nations, there was also the important issue of representation. For example, only four African nations – Egypt, Ethiopia, Liberia, and South Africa were at the UN General Assembly in 1948 – with only the first three signing what was basically an idea of the more powerful west, with most African states (including South Africa) still very much under the yoke of colonial rule. This is another pointer to the coloniality of key concepts of the Declaration, including human dignity.

Again, in the UDHR, the concept of “human dignity” is left undefined, and its appropriate relationship with human rights is left in doubt. It is difficult to view this as an innocent conceptual oversight. Rather the oversight seems like a deliberate ploy to universalise a particular cultural notion of human rights which privileges individual rights over duty and responsibility in a way that not all signatories to the document can relate with. In the larger picture, as one writer puts it, blandly equating or sometimes divorcing human rights from human dignity serves critical political ends for the west, because,

The linking of human rights and action constraints with human dignity, and so the need for a substantive view of the value, worth, or status (for all of which the general term ‘value’ will be used) of human being as the foundation of human rights, can easily jeopardise the wide support for human rights already achieved [according to this way of thinking in the global north]. Human rights can be easily contested, if they are to be understood as implied by a particular account of human dignity, which must be substantive, theoretically and politically demanding, and may be culturally specific (Lukow 2018, 314).

Further, if the ambition of political liberals and other theorists (of justice) in the west is to articulate narrow theories that apply discretely to political communities, as Rawls says; or to produce a “thin and narrow” conception of dignity in the case of the United Nations – as Nussbaum argues – why were and are there attempts to universalise and enforce these narrow articulations? Why has the west constantly relied on narrow theories to develop *Universal* norms and principles of justice that must now apply to the world as a whole, with all kinds of negative consequences for the global *minorities* that must come under the jurisdiction of such laws? To be sure, the Rawlsians and transnational feminists in the western academe are apparently arguing against a “saviour” position, a project this decolonial account of global justice and human dignity lauds. But this is only a minority, heterodox western effort that hardly translates into actual political outcomes, especially on the world stage. My wider contention is that there ought to exist platforms for honest conversations about how to transcend discrete theories in an interdependent world where we must now enact the principles of international law and global cooperation. The UN General Assembly provided no such platform in 1948. The failure of the UDHR and other platforms like that to open equitable grounds for contesting the universal and forging solidarity, will continue to create spaces for the emergence of false and oppressive universals or what I prefer to call civilisationalist cosmopolitanism that arise from particular political cultures, depending on who wields enough global power at any point in time.

The contemporary discourse on global justice ought to provide a melting pot that helps us avoid oppressive civilisationalist cosmopolitanism by developing a concept of universal human dignity and therefore an articulation of global justice that reflects “the plurality of human languages” (Diagne 2020, 19ff). The bookend of this *global* multilingual political interchange would be a vertical dispersal of the right to enforce human rights. In search of a decolonial alternative to civilisationalist cosmopolitanism, in the rest of this paper, I trace the ontological and conceptual bases of western thinking about human dignity and global justice. I then challenge this approach with the African alternative. I argue, in the end, that a decolonial approach to human dignity and therefore of global justice would have to recognise the provinciality of all conceptions of human dignity and human rights, even as we must take bits and pieces from these different approaches and bodies of writing, if we are to have a decolonial or truly global discourse on global justice.

2. Individualism, Human Dignity, and the Global Justice Discourse in the West

In the west, the debate on global justice is generally a dispute between two broad camps: proponents of what Thomas Nagel, influenced by John Rawls, calls the *political conception* of global justice and those who subscribe to the cosmopolitan theory of global justice. Both camps disagree fundamentally about the scope and limits of social cooperation – where social cooperation is seen as the deciding factor in determining the circumstances of justice between persons. Nonetheless, these two camps take for-granted the individualistic and autonomous human person as the authentic source of valid claims to justice. Proponents of the political conception led by John Rawls, Thomas Nagel, Michael Walzer and David Miller, generally argue from the understanding that the individual person has rights to justice within what Nagel calls “a coercively imposed political community,” or the nation-state. This group of “western” philosophers make a distinction between duties of justice and humanitarian assistance and argue that we only owe the former to co-nationals and the latter to non-nationals in poorer societies the world over. Thus, for them, global justice is about a world of internally just states, and for affluent states in particular, humanitarian assistance (which, ideally should have a cut-off point) to burdened societies (Rawls 1971, 1999; Nagel 2005; Walzer 2008; Miller 2008).

