

UNIVERSITY OF GHANA

COLLEGE OF HUMANITIES



**IFEANYI MENKITI'S NOTION OF PERSONHOOD AND
THE PROBLEM OF HUMAN RIGHTS**

**BY
EDWIN ERZUAH
(10279427)**

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DECLARATION

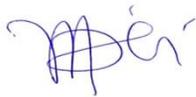
I, Edwin Erzuah, with student number 10279427, hereby declare that this project work is the result of an original research conducted by me, under the supervision of Prof. Martin O. Ajei and Dr. Majeed H. Mohammed, and that apart from other works which are duly acknowledged, this work has neither in whole nor in part been submitted for a degree either in this university or elsewhere.



.....

**EDWIN ERZUAH
(STUDENT)**

DATE: 28th July 2020



.....
**PROF. MARTIN O. AJEI
(PRINCIPAL SUPERVISOR)**

DATE: 28th July, 2020



.....
**DR. MAJEED H. MOHAMMED
(CO-SUPERVISOR)**

DATE: 30th July, 2020

ABSTRACT

Motivated by the problem of human rights, this thesis engages in a critique of Ifeanyi Menkiti's notion of personhood. According to Menkiti (1984), his conception of personhood is characteristic of a society that gives priority to individuals' communal duties and recognises individual rights as secondary. This led Kwame Gyekye (1992 & 1997) to criticise Menkiti's conception of personhood that in his (Gyekye) estimation fails to take individual rights seriously. Gyekye in turn was criticised that he fails to understand Menkiti's conception of personhood and that, a charitable interpretation of Menkiti's notion of personhood reveals that Menkiti does not threaten individual rights (Wiredu; see Eze & Metz, 2015, Molefe, 2016 & 2017 and Ikuenobe, 2018).

In the light of the fact that Menkiti's conception of personhood recognises individuals such as criminals and social deviants in the lived-world as non-persons; and these individuals appear not to be treated well in as much as their rights and dignity claims as human beings are not taken seriously, this thesis, in examining the debate on personhood between Menkiti and Gyekye aims to find an answer to the question of how human rights and dignity were safeguarded within Menkiti's conception of personhood. How is it ensured in Menkiti's conception of personhood that an individual human such as a criminal ends up not being treated in an undignified manner by members of a community?

The thesis findings reveal that, Menkiti's conception of personhood appears to consider that the actions of individuals are what go into securing human rights and dignity. And that whilst individuals ought not to lose their basic moral worth as beings with dignity when they fail to act in a morally appropriate manner, they owe it to themselves as moral agents to live morally good lives so that the consequences of their actions do not ruin their rights and dignity status.

DEDICATION

I dedicate this thesis to all those who supported me, gave me the encouragement and invested their time and intellectual input.

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CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

A peaceful family living in a community becomes victims of a robbery attack in which they not only lose their belongings but also get physically abused, raped, and murdered. A wife cheats on the husband and as a result of that, the husband out of anger assaults her. Members of a community accuse an individual of being a witch, and as a result of that, they subject her to harsh treatment. A child disobeys the parents and as a result of that, they punish the child to the point where he or she gets injured. A group of people accuses an individual of being a thief, and as a result of that, they assault the accused individual to the point where he or she dies. An individual or a group of people in society express gross disapproval of the legitimacy of the governance of a ruler or a government and as a result of that, the government kills some individuals to deter others. An individual is born into the world looking different biologically and as a result of that, people treat him or her differently from other individuals they comparatively consider as normal individuals.

The above cases depict instances of humans' interactions with each other, where people find certain ways of behaving or treating other people to be wrong. And the expression that a certain way of treating a human being is wrong conveys the idea that the human being is a being of moral status. Warren (1997) opines that an entity has a moral status when other entities or beings recognise it to be an object of moral consideration and owe the obligation to treat it in some morally relevant way (p. 2). Hence, failing to acknowledge an entity's or a being's moral status or moral standing in one's moral deliberation amounts to wronging the entity or being (Warren, 1997 p.3).

‘Human rights’ is a concept which features in various countries’ constitutions and documents such as the *Universal Declaration of Human Rights (UDHR)* adopted on December 10, 1948 by the United Nations (UN), the *African Charter of Human and Peoples Rights (ACHPR)* adopted in Nairobi June 27, 1981, the *International Covenant on Civil and Political Rights (ICCPR)* adopted on December 16, 1966 just to mention a few. ‘Human rights’ feature in the above-mentioned documents as a concept that is used to identify humans as beings of moral status or moral worth. And this means that we invoke human rights to mark human beings out as entities towards whom we owe the obligations to treat morally relevantly.

For instance, according to the *International Covenant on Civil and Political Rights (ICCPR)* human rights derive from the inherent dignity of the human person (ICCPR, p. 1). The inherent dignity or worth of the human person conveys the idea that we owe human beings the obligation to treat them well. And they are by nature as humans (i.e. as members of the species of *homo sapiens*) entitled to such favorable treatment regardless of considerations such as their actions or conduct, gender, nationality, birth status, and so forth (Donnelly 1982, p. 305). This implies that certain ways of treating human beings are wrong. The *International Covenant on Civil and Political Rights (ICCPR)* in Articles 7 and 8 recognizes that human beings, because of possessing inherent dignity, cannot have others make them slaves, torture or subject them to cruel treatments or punishment, and arbitrary arrest them. And this means that the ICCPR considers treating human beings in any of these ways as wrong and tantamount to a violation of human beings’ rights and inherent dignity. Thus, the demands of human rights enjoin on government and individual humans in their interactions with each other as beings of moral consideration to not behave in ways that wrong others or show a lack of consideration for their well-being, needs, and interests. It can, therefore, be said that countries with section(s) of their

constitutions dedicated to achieving respect for human rights and human dignity seem to have the intention of ensuring that institutions and individuals show much better regard towards people's well-being, needs, and interest.

The Organization of African Unity (OAU) set up the *African Charter of Human and Peoples Rights (ACHPR)* to achieve and promote respect for human rights and the well-being of humans in Africa. However, according to Paul J. Magnarella (2000) since the adoption of the Charter, human rights situations on the African continent have improved no better (p. 17). Magnarella (2000) alludes to reports on human rights abuses on the African continent by Amnesty International, Human Rights Watch (HRW), and United Nations High Commissioner for Refugees (UNHCR) as evidence that African countries have not made enough efforts to live under the demands of human rights to recognize humans' status as beings of moral worth or dignity (p. 17). For instance, Magnarella (2000) notes that Amnesty International in 1998 reported widespread human rights violations in about twenty-four African countries and that armed conflict, social and political unrest continue to increase leading to appalling human rights abuse throughout the continent (p. 17). The *Overview of the Human Rights Situation in the East and Horn of Africa October 2015–March 2016*, a report submitted to the 58th Ordinary Session of the African Commission on Human and Peoples Rights (ACHPR) which was held in Banjul, The Gambia, April 2016 presents information on widespread human rights violations in Burundi, Eritrea, Ethiopia, Kenya, Rwanda, Tanzania, Uganda, Sudan, Djibouti and Somalia (DefendDefenders, 2016 pp 5-35). According to the report, Uganda, Tanzania, and Djibouti experienced heightened restrictions on civil and political freedoms during each country's respective electoral periods. And governments subjected human rights defenders, mainly media personnel, to harsh and intimidating treatments. In sum, all these countries according to the

report performed woefully in honouring the human rights imperatives of respecting peoples' freedom of expression, freedom of association, and peaceful assembly (DefendDefenders, 2016 pp 5-35). Thus, it appears to be the case that despite the existence of the *African Charter of Human and Peoples Rights* coupled with African countries having constitutional frameworks that seek to promote respect for human rights, African countries continue to experience human rights problems. African countries continue to experience widespread human rights problems where individuals such as women, children, political party supporters, individuals with disabilities, media personnel, and transgressors of social rules and norms suffer not being treated well. Because existing reports show that Africa grapples with human rights issues, discourse on human rights ought to be a huge plank in African academics, especially in African Philosophy. In light of this, this research work engages in a discourse in African Philosophy on the issue or problem of human rights abuse in Africa with a specific interest in the debate on personhood between Ifeanyi Menkiti and his critics.

In this debate, Ifeanyi Menkiti (1984) articulates an African traditional conception of the nature of the human person where he argues that 'personhood' is a status we accord to individual human beings because they live morally upright lives (p.176). Conversely, Kwame Gyekye (2002) argues that Menkiti's notion of personhood is fraught with human rights problems such that Menkiti's notion of personhood seems to allow room for the violation of individuals' rights (p.299). Various other African philosophers such as Kwasi Wiredu (see Eze and Metz, 2015) Molefe Motsamai (2016 & 2017), and Polycarp Ikuenobe (2018) have since commented on the debate and have argued in defense of Menkiti that, Gyekye misunderstands Menkiti's African traditional conception of personhood. This research work, in going into this debate, aims to find out whether Menkiti's conception of personhood has unfavourable implications or consequences

for human rights and consequently human dignity, as stated by Gyekye or not. In the literature review section that follows, I recount the discussions on the debate on personhood between Menkiti and Gyekye.

1.2 Literature Review

Ifeanyi Menkiti on Personhood

Ifeanyi Menkiti articulates his conception of personhood in a famous article entitled *Person and Community in African Traditional Thought (1984)* and has continued to fine-tune and defend this view in several subsequent writings. In this article, Menkiti indicates from the beginning that he aims to articulate a notion of ‘the person’ in African traditional thought which is radically different from various other conceptions of ‘the person’ found in ‘Western thought’ (p. 171). According to him, Western conceptions define the personhood status of the individual human being by focusing on some sole properties such as rationality, memory, or will. The African view, on the other hand, defines the personhood status of the individual human being in reference to the environing community (p. 171). Menkiti argues further that the reality of the cultural community together with its rules and norms of social relations take precedence over that of the individual human being. The cultural community gives the individual her identity and the language she speaks, and as such, it (the community) takes both ontological and epistemic precedence over the individual human being (Menkiti, 1984 p. 171). For this reason, the African view considers the community to be best suited to define what counts as a person and not some sole properties of the human individual such as rationality, will, or memory (Menkiti, 1984 p. 172). Following from the above, Menkiti (1984) goes further to add that the African view holds that the personhood status of the human individual is indicative of him or her achieving a social

status (p. 172). This means that the attribute of personhood is not possessed at birth. To be a person, an individual must achieve it (Menkiti, 1984 p. 172). The individual acquires or achieves the status of personhood by being incorporated or socialised into the community Menkiti argues. By going through a community's process of incorporation or socialisation laden with its rules and norms of social relations, the individual grows to acquire the social status of personhood marked by gaining maturity of ethical sense having had enough experience to that effect (Menkiti, 1984 p. 172 & 173). The successful and satisfactory display of ethical sense in an individual's conduct in accordance with the moral dictates of the community results in an individual being conferred with the status of a person. The failure, on the other hand, results in an individual being denied the status of personhood (Menkiti, 1984 p. 173). A person, therefore, is an individual who is in good standing with the community in respect of his/her conduct as an agent capable of a moral sense (Menkiti, 2004, p. 326). Thus, according to Menkiti's scheme, personhood is determined by an individual's community, and it (personhood) is a social status that an individual human can fail to attain. Menkiti sums up the distinctions between the African view of personhood and the Western view in labelling the former as a maximal view and the latter as a minimal view (Menkiti, 1984 p. 173). It must be said in addition that the labelling of conceptions of personhood in Western thought as minimal and the African view of personhood as maximal convey the impression that the former is an incomprehensive view whilst the latter offers a comprehensive view.

Kwame Gyekye on Menkiti's notion of person/hood

Kwame Gyekye in his article entitled *Person and Community in African Thought* (2002) disagrees with Menkiti's characterisation of the personhood status of the human individual as an attribute that is achieved and as such conferred by the community (Gyekye,

2002 p. 298). According to Gyekye (2002), Menkiti's notion of personhood gives priority to the community and its associated rules and norms over the individual person (p. 299). This is because the cultural community within Menkiti's scheme is charged to be the sole determinant of the individual's status as a person. Gyekye (2002) argues further that Menkiti's view of personhood restricts the extent of the capacities or properties that can be delineated to belong to the nature of the individual person (p. 301). According to Gyekye (2002), the individual person by nature is a social (communal) being, but the individual person also by nature possesses other essential attributes (p. 301). The individual by nature has rationality, is capable of virtues, making moral judgments and evaluations and as such capable of a choice (Gyekye, 2002 p. 305). The cultural community does not create any of these attributes; it rather nurtures them. These other essential attributes that individual persons possess enable them to partly have a say in matters that affect their lifestyle or choices and projects for which reason they are not fully subsumed under the moral dictates of the community (Gyekye, 2002 p. 305). Thus, in Gyekye's view, individuals do not always follow the community's norms, and that sometimes they may find some of the community's practices, upon reflection, to be not worthy to be obeyed (Gyekye, 2002 p. 306). According to Gyekye (2002), to the extent that Menkiti's notion of personhood appears to have failed to recognise these other essential attributes that the human person has by nature, Menkiti gives the community an all-engulfing moral authority over the individual person (p. 301). And that Menkiti's notion of personhood sees the individual to be a shackled self acting always in obedience to the moral dictates of the community. In view of this Gyekye (2002) argues that Menkiti's conception of personhood is a radical communitarian notion that appears to have unfavourable consequences for individual rights (p. 299)

Gyekye (2002) also denies that the personhood status of the individual human being is associated with achieving a social status (p. 303). Unlike Menkiti, Gyekye states that all human beings have the capacity to personhood irrespective of age or social status (Gyekye, 2002 p. 303). In view of this, Gyekye argues that the capacity the possession of which makes human beings' persons is possessed by all human beings as an intrinsic property (Gyekye, 2002 p. 304). However, the personhood capacity is nonetheless realised fully in the community. Thus, individual humans in their infancy stage are all persons possessing the personhood capacity, be it rationality, or moral or ethical sense as a potential. Gyekye (2002) in recognizing the importance of individual rights advocates moderate communitarianism (p. 307). According to Gyekye (2002) 'moderate communitarianism', unlike 'radical communitarianism' recognizes and allows room for the exercise of individual rights. This is because it appreciates the dual nature of the individual human person as both a communal being and also as an autonomous, self-determining, self-assertive individual possessing the capacity to evaluate the norms, practices, and values of the community and hence capable of choice (Gyekye, 2002 p. 307). Thus, in Gyekye's view, moderate communitarianism, unlike Menkiti's seemingly radical communitarianism, will have favourable consequences for the rights and hence the inherent dignity of the individual person.

Some African scholars have commented on the debate on personhood between Menkiti and Gyekye. Some have criticized Gyekye's moderate communitarianism that it's not fundamentally different from radical communitarianism (Matolino, 2009 and Famakinwa, 2010). Whilst other scholars have defended Menkiti against the radicalism tag that Gyekye associates with Menkiti (Molefe, 2016, Wiredu; see Eze and Metz, 2015 & Ikuenobe, 2018).

J.O. Famakinwa and Bernard Matolino on Gyekye's Moderate Communitarianism

J.O. Famakinwa in *How Moderate is Kwame Gyekye's Moderate Communitarianism* (2010) evaluates Gyekye's moderate communitarianism and argues that Gyekye's moderate communitarianism is not as moderate as he believes it to be (p. 65). According to Famakinwa (2010), Gyekye's moderate communitarianism seems to argue for the rights of the individual to be recognised to have the same priority status as individuals' social responsibilities so as to avoid it being susceptible to violation but on the contrary, Gyekye's arguments render individual rights as secondary to individual's social responsibility. This is because Gyekye places more emphasis on the community when he talks about the importance of recognizing individual rights (p. 69). For instance, Famakinwa claims that Gyekye's argument that individuals' capacity for evaluating the norms and practices of the community deserves recognition because it is in the interest of the community is tantamount to him saying that these capacities are appreciated for the sake of the interest of the community and not that of the individual (Famakinwa, 2010 p. 69). Thus, the community recognizes individuals' capacity of evaluation for the fundamental reason that in the long run, it (i.e. the community) benefits from doing so. This thus makes Gyekye, not a moderate communitarian but rather a radical communitarian who gives primacy to the community over the individual, Famakinwa argues. Famakinwa (2010) cites another evidence in support of his claim that Gyekye's moderate communitarianism is not as moderate as he (Gyekye) believes it to be. According to him, Gyekye supports the moral supremacy of the community over the individual. And this can be seen in Gyekye's claim that communal values such as generosity, compassion, reciprocity, etc. should be prioritized over individual rights whenever there is a conflict between the two (Famakinwa, 2010 p. 72). Famakinwa reckons then that Gyekye's claim above does not show that individual rights are recognized as having equal moral worth to communal values.

This is because individual rights within Gyekye's moderate communitarianism remain susceptible to being violated for the sake of the interest of the community and as such fails to secure the inherent dignity of the individual. Thus, Gyekye's moderate communitarianism fails to make clear how it is different from radical communitarianism. Famakinwa argues (Famakinwa, 2010 p. 73). Famakinwa (2010) further claims that though Gyekye recognizes the seemingly absolute or overriding importance of individual rights for the moral autonomy and the inherent dignity of individuals, he fails to articulate how individual rights ought to be secured in the face of promoting communal values. Thus Famakinwa (2010) notes that Gyekye, for instance, fails to articulate the extent to which the community must or can go in dealing with individuals that fail to live in accordance with the rules and norms of the community.

Matolino in *Radical vs Moderate: A critique of Gyekye's Moderate Communitarianism* (2009) also considers whether within Gyekye's moderate communitarianism serious regard is given to individual rights. Matolino (2009) makes a similar argument that, Gyekye's moderate communitarianism recognizes individual rights to be violable when in conflict with individuals' social responsibility. For this reason, Gyekye's moderate communitarianism recognizes rights in the same way that radical communitarianism does, which is that individual rights are of secondary importance to the good of the community (Matolino, 2009, pp. 168-169). Matolino (2009) also argues that Gyekye's claim that Menkiti's moral achievement notion of personhood is befogged with inconsistency misunderstands Menkiti. Gyekye (1997) argues that the idea that personhood is acquired and it is acquired at the elderly stage of an individual's life as articulated by Menkiti implies that old age or being an elderly individual automatically speak of one as possessing the capacity to behave in a morally upright manner. Gyekye argues that this is wrong as some elderly individuals behave very badly but they are not for that reason considered as not

persons. Gyekye's view then is that an individual's conduct whether good or bad does not affect his or her status as a person. And that all individual humans whether elderly ones or children are persons. However, Matolino (2009) claims that the appropriate understanding or interpretation of Menkiti's moral achievement notion of person/hood reveals that there is no inconsistency. According to Matolino (2009) Menkiti's notion of the acquisition of personhood is concerned with an individual acquiring knowledge in the exercise of the capacity of moral sense, and the more years of experience an individual gets the more satisfactory he or she becomes in the exercise of that capacity. It can be likened to an individual learning to become a mechanic. He can fail at it or become a master at it, having acquired all the competencies of a mechanic, Matolino argues. Thus, Gyekye's criticism that Menkiti's personhood is befogged with inconsistency misunderstands and for that matter misinterprets Menkiti's moral achievement notion of personhood says Matolino (Matolino, 2009 pp 164-165).

To sum up, Famakinwa and Matolino claim that Gyekye's moderate communitarianism is a radical one and for that matter, it is not different from Menkiti's. Although Gyekye's moderate communitarianism appears to recognise the seemingly absolute importance of individual rights for the sake of individuals' autonomy and fundamental dignity, individual rights still remain violable in the face of promoting individuals' social responsibilities. Secondly, Matolino gives clarity to Menkiti's moral achievement notion of personhood and claims that Gyekye misinterprets or misunderstands Menkiti. However, both recognise that individual rights considered as secondary to the community suggest that individual rights are violable in a radical communitarian system. However, Molefe (2016) remarks that the above discussions of Famakinwa and Matolino fails to interrogate whether or not Menkiti espouses a radical communitarian conception of person/hood that according to Gyekye has unfavourable

consequences for individual rights and dignity. Thus, Molefe in *Revisiting the Debate between Gyekye-Menkiti: Who is a radical Communitarian?* (2016) revisits the discussions on Menkiti and Gyekye's debate on personhood and claims that a gap remains in the discussions. And this is a gap about critically examining whether it is the case that Menkiti's notion of personhood has some unfavourable consequences for individual rights and dignity. Thus, Molefe (2016) attempts to defend Menkiti's views against the tag of radicalism associated with him (Menkiti).

Molefe, Wiredu and Ikuenobe's defence of Menkiti

Molefe (2016), Wiredu (see Eze & Metz, 2015), and Ikuenobe (2018) all argue that Menkiti is not a radical communitarian and that such branding of Menkiti is a result of Gyekye misunderstanding Menkiti. Thus, these philosophers argue to clarify Menkiti's notion of personhood.

According to Wiredu, Gyekye's branding of Menkiti as a radical communitarian wrongly attributes to Menkiti to be saying that the individual has no standing morally speaking (see Eze & Metz, 2015 p. 74). Wiredu argues that Menkiti's notion of personhood suggests that it is not just enough for an individual to be born of human heritage in order to be seen as a person. The individual must also be seen to be achieving a certain socio-ethical standard defined in terms of the mores and ethics of the community (see Eze & Metz, 2015 p. 74). Being conceived of as a person or not then indicates how well an individual's behaviour or conduct accords with the mores and ethics of the community. To say of an individual human that he is a person is to appraise him for his actions as either being good or bad Wiredu argues (see Eze & Metz, 2015 p. 74).

Thus, according to Wiredu 'personhood' as articulated by Menkiti is a term that is used to describe individuals and their actions; an individual is a person if he behaves well but not a

person if he fails to behave well. Wiredu goes further to add that recognizing an individual as not a person on the grounds that his actions do not accord with the mores and ethics of the community is not an indication that he or she is to be treated one way or the other (see Eze & Metz, 2015 p. 74). Such a notion of personhood concerned with an individual's actions is different from a notion of personhood that conceives of an individual as an object of moral consideration. The notion of personhood that is germane to Menkiti's theory is that which is concerned with an individual's actions. When attention is paid to the context of usage of the notion of personhood, the charge of radicalism that Gyekye associates with Menkiti's notion of personhood collapses Wiredu argues (see Eze & Metz, 2015 pp. 74 – 75).

Molefe in *Revisiting the Gyekye-Menkiti Debate: Who is a Radical Communitarian?* (2016) argues in support of Wiredu that it is wrong to hold the view that Menkiti's conferment notion of personhood is radical such that it risks belittling the rights/dignity or the moral status of the individual human. In his (Molefe) view, a charitable reading of Menkiti's Afro-communitarian conception of personhood suggests that Menkiti puts forward a moral perfectionist theory of personhood. And this means that personhood is indicative of individuals maturing and becoming perfect in the exercise of the capacity of moral sense especially in terms of how they treat or relate with each other in a moral context (Molefe, 2016 p. 45). Fully maturing in the exercise of the capacity of ethical/moral sense is characterised by the individual exhibiting virtues or displaying behavioural dispositions that are conducive to treating or relating well with other people. Not all individual humans are able to do so and hence those who fail to attain the required moral maturation, as well as those who are not capable at all, are denied having achieved the status of personhood (Molefe, 2016 pp. 45-46). Molefe (2017) argues further that the essential aspect of the moral perfectionist notion of personhood that Menkiti

articulates is the need for individuals to treat each other well since that is how individuals become persons. The need for individuals to treat each other well in Menkiti's notion of personhood according to Molefe reflects or depicts an Ubuntu view of personhood which is purely relational and as such implies that an individual is a person through other persons. And this entails a morality of duties where individuals are conditioned to fulfil their moral obligations to each other as beings of dignity, Molefe argues (Molefe, 2017 pp. 9-10). Molefe concludes that, in light of the relational nature of Menkiti's notion of personhood, he (Menkiti) is certainly committed to securing individuals' dignity and as such cannot be said to be a radical communitarian. Thus, within Menkiti's personhood system, the community's role is to ensure that individuals owe to each other as a duty to treat each other well. Behrens (2013) categorises Menkiti's notion of personhood as an agent-centred notion that takes interest in individual humans' performance as moral agents in the context of how they treat each other as beings of moral considerations. This Behrens (2013) argues is different from a patient-centred notion of personhood where personhood identify an entity to be an object of moral consideration and as such is owed the moral obligation to be treated in some special way. Molefe (2016) agrees to Behrens distinction and argues that Menkiti's personhood notion properly understood as an agent-centred notion most importantly reveals that it takes interest in promoting or encouraging individuals to treat one another with dignity and as such consider it as a duty that they owe to each other as beings of moral consideration.

Ikuenobe (2018) also shares in Molefe and Wiredu's claims that Gyekye's criticism is based on his misunderstanding and for that matter misinterpreting the conception of personhood that Menkiti articulates. According to Ikuenobe (2018), Menkiti articulates a conception of social-moral personhood which is not metaphysical and also not radical in the sense of

undermining individual rights (p. 187). This is because personhood according to Menkiti, within an African traditional community, is not defined in terms of some inherent psychological or mental property of the individual. But rather 'Personhood' is defined in terms of the moral growth of the individual Ikuenobe argues. This entails the individual human learning and maturing in the proper use of the physical or psychological capacities that he or she is naturally endowed with. The community plays a positive role in the moral growth of the individual by providing the communal material conditions and values that shape and transform individuals naturally endowed physical or psychological capacities through its (i.e. community) socialization process (Ikuenobe, 2018 p. 191). Ikuenobe (2018) argues further that the moral personhood notion that Menkiti articulates coupled with the positive role that the community plays as the prescriber of moral norms do not undermine individual rights. This is because by articulating a robust and thick conception of personhood, Menkiti appreciates the psychological or metaphysical capacities that the individual is endowed with and which forms the basis for the recognition of the individual's autonomy, and rights. Menkiti's moral or normative notion of personhood appreciates the psychological capacities of the individual as the necessary material conditions that an entity must possess before it can be ascribed to the entity to be capable of the normative social-moral feature of personhood Ikuenobe argues. Thus according to Ikuenobe (2018), the metaphysical or physiological features in the names of rationality, free will, and agency are the minimal natural requirements that an entity must possess in order to be able to become suitable to participate in the community's socialisation process towards achieving the additional social-moral feature or property of personhood (p. 192). In light of this, he argues that the social-moral property of personhood that the individual acquires adds value substantively to the metaphysical capacities or properties that the individual inherently has (p. 192) This is

because the social-moral property of personhood is attained by the individual putting to good use his or her autonomy and rights by behaving in ways that promote the communal interest, values, and norms of harmonious living, solidarity, and well-being. In doing so Ikuenobe argues that the individual exercises his rights in a way that bestows on him or her a moral status of being appraised and respected by others as he or she is recognized as a true person in the moral sense of the word. On the other hand, the failure of the individual to exercise his or her rights in a more meaningful way with regards to the communal interest, values, and well-being denies him or her being recognised as a moral person and the associated respect that comes with it. Thus, according to Ikuenobe (2018), Menkiti's recognizing rights as secondary and individuals' communal duties as primary does not suggest that Menkiti takes a negative and hence detrimental view of individual rights. This is because when the assertion is interpreted in the light of understanding Menkiti's conception of personhood appropriately (as a social-moral notion by which the community's task as a prescriber of moral norms is to aid the individual in the meaningful use of his naturally endowed properties to ground his or her autonomy and rights), then Menkiti cannot be said to be a radical communitarian. Thus, according to Ikuenobe (2018), Gyekye's error in his criticism of Menkiti as radical is his interpretation of Menkiti's notion of personhood as a metaphysical notion whereby he (i.e. Gyekye) tries to understand Menkiti's personhood in terms of some psychological static property that all human beings inherently possess. Such a metaphysical notion of personhood is recognised by Menkiti as a minimal conception of personhood that is typical of Western conceptions of personhood and which is distinct from his maximal or robust or demanding conception of personhood, Ikuenobe argues.

1.3 Problem Statement

In the above review of some of the relevant works on the debate on personhood between Menkiti and Gyekye, we get a fair idea of how discussions have unfolded. Discussions moved from evaluating Gyekye's moderate communitarianism vis a vis radical communitarianism to attempts to defend Menkiti's view by clarifying his (i.e. Menkiti) notion of personhood in an effort to remove the tag of radicalism that Gyekye associates with it. However, the clarifications given to Menkiti's notion of personhood as a moral notion seem to not render Gyekye's criticism as completely misguided. This is because Gyekye's talk of the need for individual rights not to be considered or recognized as secondary reveals that priority given to individual rights secure the protection of the fundamental or basic dignity of the life of the human person (Gyekye, 2002 p. 307). In light of this, it is implicit in Gyekye's criticism then that Menkiti's notion of personhood have some implications for individual rights. And this could be informed by the belief on Gyekye's part that, Menkiti's notion of personhood also has some effect on how individuals are treated. This belief, if true, appears to be supported by Ikuenobe's remark that, the achievement of the social status of moral personhood bestows on an individual the moral status of being appraised and respected by other people or members of the community. And on the other hand, the failure to achieve the social recognition of moral personhood because an individual has failed to behave in a morally appropriate manner (i.e. behaving in accordance with the moral dictates of the community) denies him or her the moral status of being respected by members of the community (Ikuenobe, 2018 p. 192). Granted then that Menkiti's notion of personhood is tantamount to dignity or moral status claims, we can say that Gyekye's deeper concern is that within Menkiti's conception of personhood some individuals risk being treated differently, perhaps unfairly from other individuals because they fail to live morally upright lives

in the sense that they fail to live in accordance with the moral dictates or behavioural standards of the community. Thus, Gyekye's criticism implicitly points to the issue that within Menkiti's conception of personhood human moral equality may not always be guaranteed. Secondly Gyekye's concern for individual rights not to be held secondary but rather equal to individuals' communal duties seems to indicate that rights may lose their force as a moral constraint in the protection of the basic dignity of the life of the human person especially when an individual's actions put him or her in a bad standing with the community or the members in it. For instance, if we look at the human rights abuse in the form of lynching or mob attack that transgressors of social rules and norms (i.e. individuals who behave in unacceptable ways) usually go through it can be said that behaving unacceptably puts an individual naturally in a position where other people feel resentment, anger and vengeful towards him or her (i.e. it puts an individual naturally in a position where he or she is disliked by others). In light of this, moral duties that are owed to individual transgressors in recognition of their rights and dignity are not taken seriously and as such, they end up being victims of harsh treatments from other people that are influenced by hatred, anger, disgust, and vengeance. Thus, if rights are considered secondary to individuals' communal duties it seems to be the case in the light of Gyekye's criticism that they may easily be overlooked in the treatment of individuals especially individual non-persons such as criminals within Menkiti's conception of personhood. Therefore, Gyekye's criticism can be said to make the claim that Menkiti's moral personhood notion appears not to offer proper grounds for the protection of the rights and hence the basic dignity of the human person. Thirdly, the individual, in the exercise of her inherent capacities, may defy communal norms by subscribing to norms that nourish community/human life better than communal norms. Thus the individual may discern extra-communal norms that are best for a community to adopt.