The cosmopolitans (most of them liberals) led by Charles Beitz, Martha Nussbaum, Thomas Pogge, among others, appear to be in sharp disagreement with advocates of the political conception and point out that we live in an interdependent world order, heightened by technology. Thus, the cosmopolitans argue, we should aspire to a *single, universal* criterion of justice, since, for them, *the individual* is “the ultimate unit of moral concern... to be entitled to equal consideration regardless of nationality and citizenship” (Tan 2004, 1; also see Beitz 1999). Pogge is more direct in asserting that,

Three elements are shared by all cosmopolitan positions. First *individualism*: The ultimate units of concern are human beings, or *persons* – rather than, say family lines, tribes, or ethnic, cultural, or religious communities, nations or states. The latter may be units of concern only indirectly, in virtue of their individual members or citizens. Second *universality*: The status of ultimate unit of concern attaches to *every* living human being equally – not merely to some subset, such as men, aristocrats, Aryan, whites, or Muslims. Third *generality*: This special status has global force. Persons are ultimate units of concern *for everyone* – not only for their compatriots, fellow religionists or such like (Pogge 2008a, 356; also, see Pogge 2008b, 175).

Quite clearly, at the heart of cosmopolitanism is the view that the individual's dignity should be protected precisely by making her the basis of social and economic justice in a world where state boundaries would, perhaps, have (happily) disappeared and state sovereignty sufficiently whittled down to allow for increased global governance.

So, while it would appear that there is a major disagreement between exponents of the political conception and cosmopolitans, the two "camps" actually start off from the same ontology of the human person that exalts individualistic values, including the right to personal autonomy, above collective duties and responsibilities. At the same time, both camps take for granted the same social and political ideology as the governing rationality for human interaction and organisation of society: liberal individualism. The reader should be aware that this ontology and ideology are the lynchpins of capitalism and neoliberalism. Not too many in either camp of the dominant "western" discourse on global justice would like to be accused of being a communist or pandering to certain radical or heterodox ideology, especially those inherited from non-western "enclaves" and traditions. Here, precisely, does the coloniality of the discourse on global justice and its key concepts like human dignity and human rights become even more apparent.

However, theorists of global justice writing from Europe and North America are merely drawing from a long tradition of individualism and personal autonomy in western philosophy. This is because most social and political theorists in the west since Descartes and Hobbes, would accept as folk wisdom, as a major, if not the greatest revolution of western modernity: the affirmation of the individual's right to self-determination. This has translated into the fact that the most important values in western societies – viz., dignity, autonomy, freedom, and equality – are at first invested in the individual, before they are extended to other entities like the nation or the state, where, in fact, the individual is *writ large*. For example, in outlining two core values of human dignity – scientific truth and human liberty – Jan Patočka asserts that the notion of human dignity or the "recognition of man by man as equal" is the central value of "Western civilization" (Patočka 1990, 121 – 122).

In addition, many modern liberals, including Rawlsians and cosmopolitans would endorse without hesitation, the view that persons ought to be granted the "unfettered freedom of thought and conscience" in the pursuit of their private ends, or in another rendition, that, "All human beings have the moral entitlement to exist as autonomous agents, and therefore have entitlements to those circumstances and conditions under which it is possible" (Kymlicka 2002, 295; Blake 2008[2001], 665). Indeed, this idea that we may not interfere in persons' pursuit of their chosen ends is regarded as the chief good of Euro-American modern liberties (Constant 1988 [1891],