In all the events of the discussions of some of the existing works on the personhood debate between Menkiti and Gyekye, it remains less-discussed or inquired into with respect to the issue of how Menkiti's conception of personhood ensures or grounds the protection of the basic dignity of the life of the human person. Such a discussion or inquiry I believe will reveal or show how Menkiti's conception of personhood ensures that an individual's non-personhood status puts him not at risk of being used as a scapegoat by the community in the bid to demand of its members to obey its rules, norms, and practices. It will also show how Menkiti's conception of personhood ensures that an individual's non-personhood status puts him not at the risk of suffering inhumane or unfair treatments from members of the community. Thus, this research attempts to address the issue of how Menkiti's conception of personhood grounds the protection of the basic dignity of the life of the human person, especially in Africa. And the purpose is to establish whether this way of securing human dignity has greater implications for the broader discussion of human rights or not. The thesis' inquiry appears to be faced with a challenge that Metz (2014) poses to contemporary African Philosophy which according to Oyowe (2018 p.162) is that, African philosophers such as Kwame Gyekye and Ifeanyi Menkiti attempt to ground their moral-political theories on metaphysical conceptions of the self violates David Hume's is/ought Law which stipulates that ethical or normative conclusions cannot be inferred logically from premises that are not ethical or normative. Thus, this thesis which seeks to evaluate Menkiti's notion of personhood in the light of human rights concerns involves supporting normative conclusions with a metaphysical conception of the self, a position which breaches David Hume's is/ought distinction and is strenuously rejected by G. E. Moore¹ and several contemporary

¹ In Chapter 4 of *Principia Ethica*, Moore calls this position 'metaphysical ethics' and rejects it. (Moore, 1992 p. 110).

ethicists in Western philosophy. However, such breaching of Hume's Law in ethical theory has been defended in African philosophy. Oyowe (2018) offers a charitable characterization of what African Philosophers do when they ground their moral-political theories on a given metaphysics of the self which does not flout the 'is/ought law (p. 163). He thus appears to suggest the plausibility of the view that metaphysical groundings can be given to normative theories or claims. Ajei (2019) shares in Oyowe's claim, and defends the need for a metaphysical basis or grounding of human rights. These perspectives of African philosophers on the foundations of ethical concepts and values will be at the forefront of my evaluation of Menkiti's notion of a person in the light of human rights concerns, and of my pursuit of evidence of certain conditions that support the view that Menkiti's notion of personhood does not threaten human rights and dignity.

1.4 Scope of Research

The main focus of the research is to address the issue of how Menkiti's conception of personhood grounds the protection of the basic dignity of the life of the human person. In light of this, discussions in this research will be limited to a detailed elaboration of Menkiti's notion of personhood and the sense of community that underpins it, its Ubuntu defense, and the relation between Menkiti's notion and human rights.

1.5 Definition of Key Concepts

Personhood: This notion is defined in terms of a capacity or property that an entity must possess in order to be recognised as a person. According to Menkiti (1984) the capacity the possession of which makes an individual human a person is the capacity of moral function or moral sense (p. 175) However, elsewhere he says it's not the mere possession of a capacity for

moral sense that qualifies an individual to be identified to be a person but rather it is an individual's exercise of the capacity in a certain way that makes an individual be recognised as a person (p. 176). In light of this, Menkiti (1984) defines moral sense or moral function to be indicative of an individual's ability to behave in a morally appropriate manner in accordance with a community's prescribed norms or standards of social relations (p. 176)

Human rights and human dignity: *Human rights* refer to claims of entitlement an individual human makes that entails an obligation on institutions and other humans to recognize his or her well-being, needs, or interest as a human being; as a member of the species of *homo sapiens* (Donnelly, 2009 p. 9). According to the *International Covenant on Civil and Political Rights (ICCPR)*, human rights derive from the inherent dignity of the human person (ICCPR, p. 1). Thus, human dignity is the basis for human rights. *Human dignity* refers to the recognition of all individual human beings as having equal moral status. And the implication of this according to Kateb (2011) is that any individual, in his or her dealings or interactions with other individuals in any moral context, should not be treated any less in value or worth because of such considerations as one's social status, gender, conduct, nationality, just to mention a few (p. 6). In a debate between Souleymane Bachir Diagne and Ajume Wingo in *Transitions* which mainly centers on human rights, Ajume Wingo (2010) points out that the above notion of human rights and human dignity is a western notion. This is because it is engendered by historical circumstances which were unique to western societies. Thus, he cautions against the extrapolation of the western notion of human rights in any talk on human rights in Africa as true and definitive of the African experience. However, the above western notion of human rights is found in the African Charter of Human and People's Rights where priority is given to it in the treatment of human beings as entities of inherent moral worth. My thesis only aims to inquire about how a secondary recognition giving to

individual rights within Menkiti's communalistic conception of personhood does not threaten the basic dignity of the human person.

Moral Status: According to Warren (1997) to have a moral status is to be recognised as an entity or being of moral consideration and for that matter to be owed the moral obligation to be treated in some morally relevant manner (p.2). The failure to acknowledge an entity's or a being's moral status or moral standing in one's moral deliberation amounts to wronging the entity or being (Warren, 1997 p.3). The idea of human dignity which forms the basis of human rights identifies human beings as having moral status.

Community: The concept of 'community' is central to Menkiti's notion of personhood and it is a political concept. It denotes a group of individuals living together in a particular geographical area and are linked together by cultural ties who consider themselves to belong to some form of socio-political organization and subscribe collectively to some form of commonly agreed norms to regulate their common life. (Gyekye, 2002 p. 299 & Gyekye, 1997 p. 81).

1.6 Significance of Research

My research aims to add to the discussions on the debate on personhood between Menkiti and Gyekye. Molefe (2016) argues that Gyekye only claims that Menkiti's notion of personhood has unfavourable consequences for individual rights but fails to show how. One of the significances of this research is that it may be able to show how Menkiti's notion of personhood in light of Gyekye's criticism can have unfavourable consequences for individual rights and dignity. But beyond the claim of unattractiveness that Gyekye's criticism of radicalism associates with Menkiti's conferment notion of personhood, Menkiti's notion of personhood in light of the various clarifications that have been provided by other scholars appears to justify the

importance of behaving in a morally appropriate manner and the influence that it appears to have on individuals' dignity (i.e. as beings of moral worth). Thus, the other significance of this research is that it aims to show the benefits if any, that individuals derive or can derive from behaving in a morally appropriate manner or acting morally for the sense of themselves as beings with dignity.

1.7 Methodology

This research attempts to critically inquire into Menkiti's conception of personhood and its defense in order to interrogate whether or not his system, in fact, is able to ground the basis for human rights, especially in Africa. The method to be adopted for this inquiry is desk research where I critically reflect on works that are relevant to the discourse of this research. The relevant works to be relied on include peer-review journals, books, and sometimes internet files. The research also employs conceptual analysis to clarify key terminologies such as personhood, moral status, community, moral sense, etc. that feature in the discussions of the research.

1.8 Chapterization

The entire research unfolds in five chapters. The first chapter is the introductory chapter, it provides the background of the study, the literature review, the problem that the research intends to investigate, the importance or significance of the study, methodology, and scope of the study. Chapter Two focuses on Menkiti's normative notion of personhood. Chapter Three discusses Gyekye's criticism of Menkiti's notion of personhood. Chapter Four looks at whether Menkiti's notion of personhood grounds the respect for human dignity. The last chapter is the concluding chapter which provides a summary of the discussions in the entire thesis.

CHAPTER TWO

MENKITI'S CONCEPTION OF PERSONHOOD

2.0 Introduction

This chapter discusses Menkiti's conception of personhood. The chapter is structured in the following fashion. In the first section, I discuss Menkiti's analysis of the notion of a person. In the second section, I discuss the agent-centred interpretations of Menkiti's notion of a person as different from a patient-centred notion of a person followed by my reflections. The last section is the conclusion.

2.1 Menkiti on the Notion of Person

In discussing Menkiti's analysis of person, I rely on two of his articles as my primary texts. These articles are *Person and Community in African Traditional Thought (1984)* and *On the Normative Conception of a Person (2004)*. It is in these articles that he articulates his notion of a person. The first article is the first in which Menkiti presented his notion of a person and it is also the article which Gyekye relied on to criticise him as providing a radical notion of a person. The second article represents Menkiti's subsequent attempt to fine-tune his notion of a person.

In the 1984 article, Menkiti indicates from the beginning that there is to be found in African traditional thought a notion of person which is significantly different from various other conceptions, especially notions of a person found in Western thought. In light of this, Menkiti highlights the differences between the African notion of a person on one hand and the various Western notions of a person on the other hand. The first significant distinction that Menkiti notes is about how the notion of a person is defined. And according to him, how the notion of a person is defined in Western thought is different from how it is defined in African traditional thought. Western notions of a person, according to Menkiti, "abstract this or that feature of the lone

individual and then proceed to make it the defining or the essential characteristic which entities aspiring to the description of man [i.e. a person] must have....” (Menkiti, 1984 p. 171). He identifies rationality, memory, or soul as some of the properties of the lone individual that feature in some of the Western notions of a person (pp. 171 & 172).

For example, John Locke when discussing person and personal identity in II.xxvii.9 of his *An Essay concerning Human Understanding* defines a ‘person’ as “a thinking intelligent being, that has reason and reflection, and can consider itself as itself, the same thinking thing in different times and places” (Essay II.xxvii.9). Immanuel Kant also defines a person in terms of rationality as he says in his *Groundwork* that rational beings are persons (Kant, *Groundwork*, 4.428 p. 79).

In so far as an entity in his nature possesses a rational capacity that bestows on it the ability to set goals and ends to pursue, such an entity is also a person. Warren (1997) describes the features or properties that Western notions of a person use in defining a person as properties that are intrinsic to the nature of entities (in this case human beings) that are identified as persons. And by intrinsic, Warren means that they are properties an entity (i.e. an individual) has and which is logically possible for the entity to have had even if it was the only entity in existence (p. 122).

But according to the African notion of a person, on the other hand, Menkiti states that ‘person’ is “defined by reference to the environing community” (Menkiti, 1984 p. 171). And what this means according to Menkiti is best captured in John Mbiti’s maxim – “I am because we are and since we are therefore I am” (Menkiti, 1984 p. 171). What can be said more about the African definition of a person in terms of the community according to Menkiti is that, the African traditional notion of a person acknowledges that “the reality of the communal world (i.e. the community) take precedence over the reality of the individual life histories, whatever these may be” (Menkiti, 1984 p. 171). And the implication of this according to Menkiti is that the

individual person is a communal being by nature and for that matter does not live in isolation. The individual's sense of identity, the language she speaks which plays a major role in the make-up of his or her mental dispositions and attitudes all point to the fact that the individual belongs to or is a member of a community (Menkiti, 1984 p. 172). Menkiti thus sums up the first distinction by stating that, whereas Western notions of a person identify some sole psychological or abstract property such as rationality, memory, or soul as what fully define an individual as a person, the African view, on the other hand, holds that the community defines the individual as a person (Menkiti, 1984 p. 172). Community refers to a group of individuals living together in a particular geographical area and are linked together by cultural ties who consider themselves to belong to some form of socio-political organization and subscribe collectively to some form of commonly agreed norms to regulate their common life. (Gyekye, 2002 p. 299 & Gyekye, 1997 p. 81). From this first distinction, it is possible for one to deduce or infer that Menkiti seems to suggest that the criteria by which Western notions define a person fails to acknowledge the fact that the individual person is also a communal being. That is, by saying, for example, that an individual is a person because he or she possesses a rational faculty is to say that the individual by nature is a solitary being. But such a deduction or inference seems to misunderstand the import of the distinction. The distinction suggests that in African traditional thought personhood is a communal feature; that is, personhood is an attribute that is bestowed on an individual as a result of his or her communal membership and that the various Western criteria of defining a person would be considered as inadequate in defining a person within African traditional thought. Menkiti explores this further when he moves on to the second significant distinction.

The second distinction according to Menkiti is that, from the African viewpoint, 'personhood' is a status that is conferred. Personhood is achieved after an individual has

undergone a “process of incorporation into this or that group” (Menkiti, 1984 p. 172). What this means, according to Menkiti, is that being a 'person' is not “given simply because one is born of a human seed” (Menkiti, 1984 p. 172). Being a human being (a biological organism) possessing a physical body and whatever psychological features associated with it (i.e. the physical body) is not enough to bestow fully the status of ‘a person’ on an individual. Thus ‘person’ is different from ‘human being’ conceptually (Menkiti, 1984 p. 172). In this conceptual distinction between being human and being a person, Menkiti appears to reiterate that personhood and whatever attribute or property it identifies is not an intrinsic feature of the individual according to the African view. Rather, personhood is an additional attribute that the individual attains as a communal being; that is, as a being (human) living in relationship with other beings (humans). And to attain ‘the attribute of a 'person’ an individual should be seen as going through a long process of social and ritual transformation until he/she attains fully the complement of excellences definitive of a person and be seen as such (Menkiti, 1984 p. 172). According to Menkiti, the community plays the vital role of prescribing to the individual the norms of the community during its socialization process of transforming individuals into achieving the additional status of ‘the person’ (Menkiti, 1984 p. 172). But it must also be added here that, the community’s moral authority is not only to prescribe norms but also, to enforce these norms such that an individual’s obedience yields reward and disobedience yields punishment or sanction. Thus, on this second distinction, the status of ‘the person’, according to the African view is that which an individual human can attain or fail to attain (Menkiti, 1984 p. 173).

From the above two distinctions, Menkiti (1984) concludes that whereas the various conceptions of ‘the person’ in Western thought are minimalist, the African conception is a maximalist view (p. 173). However, the labelling of Western conceptions of a person as minimal

and the African view as maximal should not be seen as suggesting that the former is oblivious of the fact that the individual human is naturally a social being and not a solitary being thereby rendering Western conceptions of personhood as incomprehensive and the African view as a comprehensive one. It only implies that the Western definition of a person within African traditional thought would be considered inadequate since there is a strong emphasis placed on viewing the individual person as a communal being.

From highlighting the above two significant distinctions between the Western and African views, Menkiti proceeds to inform us of the property which we attribute to the individual within the African traditional thought when we describe someone as a 'person'.

If merely being a human being coupled with the possession of lone features or properties such as rationality, memory, will not attribute to an individual full status of 'a person' then what does? According to Menkiti, the status of 'a person' captures an individual's capacity of moral function or moral sense (Menkiti, 1984 p. 175). In Western conceptions, as observed by Menkiti, the properties of personhood are rationality, memory, or soul but according to the African view, the personhood property is moral sense or moral function. The transformation towards the status of 'a person' is a journey marked by an individual gaining experience and maturity in the exercise of the capacity for moral sense/moral function through the discharge of various obligations or duties required of him or her as a member of the community (Menkiti, 1984 p. 176). But what does 'moral function' or moral sense mean? The capacity for moral function or moral sense refers to individual humans' ability to demonstrate by way of action a sense of right or wrong (Wiredu and Gyekye, 1992 p. 110). This means that individuals are not born capable of exercising fully the capacity for moral sense. By being incorporated into the community and partaking in the community's way of life and the associated rules or norms of social relations,

humans grow from a state of non-person (early childhood or infancy stage) marked by an absence of moral function or moral perception into the person-status marked by maturity of ethical or moral sense (Menkiti, 1984 p. 176). Individuals who are persons or have attained the person-status are those who are able to partake successfully in the reciprocal exchange of obligations that come to bear on individual humans in their interactions with each other. Children or infants are not able to participate successfully in the reciprocal exchange of obligations that come to bear in humans' interactions (Menkiti, 2004 p. 330). This is because according to Menkiti, they lack the capacity for moral function, they are predominantly self-centred individuals, concerned usually with satisfying their physical needs and as such experience the world exclusively from their vantage point of view (Menkiti, 1984 p. 175). Thus, Menkiti seems to be saying that children or humans in their infancy stage have not had enough experience when it comes to interacting with other individuals where they must be mindful of the needs, interests, and wellbeing of other people. Their infancy stage makes them more concerned about themselves and less concerned about other people.

But we also get the understanding that personhood and the associated capacity for moral sense are acquired from the experiences of individuals in their interactions with each other. Hence personhood, in this case, is relational in that it captures how individuals interact or relate to other individuals morally speaking. Children's interactions with other individuals are predominantly influenced by their self-centredness and their lack of the capacity for moral sense makes them fail to recognise duties or obligations they may owe to other individuals. Menkiti's talk of children's lack of capacity for moral sense or moral function, at least their inability to exercise the capacity well even if they have the potential, is supported by children or young adults normally not being held accountable for some of their actions that members of the

community disapprove of as well as they not being considered capable enough to be entrusted with responsibilities. As pointed out by Menkiti (2004), the community in their dealings with individuals in the early stages of their lives (i.e. their non-personhood stage) tend to be guarded, cautious or lenient towards them. But a grown or an elderly adult, on the other hand, would be held accountable for his or her actions given that he or she has had or must have had enough experience in the display of the capacity for moral sense and as such considered to be capable of differentiating between what is right or wrong. Thus, granted that personhood is associated with gaining maturity in the successful display of an individual's capacity for moral sense, children or individuals in the early stages of their lives (i.e. from infancy to young adulthood) are not persons yet according to Menkiti (Menkiti, 1984 p. 175). By being incorporated into the community, individuals grow to acquire the capacity for moral sense and if they succeed in exercising the capacity well as they interact with other people then they get conferred on 'the person-status' or are recognised by the community as persons. On the other hand, if they fail in satisfactorily exercising the acquired capacity for moral sense, they are in turn recognised by the community as not persons. Individuals who grow all the way to succeed in satisfactorily exercising the acquired capacity for moral sense as they interact well with other people in a manner that accords with the community's standards or dictates of social relations and become persons are those who after death become ancestors, revered and are remembered by the community for their moral achievements (Menkiti, 1984 p. 174). The status of 'the person' then according to Menkiti is indicative of an individual human achieving a social status of becoming a bearer of norms or a moral being who is of importance or value to the community (the people around him) and his environs (Menkiti, 2004 p. 326). Molefe (2016) makes the observation that, it is essential to Menkiti's notion of a person that in individual humans' interactions with each

other, their treatment of each other with dignity and respect is dependent on them behaving as persons; that is displaying behavioural dispositions that promote the well-being, needs, and interests of each other within a moral context. Behavioural dispositions that may be inimical to the well-being, needs, and interests of other people lead to an individual being considered to have failed in being a person (i.e. if the individual is an elderly person) or simply as not a person (i.e. if the individual is a child, an infant or a young adult). On this last note, we can add the category of individuals such as criminals or social deviants to the list of non-persons within Menkiti's system.

From the above discussion, we come to understand that Menkiti espouses a conception of a person where individuals are identified as persons in terms of their actions as moral agents. And that persons are individuals who have matured in behaving well as moral agents especially when it comes to how they treat or interact with other people. We also note that Menkiti does not identify all human beings to be persons. Human beings are persons according to Menkiti, in so far as they behave well as moral agents. However, human beings are not persons when they fall short in behaving appropriately as moral agents. We also note that Menkiti's notion of a person identifies the cultural community as having the moral authority over the individual in prescribing behavioural standards that individuals ought to respect as they strive towards personhood.

But why is the notion of a person according to the African view centred on the actions of the individual as a moral agent? According to Menkiti (1984), this is so because the notion of a person he articulates is characteristic of a community where the sense of human grouping is characterised as 'collectivities' in the truest sense. Individuals belonging to a collectivist human grouping enjoy some organic dimension to the relationship between each other. The opposite is the sense of human grouping called 'constituted' human groups where individual humans come

together to form an association geared towards fulfilling each person's private set of preferences (p. 179). According to Menkiti (1984), the collectivistic human grouping is characteristic of African traditional societies, and such societies are to a large extent organised around the requirements of duty as opposed to rights. In such collectivistic societies "priority is giving to individuals' duties to the collectivity (i.e. the community), and their rights, whatever they may be, are seen as secondary to the performance of their communal duties" (p. 179). The fact that individual owe duties to the collectivity imply the community's standard of behavioural norms and values that they must live in accordance with as moral agents, especially in their relationship with each other as members of a community sharing common interest, goals, and values.

2.2 The Agent-Centred interpretation of Menkiti's notion of a Person

In defending Menkiti's notion of a person against Gyekye's tag of radicalism, various African philosophers particularly Kwasi Wiredu (see Eze & Metz, 2015), Motsamai Molefe (2016), and Polycarp Ikuenobe (2018) just to mention a few have offered an agent-centred interpretation of Menkiti's notion of a person in an effort to clarify how we ought to understand the notion of a person that Menkiti articulates. The agent-centred interpretation further highlights what has been considered as another fundamental distinction between Menkiti's notion as a normative notion and various other normative notions of a person found in Western discourse (Behrens, 2013). And the agent-centred interpretation has been used to suggest also that Gyekye misunderstands or misinterprets Menkiti's notion of a person for which reason Gyekye's criticism is considered to be misguided (Molefe, 2016).

The agent-centred interpretation emphasises that the personhood status of individuals dwells solely on their actions as moral agents. And that it is by behaving in a morally

commendable manner that an individual is recognised or identified as a person. Kwasi Wiredu (see Eze & Metz, 2015) discusses the agent-centred interpretation of Menkiti's notion of a person and states that 'person' is a term that captures how an individual's actions accord with the ethics and mores of the community. And that being recognised as a person entails an individual behaving in a way that is acceptable to the community. Thus 'person' is a term that the community uses to appraise human actions as being good or bad. But Wiredu remarks further that the personhood status of the individual goes as far as only commenting on how good or bad an individual's actions are without implying that an individual deserves to be treated one way or the other. Thus, in his view, Menkiti's agent-centred notion of a person should not be interpreted to suggest that it is a notion that makes a pronouncement on individuals' status as beings of moral worth. If an individual is recognised as not a person, it only points to the fact that he or she has failed to act in a way that as a moral agent he should or ought to. And if an individual is recognised as a person it only points to the fact that as a moral agent he has been able to act in a way that is praiseworthy.

Molefe (2016) also discusses the agent-centred interpretation of Menkiti's notion of a person and claims that the achievement of the status of a person is indicative of the individual maturing and becoming perfect in his or her actions as a moral agent. And as a person, the individual is seen to be a being who manifests virtue in his or her actions. Molefe (2016) lists some of the virtuous traits the display of which signify how matured and successful an individual has become in the exercise of his or her capability for moral sense which include being hospitable, caring, generous, friendly, and compassionate. Molefe (2016) goes further to state that these virtuous traits are relational in that it captures how an individual's actions conduce to promoting the well-being, needs, and interest of the people he or she interacts with. And this

points to the fact that the achievement of these virtuous traits that signify how mature and successful an individual has become as a moral agent results from the individual relating well with others. Thus, in human daily interactions, it is by treating or relating well with others that results in an individual becoming a person in the sense of an individual becoming perfect and more matured as a moral agent. And when an individual fails to treat other people well then, he or she, in turn, fails to become a person and as such is seen or recognised by other people to lack or have no moral sense, Molefe argues. Hence Molefe's agent-centred interpretation of Menkiti's notion of a person indicates that a person is an individual who exudes virtuous traits in his actions as a moral agent and also treats other people well.

Menkiti (1984) makes reference to the American philosopher, John Rawls, in discussing his notion of a person where he appears to claim that John Rawls' notion of a person also supports the view that the personhood status of individuals is determined by their capacity for moral sense (pp. 176 – 177). But Molefe in his agent-centred interpretation of Menkiti's notion of a person points out that John Rawls, unlike Menkiti, espouses a patient-centred notion of a person where being recognised as a person by possessing the relevant capacity such as the capacity for rationality or sentience also bestows on an individual the moral worth of being treated in a morally relevant way (Molefe, 2016 p. 48). Thus, Rawls articulates a notion of a person from the point of view of how individuals come to deserve to be treated morally well. Personhood defined from the point of view of how individuals come to deserve to be treated morally well identify the relevant personhood capacity to be some inherent or intrinsic facet of the nature of human beings. This patient-centred approach to defining a person is characteristic of Western notions of a person and it is dominant in Western bioethical discourse (Molefe, 2016 and Behrens, 2013). However, on the other hand, Menkiti's agent-centred notion of a person

which is germane to African traditional societies defines personhood from the point of view of how individuals come to live morally commendable lives as moral agents especially when it comes to how their actions ought to conduce to treating each other well in their day to day interactions.

The point that Molefe (2016) seems to be driving at in highlighting Menkiti's notion of a person as an agent-centred notion different from John Rawls' patient-centred notion of a person is that Menkiti's notion of a person does not pronounce on an individual to be deserving of being treated morally well as a result of possessing the relevant personhood capacity. Hence personhood within Menkiti's system is about how good individuals' actions are as moral agents and not about how special individuals deserve to be treated as beings of moral worth.

Molefe (2016), Wiredu (see Eze & Metz, 2015), and Ikuenobe (2018) offer this agent-centred interpretation of Menkiti's notion of a person to defend Menkiti against Gyekye's claim that Menkiti is a radical communitarian who espouses a notion of a person that threatens the dignity and rights of individuals. Molefe (2016) argues that understanding Menkiti's notion of a person as an agent-centred notion reveals that Menkiti offers an alternative approach to respecting the dignity and rights of the individual. This is because as a person (i.e. as a moral agent) individuals are encouraged to treat each other well. And treating or relating positively with other individuals entails an individual respecting others to have the same dignity or moral worth as himself or herself. Hence an individual treats another individual well because he or she recognises himself or herself as also deserving to be treated well (p. 46). Thus, the approach that Menkiti's notion of a person offers to secure the dignity and rights of individuals is in respect of how individuals ought to behave as moral agents. And because, as moral agents, individuals are encouraged to treat each other well, Menkiti's notion of a person certainly takes interest in

safeguarding the dignity and rights of the individual. So according to Molefe (2016), Menkiti is not a radical communitarian.

2.2.1 Reflections on the Agent-centred interpretation of Menkiti's Notion of a Person

Granted that Menkiti's notion of a person as an agent-centred notion does not threaten the dignity and rights of the individual, it seems to be the case that the agent-centred and the patient-centred dichotomy or distinction employed to differentiate Menkiti's notion of a person from Western notions of a person is a false distinction. This is because the distinction fails to acknowledge the fact that individuals' moral agency in terms of how they act or behave tend to have an effect both negative and positive on their status as beings of moral worth. The distinction focuses on understanding Menkiti's notion of a person in terms of how an individual's actions respect the moral worth of other people (if good) and on the other hand, disrespect the moral worth of other people (if bad). But it ignores the fact that how good or bad an individual actions affect the moral worth of others also have a reciprocal effect on how the individual, in turn, is regarded by other individuals as a being of moral worth; that is, as a being towards whom they owe obligations to treat in some morally relevant way.

Let us take Wiredu's interpretation of Menkiti's notion of a person as an agent-centred notion discussed earlier on in this section of the chapter for example. Wiredu's interpretation reveals that personhood is a term that captures the relationship between the individual as a moral agent – a being possessing the capacity for distinguishing between right and wrong – on one hand, and the community on the other hand as having the moral authority to prescribe the ethical behavioural standards that individuals must guide their actions by. Being recognised as a person in this moral agent and moral authority relationship between the individual and the community respectively signifies that one is an individual whose actions accord with the community's

prescribed modes of behaviour. And being recognised as not a person, on the other hand, signifies the contrary. It is evident that in this relationship between the individual and the community, personhood is not only about how good or bad an individual's actions are, but personhood also have an effect on the moral standing of the individual. This is because the community's status as having a moral authority is not only to prescribe for the individual (as a moral agent) how he or she ought to behave but also it leaves room for a reward and sanction scheme to evolve. Thus, individuals who behave well are rewarded, valued, and appear to be in some favourable position as beings of moral worth in the eyes of the community. And those who fail to behave well on the other hand are punished, sometimes ridiculed, and appear to be in some unfavourable position even though as beings of moral worth in the eyes of the community. Ikuenobe (2018) in discussing the agent-centred interpretation of Menkiti's notion of person even admits that personhood within Menkiti's system is tantamount to moral status claims. According to Ikuenobe (2018), Menkiti articulates a social-moral notion of a person where being a person is associated with the moral growth of the individual. This entails the individual maturing and putting to good use his or her rational capacity for moral sense with the help of the community as the prescriber of moral norms. The proper use of individuals' rational capacity for moral sense involves them behaving in ways that promote the communal interest, values, and norms of harmonious living, solidarity, and well-being. In doing so Ikuenobe argues that individuals behave in a way that bestows on them the moral status of being appraised and respected by others as they are recognized as true persons in the moral sense of the word. On the other hand, the failure of individuals to behave meaningfully with regards to the communal interest, values, and well-being denies them being recognised as moral persons and the associated respect that comes with it. Thus, Ikuenobe can be seen to be acknowledging that the achievement of moral

personhood also bestows on an individual to be recognised to have some moral worth. This is because the achievement of moral personhood involves the achievement of a social recognition where an individual in so far as his or her actions are concerned stands to be valued or respected if he or she behaves well or not if he or she behaves inappropriately.

Taking Molefe's agent-centred interpretation of Menkiti's notion of a person also discussed earlier on in section 2.2 of this chapter as another example, one can also come to the conclusion that the agent-centred and patient-centred dichotomy is false since individuals' moral agency with regards to how they ought to behave also have an effect on their status as beings of moral worth. In Molefe's discussion, the agent-centred interpretation of Menkiti's notion of a person reveals that a person is an individual who treats other people well. As a moral agent, a person is a being who exudes virtue in his actions and tend to act in ways that conduce to treating other people well. So, in any context of humans' interaction with each other, individuals are persons if they treat other individuals well and on the other hand, individuals are not persons if they fail to treat other individuals well. But according to the agent-centred and patient-centred dichotomy or distinction, personhood associated with an individual's actions only makes a pronouncement on how good or bad an individual's actions are especially in terms of how they affect other people without it implying also that the individual who has acted well or bad should be treated one way or the other. So, judging that an individual is a person or not because of his actions should not call for an individual to subject another individual to some form of treatment. That is to say that, judging that an individual is a person or not should not have an effect on how the individual must be treated in turn by others. However, this seems to be false because in humans' interactions with each other, behaving in a way that conduces to promoting the interest, welfare, and needs of others tend to bestow on an individual to be held in some moral regard

such that he or she ends up being treated well by other people. Being a good person does not only entail that an individual becomes a being that other individuals in so far as their needs and welfare are concerned associate with, but it also entails that such a being is also valued, respected, and treated in some morally special way by others. That is why individuals who occupy various positions in our society where they perform functions or services that safeguard human needs, welfare, and interests are respected, treated well, and commended by the community for taking up such positions or responsibilities. So, possessing the capability to display behavioural dispositions that conduce to relating well with others makes an individual to be valued and respected by others as well. On the other hand, when an individual fails to treat other people well, he or she also ends up not being treated well. Usually, in so far as individuals take interest in safeguarding their needs and welfare they would not want to associate with a bad person; an individual who fails to respect other people. Hence individuals naturally tend to dislike an individual who does not treat other people well. In a situation where an individual treats another individual in a bad way, this other individual-the one who has been offended- in turn not only condemns the action but the condemnation sometimes also comes with subjecting the offender to some form of treatment resulting from how the actions have made him feel. Thus, it is the case that an individual's personhood status in terms of how good or bad his or her actions are in the context of human interactions also tend to influence how the individual, in turn, comes to be seen. This is because how good or bad an individual's actions are, tend to be judged in the light of how they promote or respect other peoples' well-being or moral worth. And this invites individuals to judge the value or the respect they place on other individuals from the point of view of the respect showed towards them as beings of moral worth. If an individual treats another individual well, he or she, in turn, is valued, respected, and treated in like manner. On the

other hand, if the individual fails to treat another individual well, he or she, in turn, lose respect and is treated in the same way.