passim). For this reason, “there is no moral warrant for interfering with a person’s liberty to pursue his ends as long as this pursuit does not offend the equal liberty of others to do the same” (Beitz 1999, 76; Rawls 1971). No one may coerce another to engage in any activity they do not on their own rationally endorse, as this would constitute the highest affront to human agency and dignity: “an attitude of disrespect, of infantilization of a sort inconsistent with respect for human agents as autonomous, self-creating creatures” (Blake 2008, 666). The overall idea, for Charles Beitz, is that a person’s choice and pursuit of ends have an intrinsic value which cannot be overridden simply by considerations of the social good; instead, we are to follow Kant and Rawls to respect persons as autonomous agents who are not to be made subject to the will of another unless for the higher and personal-autonomy-reinforcing reason of ensuring the preservation of equal liberties (Beitz 2009, 76).

In any event, theories, especially theories about human relations have implications in the real world. A theory of global justice is in the very least, expected to have a way in which it can be applied in the real world. So, how would the western conception of human dignity or global justice play out in the real world? Very often, cosmopolitans argue in a way that suggests that redistribution of global resources should, at least in some cases, involve giving to individual human beings directly, in order to obviate the machinations of corrupt state actors. This seems a good idea in the case of sharing food and medicine to citizens of impoverished/war-torn states and communities. But as is often the case, this turns out to be a very bad idea in cases where powerful countries like the United States decide to override the sovereignty of states to purportedly deliver “military humanism” to individuals in countries where the US or other western powers perceive that *human rights* or western values are threatened, leading to disastrous consequences. Contemporary examples would include Iraq, Darfur, Libya, Syria, and to some extent, Afghanistan.

To be sure, defending human rights only make sense as a desirable political good, if and only if, it serves the ends of human dignity, and therefore of justice. Indeed, almost all modern human rights national constitutions anchor human rights in human dignity, or at least, make explicit reference to human dignity (Bernardini 2010, 45). Although, a part of the problem, as this article points out, is that (western) scholars, institutions, and governments are not always clear about what they mean by human dignity, its scope and actual relationship with human rights (Lukow 2018), as well as its realms of political enforceability. A proper understanding of dignity, surely, would and must demand structural equality. More than this, identifying the human dignity/human rights nexus consistently, would be the only way to isolate when and where human rights (especially when wielded by a self-righteous superpower) could be said to depart from the service of human dignity, and thus run afoul of the idea of

justice itself. The question we must then ask is: how can we know when human rights are only being instrumentalised or being crudely weaponised to serve unjust social and political ends? Indeed, part of the coloniality of dignity lies in its real and orchestrated fuzziness. For it is a lot easier to abuse a political principle lacking in conceptual cohesion, especially if it forms the basis of domestic constitutions, and judicial adjudication internationally. In the context of global justice, the big question is: how do we know when human rights are simply being used as a pretext to pursue imperialist ambitions, while pushing the *undignified human* into the zone of non-being?

3. Communalistic Conceptions of Human Dignity in Africa

Elsewhere in the world, the communal conception of human nature and dignity holds sway. At the end of the 2019 conference of the African Consortium for Law and Religious Studies' (ACLARS) Seventh Annual Law and Religion Conference in Africa held in Gaborone, Botswana between 19 – 21 May, on the theme “African Perspectives on Human Dignity for Everyone Everywhere”, an important statement was “drafted and welcomed by delegates and participants.” Significantly, the title of the statement announced that it was “An endorsement and elaboration” of the 2018 Punta del Este Declaration on Dignity for Everyone Everywhere. In the body of the statement, while noting the divergent conceptions of dignity in Africa and reiterating “the Punta del Este Declaration’s emphasis that human rights are interdependent, universal, indivisible and interrelated, and each one is critical for achieving human dignity,” ACLARS further declares that,

Africans think of dignity not solely as an individual human characteristic or right, but as a concept that implicates our most important relationships, including family, community, tribe and nation. Human dignity is a concept that is understood as existing in relationships with others. As such dignity implicates understandings of human duties and relationships, not just individual claims against others. There is a natural reciprocal understanding of human dignity. Part of our human dignity is recognizing and respecting the dignity of others. An African perspective on dignity is outward looking, not just inward reflecting. This communal ideal of unity and sharing confirms a communal dimension to human dignity (ACLARS 2019, 1).