In sum, the agent-centred and patient-centred distinction that Molefe (2016) and Behrens (2013) employ to differentiate Menkiti's notion of a person as an African view from Western notions of a person seems to be a false distinction because it fails to acknowledge that Menkiti's normative notion of a person is also tantamount to moral status claims in that it has an effect on how individuals are treated as objects of moral considerations. This is because of the fact that an individual's status as a person in terms of how his/her actions accord with the community's prescribed norms of behaviour tend to bestow on the individual the moral status of being treated with respect if he/she behaves well or not if he/she behaves inappropriately by the community. And in the context of human interactions, an individual's status as a person in terms of displaying behavioural dispositions that conduce to treating other people well also tend to bestow on him/her the moral status of being treated morally well by individuals who benefit from his/her actions or face being treated in a demeaning or disrespectful way by individuals who are offended by his actions. Thus, the extent to which Menkiti's notion of a person is tantamount to moral status claims is that, as an agent-centred notion, an individual's personhood status as a moral agent is construed in ways that individuals tend to be treated, socially not necessarily morally, in one way or the other depending on how they behave or conduct themselves. And in the light of this fact about Menkiti's notion of a person, individuals as 'non-persons' in Menkiti's sense of the word have been observed to be victims of certain demeaning treatments from their community acting in the capacity as enforcers of social order and other members in it, a typical example being the mob attacks or lynching that alleged criminals are usually subjected to which have claimed lives including innocent ones (Adinkra Mensah, 2005 & Tessa V. Levine, 2011).

2.3 Conclusion

In conclusion, Menkiti articulates the notion of a person where being a person identifies an individual as a moral agent. As a moral agent, an individual is a person if he/she behaves in a morally appropriate manner both as an obedient member of a community and also as an individual who relates well with other people. As an agent-centred notion of a person different from a patient-centred notion, Menkiti's notion of a person is to be understood as a notion that makes no explicit pronouncement on individuals' status as beings of moral worth for which reason Menkiti should not be interpreted as saying that individuals who are persons are to be treated morally well than individuals who are not persons (Wiredu; see Eze & Metz, 2015 and Molefe, 2016). However, as an agent-centred notion of a person, Menkiti's notion of a person is interpreted in a way that tends to have an effect both negatively and positively on individuals' status as beings of moral worth. This is because by behaving in an appropriate manner as an obedient member of a community an individual tends to be in a favourable position in the eyes of the community as a being of moral worth where he or she is respected, rewarded, and commended for his/her actions. On the hand, when an individual behaves inappropriately by being a disobedient member of the community, he/she tends to be in an unfavourable position in the eyes of the community such that the individual risks being treated in a demeaning manner. And in the context of human interactions, when an individual treats other people well, he or she tends to be treated well in return but when the individual fails to treat other people well, he or she usually ends up not being treated well in return although he or she is recognised as having moral worth.

CHAPTER THREE

GYEKYE ON MENKITI'S NOTION OF A PERSON

3.0 Introduction

In Chapter 2, I discussed Menkiti's notion of a person. In this chapter, I discuss Gyekye's evaluation of it. In the debate on personhood between Menkiti and Gyekye, Menkiti (1984) gives individual rights or 'rights' a secondary status in relation to individuals' communal duties (p.178). Gyekye (1997) in turn criticises Menkiti for not taking rights seriously for the reason that the secondary status given to rights renders rights susceptible to violations. Gyekye (1997) then argues for the seemingly absolute importance of rights and the need for rights to have the same priority as individuals' duties to the community (pp.62 – 67). And in light of this, Gyekye (1997) advocates for moderate communitarianism (p. 62). Various other philosophers have since commented on the debate where some (Famakinwa, 2010 & Matolino, 2009) focus on Gyekye's moderate communitarianism and argue that Gyekye is not a moderate communitarian because he also, just like Menkiti, gives rights a secondary status. However, other philosophers (Wiredu; see Eze & Metz, 2015, Molefe, 2016 & 2017, and Ikuenobe, 2018) defend Menkiti against Gyekye and argue that Gyekye's criticism is informed by his misunderstanding Menkiti's notion of a person; a misunderstanding that renders Gyekye's criticism misguided and unwarranted. Molefe (2016) in particular, argues that granted the secondary status of rights is problematic, Gyekye fails to show how within Menkiti's system individual rights risk being violated (p.50). In discussing Gyekye's evaluation of Menkiti's notion of a person and individual rights in this chapter, I aim to show that, in light of the plausibility of the view that personhood within Menkiti's system tends to also confer on an individual a moral worth of being treated in some relevant manner, the human rights concern that underpins Gyekye's criticism of Menkiti as

radical is warranted. I structure the discussion of this chapter in the following fashion. In section one, I discuss communitarianism distinguishing the moderate kind from the radical kind as done by Gyekye. In section two, I discuss Gyekye's evaluation of Menkiti's notion of personhood and his position on the need for rights not to be given a secondary status. In section three, I discuss how defenders of Menkiti's notion of a person respond to the problem of human rights that Gyekye envisages within Menkiti's personhood system followed by my reflections. The last section is the conclusion.

3.1 Communitarianism: Moderate vs Radical

The term 'Communitarianism' features in the debate on personhood between Menkiti and Gyekye. It is used to describe societies where the individual inhabitant is seen essentially as a communal being (Gyekye, 1997 p.37). As a communal being, the human individual is seen as a being living not in isolation but rather living in relation with other humans. Thus, the human individual is seen as a member of a human society. Communitarianism also describes the sense of social relations or interaction that exist among individual members of a human society (Gyekye, 1997 p. 43). In a communitarian society, individual members share a common history, values, and interests. They see themselves to be involved in intimate or organic relations with each other such that members display a high sense of commitment towards each other's needs, and welfare (Gyekye, 1997 p. 42). The sense of belongingness is thus considered to be high in such a society. According to Gyekye (1997), the communitarian understanding of the African society and the human individual by Africa's famous writers such as Jomo Kenyata and John Mbiti that seeks to highlight the fact that the human individual is naturally a communal being and as such conditioned necessarily to live in relation with other humans can be exaggerated to the point where the human individual is seen to be fully or wholly constituted by social

relationships; an exaggeration that places more importance or value on the community (1997 pp. 37 - 38). This tends to leave little or no room for attention to be paid to the function and relevance of the individual's freedom and moral autonomy to evaluate the shared values, practices, and ends of the community that he or she is a member of. Paying attention to the function and relevance of the individual's freedom and moral autonomy reveals, according to Gyekye (1997) that, the individual is not fully but partly constituted by social relationships and as such partly influenced or moulded by his or her attachment to the values, norms, and practices of the community that he/she is a member of (pp. 59-60).

Radical and moderate communitarianism according to Gyekye (1997) represent two different interpretations of the relationship between society and the individual. The difference between them is the degree of attention or recognition that is given to the function and relevance of the human individual's freedom, moral autonomy, and rights, claims Gyekye. According to Gyekye (1997), radical communitarianism offers a communal understanding of the individual to the point that very little or no attention is paid to the function and relevance of the individual's freedom, moral autonomy, and rights (p. 39). This is because the individual is considered to be fully a communal being, embedded in social relationships, and as such have his or her life to be fully dependent on the shared values, activities, practices, and ends of the community (Gyekye, 1997 p.38). Thus, radical communitarianism gives priority to the community at the expense of recognising the function and relevance of the individual's freedom, autonomy, and rights. But, on the other hand, moderate communitarianism in recognising the individual in the traditional African society as a communal being also considerably recognises or acknowledges the function and relevance of the individuality of the individual; that is the individual's freedom, moral autonomy, and rights (Gyekye, 1997 pp 41-42). The problem with radical communitarianism is

that, according to Gyekye (1997), it fails to appreciate properly the role that the recognition of individuals' freedom, moral autonomy, and rights play in their lives. By paying very little attention to individuals' freedom, moral autonomy, and rights and giving priority to the cultural community that individuals are born into and become members of, radical communitarianism tends to have deleterious consequences for individuals' rights (p.63). In light of the relevance of individuals' freedom, moral autonomy, and rights Gyekye (1997) favours moderate communitarianism as the appropriate description of the relationship between the individual and community (pp. 66 -67). He, therefore, tags Menkiti as a radical communitarian for exaggerating the relevance of community to the well-being, development, and the overall flourishing of the individual (p. 39). Thus, as a radical communitarian, Menkiti in his conception of person/hood fails to give appropriate recognition to individual rights, freedom, and moral autonomy.

3.2 Gyekye on Menkiti's notion of personhood

In evaluating Menkiti's notion of a person in the light of the need to recognise also the human individual's autonomy and rights, Gyekye (1997) attempts to suggest modifications to Menkiti's notion of personhood, that tones down the priority given to the status of the community; and offers an appropriate characterisation of the individual's capacity for moral sense (p. 48).

Gyekye (1997) begins his modification of Menkiti's notion of personhood by elaborating an understanding of personhood in which the individual is seen essentially as not a solitary self-sufficient being but rather as a being who lives in relation with other beings (i.e. humans) (1997 p.42). In his view, the communal nature of the individual signifies the fact that she is by nature a social being whose survival and flourishing depend on living with other humans. Thus, the

individual in so far as his or her survival and flourishing are concerned is conditioned to be a self-insufficient being who necessarily depends on other humans (p.40). The communal understanding of personhood according to Gyekye (1997) therefore reveals that community membership or communal life is a necessary feature of the nature of the individual and as such the cultural community probably constitutes the only social framework responsible for providing the necessary resources for the survival and flourishing of the individual (p. 40). After acknowledging the individual as essentially a social or communal being, Gyekye (1997) proceeds to discuss what the notion of personhood denotes when used in reference to the individual highlighting three different usages of the notion of a person (p.50). Making reference to how the notion of a person is used among the Akans- a traditional society in Ghana, West Africa- Gyekye (1997) points out that the term for 'person' is *onipa* which is the same word for a human being.² In one sense 'person' literally means a human being. In another sense, the term 'person' denotes a human individual as a moral agent; that is a being possessing the capacity to differentiate between right and wrong. And lastly, the term 'person' is used to differentiate a being who is situated in a social context (community) and as such is considered to be a responsible moral agent from a being (or an individual) who lives a solitary life; a life detached from the community. Gyekye (1997) discusses extensively the usage of the term 'person' that denotes the individual as a moral agent because he acknowledges that to be the notion of a person that Menkiti articulates (p.50). And he notes that, as a moral agent an individual's personhood is dependent on him or her living a morally upright life. This entails the individual displaying

² In Ghana, the Akans are one of the biggest ethnic groups. They are made up of 9 sub-matrilineal ethnic groups of which the Ashantis (Asantes) are the most well known in modern-day Ghana. They represent more than 46 percent of Ghana's entire population and the language that is commonly spoken among them is Twi. Bryan, O. (2020). *The Akans*. Source <https://www.histhrill.com/the-akans/>

certain moral virtues such as kindness, generosity, compassion, and benevolence in his or her actions; virtues that make the individual relate positively towards other individuals in a manner that promotes their well-being (p. 51). Thus, persons are individuals whose behaviours conform to the acceptable moral principles of the community and as such behave in a manner that is approved of by the community (Gyekye, 1997 p. 51). The failure of an individual to live a morally upright life according to Gyekye (1997) results in an individual being seen as not a person (p. 51).

To further clarify the moral agency of a person, Gyekye (1997) remarks that being considered as a person or not in light of how virtuous or unvirtuous an individual's actions are does not entail also that the individual, having failed to for instance be generous in his or her behaviour towards another individual, has lost his or her moral status or rights as a human being. The individual thus remains as a being of moral concern towards whom obligations are owed to be treated in some morally relevant way. Hence saying of an individual that he is a person is just to only commend the individual for the worthiness of his or her actions and on the other hand to say of an individual that he is not a person is just to only disapprove that the individual's actions are not worthy of him or her as a moral agent (p. 51). At this point in Gyekye's account of personhood, one tends to see that Gyekye's account is not so much different from how the notion of personhood is interpreted by Menkiti (1984 & 2004) and the other philosophers (Kwesi Wiredu, Molefe Mostaima, and Ikuenobe Polykarp) who defend Menkiti against Gyekye's criticism. This is because, Gyekye (1997) acknowledges in addition that this idea of personhood where the individual is recognised as a matured moral agent who behaves in a morally satisfactory manner is not innate but rather the individual achieves it (p. 52). However, Gyekye (1997) also maintains the following clarification about the moral agency of a person.

Gyekye (1997) regards individuals' capacity for moral sense as an inherent property because by virtue of human beings being God's creation, they were created good and the

implication of this, according to Gyekye, is that humans are endowed with a sense of differentiating between what is right and wrong and as such possess the capacity to act well (p. 52). Thus, according to Gyekye (1997), all human beings (both children and the elderly) are capable of achieving personhood or becoming persons because they are all capable of doing good. So potentially all human beings are persons claims Gyekye (p. 111). This distinction according to Gyekye appears to point to the fact that the capacity for moral sense is an inherent property of the nature of humans explaining why humans are the kind of entities that are fit enough to become successful in exercising their capacity for moral sense in the manner that speaks of them as true persons. However, this further subtle clarification by Gyekye in understanding the capacity for moral sense (i.e. personhood property) as an innate property of the human individual has been observed by Majeed (2017) to be representing a difficulty an individual is likely to encounter in offering a uniform or consistent interpretation of Gyekye's critique of the notion of personhood that Menkiti articulates (p. 42).

In fact, it can be said according to Majeed (2017) that Gyekye appears to be offering two different conceptions of personhood; personhood construed in terms of some inherent property (moral capacity) of the nature of the human being and personhood construed in terms of some behavioural dispositions (moral virtues) that a human individual ought to exhibit or display in action if he or she is a person (pp. 35 – 40). According to the first sense, personhood is innate but not achieved or to be realised whereas in the second sense personhood is achieved, argues Majeed. And that these two senses of personhood cannot both be put forward as one consistent view of personhood status as the claims of one are an outright denial of the other. Majeed (2017) observes in Gyekye's critique of Menkiti's normative notion of a person (or personhood) an attempt to put these two conceptions of personhood together when Gyekye (1992) asserts that all

human beings of all ages are persons- a claim that seems to acknowledge that it's in some inherent element of the nature of humans that they are persons, but realises or achieves their personhood status in their successful exercise of the capacity of moral sense (i.e. the personhood property) as they live in the community. According to Majeed (2017), Gyekye cannot hold this view consistently as he appears to be claiming that personhood is innate but not innate at the same time (p. 38).

For Majeed (2017), it is entailed in Gyekye view of the personhood property as innate and yet has to be fully actualized in community that personhood involves a process although Gyekye appears to think the innate dimension of personhood opposes the view that personhood is processual (p. 39). For Majeed, it is only when we consider the innate dimension that Gyekye introduces in his critique of Menkiti's notion of personhood as complementary that it better puts Gyekye's critique in perspective. But seeing that in offering an innate dimension to personhood Gyekye appears to oppose the view that personhood is processual as claimed by Menkiti, but then at same time maintains that personhood is fully realised or actualised in community, he (Gyekye) appears to be ambiguous on how his views on Menkiti's notion of personhood are to be interpreted; whether he denies outrightly that personhood is achieved or not, Majeed argues.

For Majeed (2017), the reason why Gyekye introduces an innate dimension in his critique of Menkiti's moral conception of the person which I concur, is Gyekye's attempt to tone down the seemingly absolute requirement for individuals to conform their behaviours to the accepted moral values of the community for them to be recognised as persons; a requirement that appears to make the personhood status of the individual a complete prerogative of the community. However, it appears to me to be the case that, Gyekye (1992) thinks that how the person-status of the individual is characterised in Menkiti's system as fully defined and conferred by the

community means that when an individual is recognised as not a person by the community it also means that such an individual lacks or have no moral capacities. And that humans' moral capacities are bestowed on them by the community. I say this in light of Gyekye's remarks that "moral capacities cannot be implanted by or catered for or conferred by the community" and also that "the expressions or judgments or evaluations made about the life and conduct of people give the *impression* that it is the community that defines and confers personhood"(Gyekye, 1992 p.111). Gyekye's introduction of an innate dimension in his interpretation of the moral notion of the person to my mind is to establish that humans are naturally endowed with moral capacities. And that humans' ability to ensure that their behaviours conform to the accepted moral principles or values of the community wherein the realization of their personhood lies is because they have been able to develop their capacity, unlike other entities that are by nature not capable at all. The inability of some category of individuals to successfully behave in conformity to the moral dictates of the community according to Gyekye is not an indication of their lack of moral capacities. Such individuals in the case of newborns, infants, or children have not come of age according to Gyekye (1992, p. 111) to tap into their moral capacities in order to be able to deliberate on the moral dictates of the community in any moral context they may find themselves. And the implication of this is that as children grow and come of age wherein their moral capacities manifest, they will through the nurturing by the community be able to tap into their moral capacities in order to deliberate on the moral dictates of the community in any moral context they find themselves.

For the individuals who though are grown, matured and as such have had experiences in tapping into their moral capacities in order to deliberate on the moral dictates of the community in any moral contexts they find themselves but nonetheless fail to act in conformity, such

individuals though in the eyes of the community are recognised as having failed at personhood, still possess their moral capacities and as such are capable of differentiating between right or wrong. In another moral context that they may find themselves in, they remain capable to act in conformity to the moral dictates of the community. Gyekye's introduction of an innate dimension into his interpretation of the moral notion of personhood reveals therefore that according to him (Gyekye), all human beings are in fact persons in the sense that humans are naturally endowed with the capacity for moral sense (i.e. the personhood property) and therefore are capable of expressing themselves as persons or becoming persons. And as a human person; that is an entity possessing an innate capacity of moral sense, an individual may or may not express himself or herself as a person in the case of children or may be worse in acting as a person in the case of an elderly individual. An individual nevertheless remains a person even if he/she acts morally badly.

I turn now to Gyekye's talk about the recognition of other relevant properties or features of the person that he claims also play a role in the personhood status of the individual (p. 49). Gyekye (1997) observes that these other relevant properties are given less attention in Menkiti's account of personhood (p. 49). According to Gyekye (1997), the human being is a social being by nature, but she is also by nature endowed with the property of rationality, has a moral sense and the capacity for virtue, and as such capable of evaluating and making moral judgments; all of which are suggestive of the human being to be capable of making choices whether good or bad (p. 54). These inherent features of the person though are discovered and nurtured by the community, they are that which ground the autonomous nature of the individual (Gyekye, 1997, pp. 54-55). The autonomous nature of the individual according to Gyekye (1997) refers to the rational will as well as the freedom of the individual to have a say in matters that affect his/her

life and possibly the lives of other individuals (p. 55). In achieving the status of personhood wherein the individual acts in conformity to the moral dictates of the community, it comes to bear that individual also exercises her/his autonomy such that it is not every moral dictate of the cultural community that the individual will value or values according to Gyekye (1997, p. 54). There are some moral norms, values, or practices of the community that the individual through rational/ critical reflection or scrutiny may find unenlightening or undignifying, and as such decide not to accept and consequently call for them to be changed. According to Gyekye (1997), the individual's autonomous nature grants him/her the moral authority to evaluate the moral demands of the cultural community the consequence of which can either lead the individual to reaffirm his/her support for the moral demands of the community or reject them in favour of other better alternatives (p. 55). The individual is thus not fully engulfed by the moral demands of the community such that he or she is able to form an opinion about them to warrant obeying them or not. In light of the autonomous nature of the individual wherein she is not fully dictated to live by or made to prioritize the moral demands of the community over her life and as such can form her own opinion about them, the personhood of the individual cannot be said to be fully defined by the community but rather partly defined by the community according to Gyekye.

Gyekye (1997) consequently advocates for a moderate communitarian understanding of personhood where the individual is also recognised as having the moral rights or authority to influence the demands that the community makes on him or her as a person; as a being capable of living a morally upright life. I would like to clarify that Gyekye's argument for the recognition of the individual's autonomy in his critique of Menkiti's notion of a person does not make the claim that the autonomous nature of the individual is not acknowledged by Menkiti. But rather, Gyekye's argument is that, the characterization that 'personhood is fully defined by the

community' gives much priority to the cultural community such that it grants the community absolute moral authority over the individual in its role as the prescriber and enforcer of moral norms. And also, it paints a picture of the individual as a being who is always in constant obedience to the moral demands of the community and as such is held in thrall by the ways and demands of the community (Gyekye, 1997 p. 55). Thus, according to Gyekye (1997), Menkiti's claim that the person-status of the individual is fully defined by the community fails to appreciate the autonomous nature of the individual where he/she is not held fully in thrall by the ways and demands of the community and as such can reject them when they appear to him/her through rational deliberation as unenlightening and perhaps detrimental to his/her life and that of others (p.55).

The problematic aspect of the claim that 'personhood is fully defined by the community is that not only does it fail to appreciate the relevance of the individual's autonomy according to Gyekye but also it fails to acknowledge that a cultural community can lack integrity and as such enforce certain practices that can have detrimental effects on the life of an individual. And it is this that humans' exercise of their autonomy and hence their rights are for; that is, to protect them against the possibility of the cultural community abusing its moral authority over them in enforcing certain norms and practices or making demands that they may find unenlightening and undignifying in so far as the norms, practices or demands affect their well-being or lives. So Gyekye's argument for the recognition of the individual's autonomy and rights is ultimately in response to the negative feature or aspect of a community where it can be said of the cultural community that it lacks integrity and for that matter abuses its moral power over the individual as a prescriber and enforcer of moral norms. In Gyekye's mind, Menkiti's claim that personhood is fully defined by the community which appears to give too much priority or power to the moral

authority of the cultural community over that of the individual thwarts the protective function of individual moral rights against the abusive tendencies of the community hence, Menkiti offers a radical communitarian notion of personhood that has deleterious consequences for individual autonomy and rights. Thus, an individual's autonomy and rights function as moral constraints or checks on the influence that a cultural community can or ought to have on his/her life.

3.2.1 Gyekye on Individual Rights

In the debate on personhood between Menkiti and Gyekye, Gyekye's talk on individual rights is in response to communitarian thinkers who consider rights as fictions and as such ignore them or reduce them to a secondary status (Gyekye, 1997 p. 62). For, Menkiti in particular as Gyekye (1997) notes, reduces individual rights to a secondary status in his communitarian conception of personhood and gives priority to individuals' communal duties (p. 63). Gyekye (1997) finds the secondary status of rights problematic because it fails to reflect adequately the seemingly absolute importance of rights as that which grounds the moral worth of the human person and for that matter serves as an open cheque for individual rights to be susceptible to violation (p. 63). Thus, according to Gyekye, Menkiti fails to take individual rights seriously and for that matter, his personhood system is fraught with human rights problems.

Gyekye's reasons for why individual rights cannot and perhaps should not be rendered secondary are that rights are natural entitlements of individuals in and of themselves as human beings hence they are inalienable rights of the human person. Rights constitute the means by which individuals are able to express their talents, capacities, and identity within the community. And also, the recognition of the autonomy of the individual leads to the recognition of the individual as having rights. In light of rights as the natural entitlements of individuals with regards to the exercise of

their talents, identity, and autonomy, rights also bestow on an individual person claim of moral obligations that are owed to him or her by other individuals the denial of which is tantamount to wrongdoing. Lastly, rights are the means by which we can secure the moral worth of humans as beings of dignity who are intrinsically valuable as ends in themselves and as such deserving of being treated equally with respect (Gyekye, 1997 pp. 62-65). Ascribing a secondary status to individual rights makes them appear to Gyekye to lose their moral force in securing humans' moral worth as beings of dignity. As such, they can easily be brushed aside limiting humans' autonomy and the exercise of their talents, capacities, and identity. Gyekye (1997) thus favours individual rights being given priority status and for that reason advocates for moderate communitarianism where individual rights and communal duties are considered to be of equal moral worth (p. 67).

Gyekye's moderate communitarianism, in turn, has been criticised by Famakinwa (2010) and Matolino (2009) who share the view that Gyekye's moderate communitarianism is not different from radical communitarianism with respect to how both versions of communitarianism would handle individual rights. Famakinwa (2010) and Matolino (2009) observe that Gyekye who argues for the absolute importance of rights for which reason he favours rights not being given a secondary status in one of his arguments appears to support the view that individual rights are secondary to communal duties. Gyekye (1997) argued that in spite of moderate communitarianism's recognition of the absolute importance of rights, moderate communitarianism favours great respect for certain social or communal values; values that can be considered as necessary for any human society to function well. These communal values are peace, solidarity, harmony, stability, mutual reciprocity, and sympathy. Individual rights must be exercised within the limits of these communal values that are considered good for the wider

society. In the event that an individual's exercising of his or her rights disrupts these communal values as well as the rights of others, the community can cautiously step in to subvert the individual's rights in the bid to restore or maintain stability and harmony (p. 65).

This argument of Gyekye's has been interpreted by Famakinwa (2010) and Matolino (2009) as indicating that Gyekye's moderate communitarianism ultimately values communal values over individual rights thereby making it not so much different from radical communitarianism. But Majeed (2018) disagrees that the above argument made by Gyekye warrants equalling his moderate communitarianism to radical communitarianism for the reason that Gyekye's moderate communitarianism, which he thinks is significantly different from radical communitarianism, is not determined solely by how both versions view or ought to view rights as an ultimate value that can or cannot be rejected in the face of communal values. But rather the difference is in respect of the extent of influence that both versions recognise the community to have over the individual. And that in moderate communitarianism, the community is recognised to have a limited or restricted influence over the individual since the individual is also recognised to have rights. But for radical communitarianism, the community has or can be said to have an unrestricted influence over the individual. Hence, moderate communitarianism is and will still be different from radical communitarianism since the former accommodates rights whilst the latter to a large extent does not (pp. 5-10). Also, Majeed (2018) notes that the above argument of Gyekye in no way represents a distinctive feature of moderate communitarianism from radical communitarianism since that appears not to be the most probable reason why Gyekye could be said to have offered that argument. Between moderate communitarianism and say liberalism, the argument seems to set moderate communitarianism apart from liberalism which also accommodates rights except that liberalism appears to be obsessed with rights but

moderate communitarianism is not although it also recognises rights as important and worthy of consideration (pp. 9-10). To add to this, Majeed (2018), points out again that the argument in question where Gyekye is seen to be prioritizing communal values such as peace, solidarity, and so forth over individual rights is in the context of all human societies (be it a communitarian society or a liberal society) because these values as Majeed rightly points out in reference to Gyekye, are human values that any human society needs to be able to function well (p. 10).

My view on the above argument for Gyekye's moderate communitarianism is that, Gyekye appears to be highlighting that just as the community cannot be said to have too much influence or power over the individual and can abuse its power, so can the individual in the exercise of his or her rights without constraints can abuse them to the extent that he or she may be a threat to other individuals and their rights. So, Gyekye appears to be highlighting the condition under which the community in its power as the enforcer of social order can justifiably subvert an individual's rights in the same way as the recognition of an individual as having rights in some conditions also justifiably minimize the kind of influence or control a community can have over him or her.

Moving away from the issue of whether or not Gyekye's moderate communitarianism is indeed different from radical communitarianism, Gyekye's claim that the secondary status that Menkiti gives to individual rights is problematic is true to my mind especially when it can be said that Menkiti's communitarian notion of personhood appears to give the community an all-engulfing moral authority as the prescriber and enforcer of moral norms over the individual. In light of the fact that a cultural community can be said to lack integrity and as such possess a power that sets it beyond reproach (although this is not how Gyekye sees the Akan society), a secondary status or recognition for individual rights will reduce the moral force of rights as

values worthy of consideration in a community's dealings with the individual especially when the individual fails to behave in accordance with the moral demands of the community. Failing to behave in accordance with the moral demands of a community puts an individual in an unfavourable position where he or she risks being treated anyhow if the community lacks integrity. In a radical communitarian society, an individual not being treated anyhow appears to be dependent to a large extent on the community exhibiting considerable decency and integrity in its dealings with members, unlike a moderate communitarian society where the individual is recognised as having rights deserving of moral consideration. In the event that a community lacks integrity an individual who has failed in behaving in accordance with the moral dictates risk being treated anyhow by the community and with a secondary status given to one's rights, rights claims in recognition of one's moral worth either by oneself or other's on ones' behalf would seem to have not much weight.

3.3 Defenders of Menkiti

Kwasi Wiredu (see Eze & Metz, 2015), Motsamai Molefe (2016) and Polykarp Ikuenobe (2018) commenting on the debate have all expressed strongly that Gyekye's criticism of Menkiti's notion of a person as radical to the effect that Menkiti fails to take individual rights seriously is a misplaced criticism on the grounds that Gyekye misunderstands the notion of a person that Menkiti articulates. For Wiredu, Gyekye mistakes Menkiti's notion of a person to be about the moral standing of individuals where Gyekye appears to make the claim that Menkiti denies that the individual has any standing morally speaking (see Eze & Metz, 2015 p. 74). And the implication of this is that even if the individual has any standing it is because the community or communal membership bestows or confers it on the individual. According to Wiredu, the term 'person' as Menkiti defines it is a term that is used to appraise humans' actions. It only denotes

an individual as a being who does what is right in the eyes of the community and when an individual fails to do what would be considered as a morally commendable act in the eyes of the community, he or she is branded as not a person. Such a description is only intended to evaluate an individual's action without it also suggesting any remark whatsoever about an individual's moral standing. So if Gyekye's objections to Menkiti are informed by his thinking that when Menkiti says an individual is a person it means also that such an individual stands to be treated differently from another individual then, he (Gyekye) misunderstands Menkiti whose notion of a person is only indicative of an individual who has attained certain moral capabilities (in Eze and Metz, 2015 p. 74). And also, since Menkiti's notion of a person does not involve the claim about an individual's moral standing of deserving to be treated one way or another, the issue of human rights that Gyekye's charge of radicalism bundles Menkiti in is unwarranted.

For Molefe (2016), he observes that the notion of a person that Menkiti (1984 & 2004) articulates as a normative notion is concerned with individuals becoming more perfect and more matured in the exercise of their capacity of moral sense. And as 'persons' individuals become beings that live upright or virtuous lives especially with regards to them displaying behavioural dispositions that are conducive to safeguarding the well-being or welfare of other individuals in any moral context of human interactions. The role of the community in this is to aid in prescribing for individuals the behavioural standards that they are supposed to guide their actions by as they interact with each other and there is nothing radical or extreme about this notion of personhood that suggests that individuals' rights and consequently their dignity is at a disadvantage of being risked for the interest of the community (pp. 42-47).