Thus, while there may be varying conceptions and interpretations of human dignity in Africa, like in the west, there is a unifying ideology behind notable conceptions of dignity in Africa: communalism. In other words, in Africa and the west, articulations of human dignity rest on conceptions of the person. While the dominant

view in Africa is communalism, individualism speaks to the dominant western definitions of the person and iterations of human dignity.

To be sure, ACLARS members think of human dignity as a foundational concept, but one that should not be used to occlude the concept of rights or lower the importance of human rights. More importantly, African scholars are unanimous in asserting that conceptions of dignity on the continent are less abstract than elsewhere in the world, particularly in the West. As a matter of fact, African discussions of dignity focus on the,

...basic human needs that must be satisfied in order to be fully human and to enjoy one's basic human dignity, including food, clothing, shelter, gainful employment, and the ability to care for oneself and one's family. Social and economic rights are the cornerstone of human dignity. In many African contexts... dignity is understood as relating to the basic capacity to fulfill one's human needs, and then to be able to help fulfill the needs of others, including family and extended relations. Thus, discussions of dignity need to focus on basic human needs and capacities, such as the ability to find meaningful and remunerative work that is sufficient to provide for oneself and one's family. Discussions of human dignity [in or about Africa] will be regarded as too theoretical and abstract if they do not include an emphasis on basic economic and social rights, including not just problems of poverty, but of extreme poverty (ACLARS 2019, 3).

In African philosophy, there are ongoing debates on the notion of human dignity and the nature of its connection with human rights. Philosophers often enter this debate through a critical engagement with traditional African conceptions of personhood and human nature and the place of the human within the plenitude of cosmic realities. Regardless of the standpoint of any African philosopher in these debates, no one disputes the ascendant status of "community" in the African pantheon of values, or the importance of community in determining the ontological and epistemic roots of personhood and dignity; individual moral worth and the scope of moral agency; elderhood and ancestorhood; statecraft and nation-building (Menkiti 1984; Gyekye 1987; Matolino 2009; Imafidon 2012; Makwinja 2018; Ikuenobe 2018; Etieyibo and Ikuenobe 2020; Oyowe 2021). Though, in theoretical debates, there are those who challenge the communitarian dominance via an African philosophy of difference (Imafidon 2020) or through an individualistic theory of human rights that derives from ubuntu/community (Metz 2010; 2012; 2014), while others urge that we ultimately transcend the limitations of community and relativism in order to promote a universal ethic of human rights that rises above an emphasis on reciprocal duties (Oyowe 2013; 2014). Polycarp Ikuenobe's (2018) brilliant reading of the state of the

field is instructive for anyone seeking an authoritative account of these debates, at least, up to the date Ikuenobe's classic appeared in print.

In the classic essay, Ikuenobe articulates and defends a conception of “substantive human rights that is grounded in an African conception of dignity and personhood that emphasizes individual responsibilities” (2018, 589). He contrasts the African maximalist conception with the dominant western liberal minimalist view of moral dignity as a basis for human rights, “which involves an individualistic self-regarding entitlement that inheres in human nature” (2018, 589). Ikuenobe's sustained critique of the western conception of human dignity draws from a long tradition of African communal thinkers beginning from the seminal works of J.S. Mbiti and Ifeanyi Menkiti to the critical intervention of Kwame Gyekye and brings his analysis up to date with the more recent contributions of Thaddeus Metz, Motsamai Molefe and Bernard Matolino. The crux of Ikuenobe's argumentation is that Africans do not deny the western liberal's minimalist metaphysical view of the person as having inalienable rights, but at the same time, Africans emphasize the material conditions for dignity and human rights. Ikuenobe/the African is correct here. For rights are intentional values and have relevance only in the context of the social world. One must always hold a right against relevant others who are potentially in a position to interfere with one's total fulfilment of such rights. Africans, therefore, following this train of belief, take the maximalist view, as Ikuenobe highlights, that (individual) metaphysical capacities alone do not guarantee human rights, until effectively backed by community-approved good conduct or by the collective moral dignity of the community. The key issue is that in Africa, duty to community trumps *individual* human rights. In Ikuenobe's exact wording: “It is problematic to conceive of human dignity and rights as intrinsically moral with a duty of respect without including how humans use their capacities or comport themselves in communal relations” (2018, 594). And that is why,