Secondly, Molefe (2017) observes that Gyekye favours and for that matter base his criticism of Menkiti on a notion of a person that is defined by some inherent or intrinsic facet of

human nature (p. 7). Such a notion of a person, according to Molefe (2016 p.47 & 2017 p.7), is a western approach to defining personhood that Menkiti (1984 & 2004) recognises as a minimalist account to the more dynamic and demanding African notion of a person. The western notion of person as a normative notion bestows on individuals the moral status of being regarded as deserving of some special treatment, i.e. a patient-centred notion, by virtue of possessing the relevant personhood property. But Menkiti's African normative notion of a person is not to be understood as accounting for the personhood of individuals in terms of some intrinsic or inherent facet of their nature as human beings in virtue of which they are deserving of some moral regard; but rather as an agent-centred notion that accounts for individuals' personhood only in terms of how they behave as moral agents; individuals are considered persons if they behave well as would be approved of by the community and on the other hand they are considered as not persons if they fail to behave in a commendable manner with no further implication whatsoever about how they are to be treated on the basis of their person or non-person status (Molefe, 2016 p.47). Understanding Menkiti's notion of a person this way (i.e. as an agent-centred notion) according to Molefe (2016 p.49) reveals that Menkiti appears to be offering an alternative approach to securing human dignity that is not rights-based but rather duty-based wherein individuals are conditioned to take their moral duties towards others serious. This is because as persons, it is essentially a requirement that individuals treat each other well which involves them recognising each other as beings of moral worth. Thus, commenting on Menkiti giving individual rights a secondary status, Molefe (2016) remarks that Gyekye's characterisation of that as representing a radical stance towards individual rights/dignity is an unfair characterisation of Menkiti when it comes to matters of how African societies secure human dignity. This is because human dignity within the African society as he (Molefe) notes is secured by means of

reciprocal duties that are engendered by social relationships emphasised by a communitarian polity and not by rights (Molefe, 2016 p. 49). In his (Molefe's) estimation, Menkiti never meant anything derogatory about giving rights a secondary status vis a vis individuals' duties. Menkiti only appears to be giving a limited status to individual rights in order to suggest that, in the system of personhood that he (Menkiti) articulates, individual rights are considered to only play some role though not a decisive one since duties to others are considered to be primary in so far as human dignity is concerned and the African society can be said to have a means of achieving it.

Ikuenobe (2018 p.193) shares the views of Molefe and Wiredu and as such offers an interpretation of Menkiti's notion of a person that suggests that individual rights/human dignity which Gyekye (1997) grounds abstractly in the mere recognition of humans' rational autonomy and freewill are made substantive within Menkiti's personhood system. According to Ikuenobe (2018), individual rights/human dignity are made substantive within Menkiti's personhood system because as persons, individuals are conditioned to realise that the meaningful enjoyment of their rights and consequently their dignity is to a large extent dependent on them making choices or acting in ways that promote the moral values of a caring and a harmonious living in a community. The community's role in the moral growth (i.e. the attainment of personhood) of individuals is to aid individuals in the proper use or exercise of their rational autonomy and freewill regarding communal interests, values, norms, available options, and conditions. And when individuals become successful in exercising their rational autonomy and freewill in promoting communal interests and values which involves them behaving in a morally commendable manner, they attain for themselves communal recognition and bestowal of social-moral status, and respect by others (pp.191-194). In the light of this 'substantive' interpretation

of Menkiti's notion of personhood in relation to individual rights and dignity, Ikuenobe (2018) argues that it cannot be said that Menkiti does not take individual rights and dignity seriously as the charge of radicalism suggests. Menkiti's robust conception of personhood appreciates individuals' rights and dignity not in the mere recognition of an individual's possession of rational autonomous capacity and freewill but rather in his or her exercising of the capacity in terms of how they behave. And it is by behaving in a manner that would be approved of by the community that individuals meaningfully enjoy their rights and dignity.

3.3.1 Reflections on the defence of Menkiti

Reflecting on the above philosophers' defense of Menkiti's notion of a person against the charge of radicalism that Gyekye associates with Menkiti, I observe that the series of clarifications given to Menkiti's notion of person do not exhaustively absolve the human rights concern that underpins Gyekye's criticism thereby rendering Gyekye's criticism not entirely misplaced. This is because the case Gyekye (1997) makes for the recognition of individual autonomy and rights and consequently for human dignity was in acknowledgement of the understanding that, in as much as a cultural community probably constitute the only social framework responsible for providing the resources that are necessary for the survival, the development of the human individual's potentials, capabilities or talents and the overall flourishing or well-being of the human individual, a cultural community can also exhibit certain features in its values, norms, and practices that individuals may find detrimental or harmful to their development, interest, and well-being such as encouraging social relationships that are built on slavery, domination, humiliation and discrimination (pp. 42-47). These negative features of a cultural community or any human society for that matter can be said to signify that aspect of a cultural community where it lacks integrity and decency in its dealings with some of its

members. And Gyekye's case for the recognition of the rational autonomy of the individual is that, individuals have the capacity to exercise their rational/moral or intellectual capacity to deal with these negative features of the cultural community in a satisfactory way and in virtue of which the individual can be said to have moral rights.

It appears, therefore, to be the case that, Gyekye observes in Menkiti's notion of a person the lack of acknowledgement of the fact that a cultural community can lack integrity and decency in its dealings with some of the members and also in some of the norms, values, and practices it socialises members with. And that Menkiti's notion of a person which appears to give full recognition to the community as a prescriber and enforcer of social rules and moral norms could lead to a situation where the community can abuse its power over the individual since personhood, within Menkiti's system, appears to heavily involve the individual making sure his or her actions or lifestyle conform to the behavioural standards of the community wherein the individual tends to be held in some moral regard of being treated in a relevant manner when successful. If an individual deviates from the behavioural standards of the community, there is the tendency for such an individual to be mistreated by the community.

Thus, because a cultural community can lack integrity and decency and as such abuse its power over the individual, what remains to be inquired into in defense of Menkiti is how Menkiti, secures individuals' lives against the abusive tendencies of a cultural community in the event that individuals fall short of acting in conformity with the demands of the community. For Gyekye, it can be said that it is in the recognition of individuals as having rights and due consideration being given to it in the community's dealings with them that their lives are secured against the abusive tendencies of the community. But, if in Menkiti's system it is based on the idea that a cultural community that takes interest in its members living morally upright life will

exhibit enough decency and integrity in dealing with members, Gyekye's response is that it is not always the case that the cultural community will exhibit integrity and that there is bound to be moments where the cultural community can go to the extreme in dealing with its members thereby abusing its authority over them.

Secondly, the notion of a person that Menkiti articulates which has been clarified to be essentially indicative of an individual who is in good standing with the cultural community and the individuals he/she interacts with in so far as his/her actions are concerned is hardly a notion of a person that can be said not to have an effect on an individual's moral worth or moral status even if it is acknowledged that advocates of the notion of a person in question limit its meaning to just the quality of the actions of the individual as a moral agent. This is because how an entity (in this case a human being) is viewed as a person or not tends to influence how he or she, in turn, is treated by other individuals. For the notion of a person that Menkiti articulates, individuals status as persons put them in a relationship with the cultural community where the community exercises the moral authority of not just prescribing the behavioural standards they ought to guide their actions by but also the community enforces these behavioural standards wherein individuals are rewarded, valued and held in some high moral regard if they behave well and on the other hand, punished, sanctioned or accorded some less moral regard if they fail to behave in accordance with the behavioural standards of the community. Also in the context of individuals' interactions with each other, individuals' personhood status which is indicative of how they treat each other puts them in a situation where they are valued and accorded some respect if they treat each other well or lose respect or value in the eyes of others if they fail to treat each other well.

Thus, the notion of a person that Menkiti articulates tends to influence individuals' moral

status as beings of moral worth. Referring to the issue of human rights abuse which is the motive behind this research work, the category of individuals who within Menkiti's system would be considered as not persons especially criminals or social deviants could experience human rights abuses where duties that are owed to them in recognition of their rights as human beings are usually not taken seriously. In the case of criminals, the abusive treatments in the form of lynching, or mob attack that they usually go through are carried out in the manner that perpetrators can be said to feel that they are justified in doing so deriving the justification from the fact that the alleged criminal has done something that is disapproved by them or the community/society that they find themselves in. This way of treating individuals who appear to have behaved in a manner that is not acceptable in the eyes of the community and other individuals that they interact with have led to the loss of lives of innocent individuals.

It can even be inferred from the unfavourable treatment that individuals who fail to behave in accordance with the moral dictates of the community or treat other individuals could be subjected to that, an individual's rights and dignity cannot satisfactorily be secured by him or her acting in accordance with the moral dictates of the community or treating other individuals well. This is because, in the event that an individual fails to behave well as would be approved of by the community or other individuals, the individual's rights claims can easily be ignored as his or her failure to behave well may have caused him or her to lose some moral worth in the eyes of the community coupled with the fact that his actions may have also provoked others to feel distrust and be angry and vengeful towards him or her thereby causing the individual to be treated anyhow; i.e. as one pleases.

Thus, granted that Menkiti's notion of a person tends to have an effect on how individuals are treated as beings of moral worth, it can be said that in his personhood system there is the

tendency for all individuals not to be treated well and that some individuals are likely to be treated differently, perhaps unfavourable from other individuals. In the light of this, how Menkiti's personhood system deals with the issue of human moral equality also becomes a concern that an exhaustive response in defense of Menkiti against Gyekye must also address. The point of this reflection is that Menkiti's notion of a person in Gyekye's estimation is also about moral status which have implications for human rights and dignity.

3.4 Conclusion

Gyekye's criticism of Menkiti as a radical communitarian takes cognisance of the fact that a cultural community can lack integrity and as such abuse its power in dealing with its members especially when they fail to conform to the moral demands of the community. Granted that Menkiti in the estimation of his defenders cannot be said to have meant anything derogatory about the secondary status of individual rights, it appears to be the case that an exhaustive defense of his notion of a person requires an inquiry into how human dignity is secured within his system of personhood since being a person in the sense that he defines it tends to have an effect on how individuals are treated as beings of moral worth in light of which some category of individuals who are regarded as not persons could be treated unfavourably by a community or members they interact with.³

³ In the light of the clarification that Menkiti's notion of personhood has nothing whatsoever to do with an individual's status as a human being, a non-person's moral status appears to be secured by her being human. However, because the non-person tends to experience a denigration in social status such that she risks being treated unfavourably in a community that lacks integrity, what are some of the conditions in Menkiti's conception of personhood that guarantees the sufficiency of the human-status of the non-person in securing her moral status? This is the additional insight that I explore in the chapter 4.

CHAPTER FOUR

MENKITI'S NOTION OF PERSONHOOD AND HUMAN RIGHTS

4.0 Introduction

In the two previous chapters (2 & 3), the various clarifications of Menkiti's notion of personhood by Kwasi Wiredu, Motsamai Molefe, and Polykarp Ikuenobe inform us that Menkiti's conception of personhood is essentially about the moral judgement or evaluation of the actions of individuals as moral agents. By behaving in a manner that would be approved of by the community (such as treating other people well) individuals are recognised as persons whilst, on the other hand, individuals are not recognised as persons when their actions do not conform to the moral demands of the community (such as when they fail to treat other people well). We are also made to understand that, Gyekye misunderstands Menkiti's notion of a person because he wrongly assumes the notion to also be about the moral status of individuals. Molefe citing Wiredu (2008) and Gyekye (1992) remarks that, Menkiti giving priority to individuals' communal duties wherein they are required, as persons, to act in accordance with the moral demands of the community appears to offer an alternative approach to securing human dignity which is not rights-based (Molefe, 2016 p. 49).

However, it appears to be the case that the notion of personhood which Menkiti articulates tends to affect individuals' status as beings of moral worth. Individuals tend to be treated favourably by the community when they behave well. Individuals that they interact with also treat them well when their actions conduce to the promotion of their needs, interest, and well-being. In the light of this, some individuals in our communities have been observed to experience human rights violations where duties that are owed to them in recognition of their rights and dignity are not taken seriously. They are subjected to harsh treatments in the form of lynching or

mob attacks for displaying acts that are offensive to others (Adinkra Mensah, 2005 & Tessa V. Levine, 2011). It thus appears to be not entirely out of place if Gyekye understands Menkiti's notion of personhood to also be about the moral standing of individuals. After all, being a person in the sense that Menkiti defines it tends to influence how individuals are treated as beings of moral worth.

This chapter, therefore, aims to find out how within Menkiti's conception of personhood human dignity is secured. And the purpose is to establish whether this way of securing human dignity has a greater implication for the broader discussion of human rights and human dignity or not. I structure this chapter into four sections where the first section tackles human rights and human dignity. The second section discusses Molefe's duty-based approach to securing human dignity and Ikuenobe's substantive interpretation of rights (both are perspectives on Menkiti's philosophy). This section ends with my reflections on the views expressed by Molefe and Ikuenobe. I offer an alternative interpretation of the substantive view in Section Three. And the last section is a summary conclusion of the chapter.

4.1 Human Dignity and Human Rights

The word 'dignity' in the phrase 'human dignity' is a term that attributes a status of moral worth to the human being. Thus, 'human dignity' can also be referred to as 'human worth'. In the history of the usage of the term 'dignity', it has been noted that dignity had different meanings (Rosen, 2012). Daniel P. Sulmey (2007) highlights three different senses of 'dignity' in its historical usage; the attributed sense, the intrinsic sense, and the inflorescent sense (p. 12).⁴

⁴ According to Sulmey (2007, p 12), attributed dignity refers to the worth or value which is conferred on individuals by virtue of the way they behave, the talents they have, or the skills or power they possess. The inflorescent dignity describes a situation or circumstance that is befitting for the human being to live in and flourish as a being of intrinsic worth. And the intrinsic dignity refers to dignity that people have simply because they are human beings.

However, in all the different meanings of dignity that Sulmey notes, the strand or sense of dignity that comes into play when human dignity is discussed in conjunction with human rights is the intrinsic sense of dignity.

The intrinsic sense of dignity identifies human worth or value as a feature inherent to their nature as human beings (Sulmey, 2007 p. 12). And the implication of this according to Immanuel Kant, who is famously noted (in his *Groundwork of Metaphysics of Morals*, 1996, p85-87) to favour an intrinsic sense of human dignity, is that humans are the sort of beings that unlike other beings occupy a morally relevant status of deserving to be treated with respect or as ends in themselves. The intrinsic worth or value of human beings, according to Kant, indicates that no human can use another human (i.e. a member of the species *homo sapiens*) merely as a means to an end, the implication of which is that a human cannot be treated anyhow, as less in value or as one pleases. Thus, the intrinsic worth of humans suggests that in human interactions, it comes to bare that individuals owe each other some moral obligation.

The grounds for the intrinsic worth of humans according to advocates who are theologians and philosophers include the idea that human beings like other beings and things in the universe were created by God, but they (human beings) were created in the image and likeness of God and as such have a spark of the divine in them in the form of the souls that they have. Human likeness to God thus set them apart from other created things or entities in the world and as such bestows on them a unique worth or value. The other reason given to justify humans' intrinsic worth relates to properties or capacities that humans possess inherently which set them apart from other created beings or things. Thus, humans' rational and moral capacity, their ability to make free choices, developed into a concept like autonomy by Immanuel Kant, are put forward

as the basis for humans' intrinsic value or worth (Sulmey, 2007 pp. 11-12 & Andorno, 2014 pp. 47-49).