[The] African conception implies that there are two aspects of personhood as the bearer of dignity and rights. The first is the psychological, metaphysical, and physical on which they inhere or attach, which represents [in Menkiti's wording] “a minimal definition of the person”... The second involves the normative, moral, socially contextual, and evaluative bestowal elements. This suggests that dignity and personhood in which rights inhere are thick concepts with both evaluative and descriptive aspects, and both aspects are essential for understanding them. [In Africa] personhood and dignity are not simply the mere having of metaphysical capacities, but how well morally one uses one's metaphysical capacities ...to act, comports oneself, and treats others (Ikuenobe 2018, 591).

It is therefore safe to say that communalism and an appeal to duty, identity and solidarity must have telling implications for an African conception of (global) justice, even as an overriding concern for bodily needs trumps a concern for civil liberties. Odera Oruka, Teodosios Kiros and Anke Graness are examples of African scholars who attempt to develop theories of global justice that take into consideration the African lived experiences and the African view of human dignity. Given these two examples of how the key concepts in global justice are approached from different parts of the world, a decolonial approach to global justice would have to transcend narrow and false attempts to put forward as universal, renditions of key concepts from a particular part of the world. This is of huge importance given the potential and real implications of these false universals for an international order.

4. Achieving Global Justice: A Decolonial Approach

A few scholars touch on the route to reaching a decolonial account of human dignity and thus of global justice when they caution against the arrogance of western universalism and the conceit of essentialism in African philosophy (Graness 2015, 132, Cf. Diagne and Amselle 2020). Decolonial human dignity offers an important conceptual and practical scaffolding for robustly expanding the human capacity to be aware of our self-worth, regardless of our identity or the society we live in. It digs deeper than atomistic individualism and inward-looking communalism – that is when the community is conceived as a group that must be comprised of a homogenous cultural, religious, or racial group. In the context of decolonial dignity, every human being is guaranteed the ability (not just the right) to access basic necessities like clean water, shelter, food and sanitation as well as environmental protection and trans-generational justice. And these necessities and antecedents of liberty or what the Kenyan philosopher, Odera Oruka calls “a human minimum” can, in many cases, *contra* global northern ideals, assume an equal or even a higher value than Rawls’ civil liberties (Kiros 1992; Oruka 1997; Graness 2015). Similarly, decolonial thinking about human dignity ought to begin, as is the wish of decolonial thinkers like Frantz Fanon, from a politics of *multiversal* recognitions, and find its highest fulfillment in the right to a means of livelihood. Also, for Fanon, there can be no universal human dignity without a stable sense of identity, a sense of a “we” among the different peoples federating in the universal. This is to say that Fanon recognises with the likes of Jean-Bertrand Aristide the importance of agency and subjectivity in the pursuit of dignity, and it is precisely this sense of decolonial dignity that every discourse on (global) justice must aspire to achieve.

Human dignity, properly conceived, is an inmost human value that individuals *and* collectives enjoy and, more importantly, can recognise outwardly in others because of our relational human capacities. Relationality or conceiving dignity in relational terms is crucially important here because the awareness of human dignity thrives on reciprocal recognitions. For it is through other human beings that we are humans and become aware of our shared humanity. Thus, dignity – human dignity only has a meaning among humans: no person can enjoy the politically and juridically relevant outward dignity or a right to dignity outside of human circles and human interactions. Put simply, it is hard to contest what I call the “intentionality of dignity” as a political concept, for there can be no outward dignity for humans among beasts.

The awareness and sustenance of dignity can on the one hand be heightened and expanded in a society where we are empowered or allowed to attain fulfilled lives. On the other hand, the awareness of dignity can be vitiated or eroded in us or in other human beings as the capacity to be aware of it becomes whittled down in us or in others because of how we treat or have been led to treat ourselves or others, or conversely how others carried themselves against us, or have treated us or made us feel in our quotidian interactions with fellow humans and the surrounding environment. This means that the nature of our surrounding environment can in effect uphold, improve on, or downgrade our capacity for the inner awareness of our worth and dignity, while highlighting in sharp relief the outward dignity or otherwise of others in better or worse living environments.

Even more importantly, how every society or epoch chooses to express their awareness of human dignity may vary significantly. In other words, the recognition, protection, and elevation of human dignity in the laws and social norms of a people (as relational human rights) at any point in time, may well depend on the past experiences and circumstances that gave vent to the codification of the principle of human dignity in that society or generation. This, in other words, means that (universal) human rights are or should be the outcomes of the historical codification of the principle of human dignity, cross societies, regions and epochs. Thus, universal human rights need not be conceived metaphysically, but should be understood as the contingent, deontic upshots of efforts by different societies, regions, and epochs to cherish, preserve and protect the highest human value: dignity. In one-word, universal human rights meant to protect human dignity globally, “...should be seen as [and should be] the outcome of the combination of human will, material constraints, and historical contingency, rather than residing in some immaterial substance or a philosopher’s metaphysical, rational nature” (Wingo 2009, 132).

To talk about decolonial (human) dignity, is to pay attention to the multi-layered struggles to end injustice and oppression by peoples and groups outside the

global centre. In this way, defending or conceptualising human dignity must account for the intersectional struggles of women's rights movements, the multi-layered and expanding battles of Black women, Dalit women, disabled people, and women with diverse sexualities in their brave pursuit of dignity and equality, in the face of historic injustice and oppression. To decolonise human dignity and human rights, in order to create an important conceptual leeway to achieving global justice entails, at first, the recognition that justice or human rights is an *actional* right to dignity and the basis for individual self-respect and communal pride. Along these lines, human rights, Will Kymlicka realises, ought to go beyond recognising and respecting us as individual human beings with inherent dignity (Kymlicka 2020), to a serious effort to an actual consideration of the status of those whose existential reality – precarity, displacement or statelessness – fall outside the possibility of membership rights in any society of the world. In other words, how, for example, do we classify and treat people who live in our society or state and clearly have nowhere else to go? At what point can we say that refugees and those fleeing authoritarian political or religious regimes, who may have lost their families or lost all ties to their “home” society/state be considered as deserving membership rights in our society? The predicament of Europe's Mediterranean migrants and United States' Mexican migrants immediately, for example, comes to mind here. For, as Kymlicka saw “people today are too mobile, and too diverse, to ask for or expect that they orient themselves to a shared national society, nor do they frame their political claims in terms of membership goods, and any attempt to force people back into the confines of nationhood will only feed exclusionary populism” (Kymlicka 2020).

Even though he writes from the West, Kymlicka calls for a structural re-examination of state sovereignty and citizenship rights as we know it and argues that “...one possible route forward is *a new multicultural and postcolonial conception of nationalism*.” This is because,

In many contexts, minorities express impressively high levels of national loyalty and solidarity, even as they seek multicultural recognition of the specific ways in which they belong to the nation. Sadly, members of the majority all too often interpret claims for minority recognition a form of disloyalty and discount the demonstrable acts of civic friendship and solidarity that minorities display. In this sense, a multicultural nationalism is not only about constructing new loyalties and solidarities, but about learning how to better recognize the sophisticated ways that people already combine diverse identities and shared loyalties within an ongoing national narrative.

We have much to learn about how such a multicultural nationalism emerges and takes root. But the first step is to recognize that contemporary Western

societies continue to rely upon an ethics of membership that we are less and less able to articulate [or justify] (Kymlicka 2020).

So, Souleymane Bachir Diagne is only partially right when he asserts in “Individuals, Community and Human Rights” that the alternative to celebrating a “cosmic clash of civilizations” by some scholars in Euro-North American academy, is not an anti-western posture followed by “the symmetrical task of defending and illustrating *another* identity, which entails, for example, advocating *another* philosophy of human rights” (Diagne 2009, 10). But I follow Ajume Wingo to disagree with Diagne’s individualistic resolution of the clash. In the “The Odyssey of Human Rights: *a reply to Souleymane Bachir*” that appeared in *Transition*, following Diagne’s earlier article, Wingo criticises Diagne for claiming without qualification that human rights, no matter where, are “truly and naturally the rights of the individual” (Wingo 2009, 121). Wingo argues that Diagne was right in a dubious way for relying on the largely under-researched Mande Oath document to characterise human rights in Africa as individualistic. For Wingo as for this writer, Diagne may have overlooked the general context of the Mande Oath document, and unwarily fed into the anti-Black racist anthropology that *others* and dehumanises the person of colour. For once we attempt to resolve the clash through a conception of the transcendental person, then, it is always easy for the white supremacist to regard the person of colour as somehow aberrant and even subhuman. The question that should arise for Diagne is,

where, when, and under what circumstances are human rights “truly and naturally the rights of the individual”? These questions are, to say the least, fundamental to any cross-cultural philosophical study of human rights. [Truth be told, t]he only way to avoid them is to adopt – as Diagne appears to do – the concept of an ahistorical person [as the dominant western conception holds], who stands over and above prejudices and the relics of habits and cultures. And it is this transcendental conception of a person that allows Diagne to make sweeping claims about the universality of human rights.

In the end, Wingo argues convincingly to the conclusion that human rights are historical phenomena that ought to be philosophised cross-culturally with an open and magnanimous spirit. For,

Had the UN Charter and the Universal Declaration of Human Rights been the outcome of cross-cultural dialogue, I believe that we would have had different documents from the present ones. Crosspollination of the concerns of communalistic societies with those of individualistic societies would have provided something between the two extremes—or perhaps simply a patchwork. Those documents would have emphasized positive as well as negative rights. Those working on global justice and human rights today would

not have to read something into a document that wasn't there in the first place. The aim of cross-cultural dialogue is not to uncover some underlying universal truth or a single destiny for mankind; it is to provide a patchwork of a document as a guide on the endless journeyless-journey of freedom (Wingo 2009, 135).

5. Conclusion

A vital point to restate is that the *universal* validity of any conception of human dignity and therefore of human rights is always suspect. Universal or decolonial human dignity is and ought to be understood as something that must encapsulate the upshots of pre-political consultative conversations about what it means to be a *political* human or a human person that has a right to have political rights in different regions of the world. To achieve decolonial human dignity is to in fact imagine *other universals* of the concept of human dignity. Imagining other universals is a veritable lesson about how to provincialise our own convictions about the universal and the ultimate values that underpin what is actually *our* universal. For the universal is to be found at that conjuncture in a continuum in which our divergent imaginings of other universals reach a vanishing point, and which is always open to re-evaluation, re-contextualisation and revalidation. This does not translate into a call for trenchant relativism or a denial of equal humanity; mine is a call for a patient understanding of what *equal humanity* might in fact mean in different political cultures. In this way, universal human dignity becomes the baseline outcome of a long conversation about differing iterations of human dignity, when we have finally transcended the parochialism of nativist essentialism and taken major steps away from civilisationalist universalism masquerading as cosmopolitanism. This is an unavoidable pathway in which the anti-global discourse on global justice would begin to garner a universal appeal and meaning.

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Caribbean Journal of Philosophy

ISSN 0799-6845 (online)

Vol. 14, No. 1, 2022

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Acknowledgements: Other Universals Consortium – a project funded by the Andrew W. Mellon Foundation.