Human dignity features in various countries' constitutions and documents such as the *Universal Declaration of Human Rights (UDHR)* adopted on December 10, 1948 by the United Nations (UN), the *African Charter of Human and Peoples Rights (ACHPR)* adopted in Nairobi June 27, 1981, the *International Covenant on Civil and Political Rights (ICCPR)* adopted on December 16, 1966 as two concepts that appear to share an intimate link. For instance, in the *International Covenant on Civil and Political Rights (ICCPR)*, human rights derive from the inherent dignity of the human person (ICCPR, p. 1). The preamble of the *Universal Declaration of Human Rights* begins by recognizing the inherent dignity, equality, and inalienable rights of all human beings. In the *African Charter of human and Peoples Rights*, the achievement of freedom, equality, justice, and dignity among the people of Africa constitute the considerations for the establishment of the charter and in article 5 of the charter, it is stated that all African people and for that matter, all human beings are recognised to deserve, as a right, respect for the dignity inherent in them as human beings. And that any form of degradation or exploitation such as slavery, torture, slave trade, cruel treatment, or punishment is prohibited in the treatment of any human as a being of inherent dignity (ACHPR, Article 5 p.2)

According to Jack Donnelly (1982), one way of understanding the close link that exists between human dignity and human rights as related concepts is seeing human rights as an approach to achieving human dignity (p. 303). Donnelly makes this remark because he claims that, the idea of human dignity also exists in other cultures and that human rights represent a particular society's approach to achieving or securing the protection of human dignity (p. 303). Molefe (2016) refers to Donnelly's remark about human rights being a particular society's

approach to achieving human dignity to defend Menkiti against Gyekye in the debate on personhood. Molefe (2016) suggests that Menkiti relegating rights to a secondary status and giving priority to individuals' communal duties within his system of personhood appears to be pointing to an alternative African approach to securing human dignity which is not rights-based but rather duty based (p. 49)

Human rights laws identify humans as beings towards whom obligations are owed to be treated in a morally relevant way. And according to Donnelly (1982), the obligations are owed to individuals for the only reason that they are human beings and not because of their actions, or membership of a state or a particular society (pp. 305-306). The special character of the obligation(s) that human rights require us to accord to humans is that individuals are 'entitled' to them. And by these entitlements, individuals are placed in the position where they are just not only capable of making demands for the obligations owed to them but also, it is considered as a wrong-doing when the obligations are not given the due consideration needed in acknowledging individuals' intrinsic worth or basic dignity. It follows from this that, the obligations that human rights engender in respect of the intrinsic worth of humans have some special priority attached. And according to Donnelly (1982), the nature of the special priority attached to the obligations engendered by human rights is that they are inalienable, seemingly absolute, and as such take priority over all but the most serious non-rights demands which are demands in the face of which rights claims of individuals can considerably be curtailed. An example is when in an effort to control the spread of a disease outbreak, a society restricts the rights of members to free movement. They are also held to be primary in relation to the society or the state wherein they take precedence over the rights of the state or the society (p. 306). In my view, what can be deduced in brief from the special priority attached to human rights' obligations is that, they are

justifiably worthy of consideration in dealing with the human person as a being of inherent worth such that they cannot be wilfully subverted as one pleases.

In the debate on personhood between Menkiti and Gyekye, it is this seemingly absolute importance or priority of rights as the safeguard for human dignity that Gyekye (1997) appears to defend, and for which reason he claims that the secondary status that Menkiti gives to rights is inappropriate. A secondary recognition of rights appears to reduce the moral force of rights when dealing with the human person as a being of inherent moral worth.

Within Menkiti's conception of personhood, it appears to be the case that being a person tends to influence how an individual is treated as a being of moral worth. This is because of how the notion of a person is construed. The notion of a person is construed in a manner that acknowledges the individual as being who behaves or lives a life that is in accordance with the moral dictates or demands of the community. And in the context of humans' interactions, being seen as a person depicts an individual who treats or relates positively towards other people. When an individual behaves in accordance with the moral dictates of the community, he/she appears to be in a position where the community or society usually commends him/her sometimes with rewards. In some societies, an individual who lives a life that is approved of by the community gains the social recognition of being elevated to the status of a role model or an ancestor for other members to aspire to. And all these tend to come with the individual being granted some favourable or preferential treatment because he or she appears to be in some good standing in the eyes of community. But, on the other hand, when an individual fails to behave in accordance with the moral demands of the community, he or she tends to be in a position where the community or society condemns him/her sometimes with sanctions or punishment. The

individual tends to be ridiculed by the community and if the community lacks integrity, he or she risks being treated or punished badly.

A similar scenario also plays out in the context of individuals' interactions with each other where an individual treats other people well or fails to treat other people well. When an individual treats other people well, he/she tends to be in a position where other people, in turn, treat him/her well. But when an individual fails to treat other people well, his/her actions tend to provoke others to feel anger, disgust and vengeful towards him/her which in turn can cause them, if they can, to subject the individual to unfavourable treatments that could be said to signify their show of a lack of respect for him/her; a retaliation for a lack of respect showed towards them first.

The function that human rights play in safeguarding humans' intrinsic moral worth especially in situations where their actions may have caused them to lose favour in the eyes of the community or other people as beings of moral worth serves to impose on individuals or the community the responsibility to recognise that they still owe the human individual some moral obligation. This is because of how human rights are defined. Human rights are defined as the rights (claims of entitlement) that individuals have in common with each other simply because they are humans; that is, belonging to the species *homo sapiens* (Donnelly, 2009 pp. 8-11). Human rights engender obligations that are owed to an individual simply because he or she is a human being. This definition of human rights is for instance emphasised by the *Universal Declaration of Human Rights (UDHR)* adopted on December 10, 1948 in article 2 and also by the *African Charter of Human and Peoples Rights (ACHPR)* adopted in Nairobi June 27, 1981 in article 2 where it reads that rights that are set forth in both documents are to be enjoyed by all individuals equally devoid of distinction of any kind such as race, colour, sex, language, religion,

political or other opinions, national or social origin, property, birth or other status. The human individual performs no special undertakings to deserve enjoying the rights set forth in the documents (UDHR & ACHPR). The rights are due to them (all individuals) simply because of their belonging to the human race. And it appears that, when the basic or fundamental obligations are respected, they hold back the community (or its members) from subjecting a human individual to any form of unfavourable treatment that can be said to be motivated by anger, distrust, or vengeance especially in situations where individuals fail to act in accordance with the moral dictates of the community or fails to treat or relate positively towards other people's needs, interests and well-being.

For instance, take a society or a community where an individual is alleged to have stolen from someone. When members of that community apprehend such an individual, in the bid to hold him/her accountable for the misdeed committed, usually what happens (i.e. in most cases that this situation has occurred in some societies/communities) is that the alleged thief ends up being subjected to harsh, dehumanising, life-threatening treatment/punishment. The dehumanising treatment and the prevalence of it as a suitable response to dealing with an individual who has committed a misdeed seem to give the impression that the misdeed committed sort of warrants members of the community to sanction that way. That is to say, the misdeed committed more or else seems to give members the free pass to do whatever they want to the alleged thief. The dictates of human rights as it features in the *Universal Declaration of Human Rights (UDHR)* and the *African Charter of Human and Peoples Rights (ACHPR)* concerning the handling of such an individual for a misdeed committed is that members of a community honour their obligation toward the individual: that is, they are not required to arbitrarily punish or sanction the individual anyhow they see fit (UDHR, Article 9).

They are to submit the individual to due process of establishing his or her guilt or innocence after which when found guilty, the appropriate punishment will be meted out to the individual.

Thus, according to the dictates of human rights as a safeguard for human dignity, the human individual strictly speaking never loses any moral worth. In any context of human interactions, including those situations where an individual may have behaved in a manner that offends others or goes contrary to societal norms and as such puts him or her at risk of being treated unfavourably (i.e. anyhow or as one pleases), the individual remains to be recognised as deserving a moral treatment, failure of which amounts to a wrong-doing. This appears to be how in my view the demands of human rights as the safeguard of human dignity achieves decency and integrity in human interactions.

4.2 How is human dignity secured within Menkiti's conception of personhood?

Within the system of personhood that Menkiti provides, the question could be asked *how is human dignity secured? How is the human individual protected from being subjected to harsh, dehumanising treatment from individual members of the community especially in the event that he/she may have behaved inappropriately or failed to treat other people well?* In answering these questions, I inquire into two suggestions that Motsamai Molefe (2016 & 2017) and Polykarp Ikuenobe (2018) put forward when they commented on the debate on personhood between Gyekye and Menkiti wherein they defended Menkiti against Gyekye's criticism that Menkiti, within his conception of personhood, fails to take human rights and consequently human dignity seriously.

Molefe (2017) remarks that, the idea of personhood that Menkiti articulates to be characteristic of a society where priority is given to individuals' communal duties over their

rights does not intend to denigrate humans as beings of dignity. This is because there appears to be in the idea of personhood evidence of an alternative approach to securing human dignity which is not rights-based (p. 3). According to him, the idea of personhood denotes a human individual who has matured and has become successful at satisfactorily exercising his or her moral capacity. Such an individual exudes or manifests the virtues of compassion, kindness, generosity, and friendliness just to mention a few in his or her actions with others. And as such, his or her behavioural dispositions are conducive to promoting or safeguarding the human needs and interests of other individuals. Hence, the status of personhood entails the notion that an individual is being seen as someone who behaves positively towards other people. The essential aspect of this idea of personhood, according to Molefe (2017), is that it is relational such that it comes from other peoples' evaluation of an individual's actions in a moral context of human interactions. In this sense, actions that promote human well-being confer the status of a person on an individual, and actions that fail to promote human well-being deny an individual the status of a person (pp. 13-14). It is the relational aspect of the idea of personhood that reveals how human dignity is secured within Menkiti's conception of personhood claims Molefe (Molefe, 2017 p. 12).

The relational aspect of Menkiti's notion of personhood reveals that African society is the kind that, due to its communal nature, considers an individual's relationship with others to be important. And in such a society, the relationship which individuals have with each other is expected to be friendly, generous, compassionate, sympathetic, reciprocal, and interdependent, just to mention a few. Exhibiting these features in how an individual interacts or relates to others results ultimately in a dignified treatment of others. And that is how human dignity is secured within Menkiti's conception of personhood (Molefe, 2017 pp. 12-17). Thus, the approach that

Menkiti offers to secure human dignity is a duty-based approach where, as persons, individual members of a community are conditioned in their day to day interactions to relate positively towards each other wherein they display behavioural dispositions that conduce to the safeguarding of the well-being, needs and interests of all, Molefe argues. I will reflect on this in this section.

Ikuenobe (2018) also comments on the debate on personhood between Menkiti and Gyekye where he offers an interpretation of Menkiti's idea of personhood revealing how the rights of individuals and consequently their dignity are secured. According to him, Gyekye's talk about individual rights as the means for securing human dignity appears to offer an abstract view of rights grounded in the mere recognition of the human person's inherent metaphysical or psychological capacities for autonomy (that is, autonomy to make life choices and the agency to pursue their interests). But Menkiti's idea of personhood which is associated with the moral growth of individuals focuses on making individual rights substantive by ensuring the proper use of their psychological or metaphysical capacities for autonomy to make life choices and the agency to pursue their interest as members of a community (pp. 191-192).

Within Menkiti's work according to Ikuenobe (2018), the individual as a person is conditioned by the community through its socialisation processes, particularly within the confines of communal interests, values, norms, and available options and conditions. The successful or proper exercise of an individual's autonomy involves him or her behaving or acting in a manner that promotes harmonious living, solidarity, and well-being. And in so doing an individual exercises his or her metaphysical capacities in a manner that earns him or her social-moral status (personhood) and respect from others (pp. 191-192). In light of this, Ikuenobe argues that Menkiti meant nothing derogatory about recognising individual rights to be

secondary to the duties that each person owes to the community. He rather appears to be elaborating that individual rights are circumscribed, and as such made considerable or substantive by the moral dictates of the community (Ikuenobe, 2018 p. 201).

The following section is my reflections on the issues discussed in the current section.

4.2.1 Reflections on Molefe and Ikuenobe's suggestions on how human dignity is secured within Menkiti's conception of personhood

In reflecting on Molefe and Ikuenobe's suggestions on how human dignity is secured within Menkiti's conception of personhood, I attempt to answer the question of whether the approaches they each offer enhance the dignity of the human individual or not. More specifically, I want to know how the approaches protect an individual from being subjected to harsh, dehumanising treatment from members of the community especially in the event where he or she may have behaved inappropriately or failed to treat other people well.

According to Molefe (2017), we are to note that human dignity is secured within Menkiti's conception of personhood through humans' treating each other well. And what this means is that the kind of behaviour that is approved is the kind that promotes human needs, welfare, and interest. We can infer from this that within Menkiti's conception of personhood cognizance is given to the fact that human interactions engender certain obligations that individuals owe or may owe to other individuals. These are obligations the performance of which responds to the human needs, interests, and well-being of an individual. And they are moral obligations because the failure to perform them tends to be seen as wrong. Examples of some of these moral obligations include providing shelter for someone in need, feeding a hungry person, seeking permission to make use of someone's property, respecting someone's privacy, respecting someone's interest for instance in a business deal, assisting someone who needs extra hands to

perform a certain activity, stepping in to defend an individual who is being cheated or disturbed by other individuals. Treating other people well entails performing these instances of obligations and others that individuals owe or may owe to other individuals. But how do individuals treating each other well enhance human dignity?

In answering this question, the aim is to find out the extent to which lack of or insufficient regard for an individual's moral worth are avoided or curtailed by individuals relating positively towards each other or living in a society that has norms or values that see to it that members treat each other well. Let me explain with the scenario below:

A society composed of individuals from different races, tribes, ethnicity, or cultural background, may implement laws or policies that see to it that members live in harmony. The society's laws and policies ultimately protect the human needs, interests, and well-being of all members. Members are involved in taking decisions over issues that influence their lives. They respect each other and as such, no class or group of individuals enjoy some preferential or privileged access to the amenities of the society at the expense of others. Juxtaposing this kind of society with the kind of society that existed during the apartheid period in South Africa or the period of segregation in America for instance, it can be said that the hostilities, the warfare, the inhumane treatment of some individuals, the discriminations and deprivations that occurred during these periods would not have occurred if the needs and well-being of all members of those societies were respected. This is because members or individuals in such a society would not be likely to treat others badly, they would not feel disposed to protest by any means necessary for equal treatment or access to the amenities of the society, and they would not harbour hatred for others because they are not denied any favourable treatment. Members would find themselves in an all-inclusive society where laws and policies enacted, ensure that their

human needs, interests, and well-being are safeguarded as they are allowed to have a say in matters that influence their lives and also enjoy equal access to the amenities of the society. And this in turn fosters individuals showing respect towards each other as they interact.

The point being made is that the consequence of individuals treating each other well wherein they perform the obligations they owe or may owe to others is that they find their human needs, interests, well-being fulfilled and safeguarded. And this does not make them act in ways that harm or undermine the moral worth of humans as beings who deserve to be treated with respect. This appears to be the extent to which individuals treating each other well goes to secure their human dignity.

However, as individuals treat each other well wherein they act in ways that result in satisfying the human needs, interest, and well-being of individuals, their actions, in turn, cause them to be held in some moral regard by others. Usually, the effect that relating positively towards others have is that it leaves a positive mark or effect on individuals who are at the receiving end of such acts where they feel obligated or indebted to their helpers and as such are more inclined to discharge their obligations to them (their helpers) than others. On the other hand, when an individual fails to treat others well, he or she, in turn, tends to be related to or treated by others in a like manner as his or her actions are considered by others as unfavourable to their needs and interests. In most cases, such acts are interpreted by others as a wrong done to them, which from their perspective, relieve them from performing any obligations they owe or may owe to the 'bad' person. And the implication of this is that all individuals will not be treated the same. Individuals who behave in a favourable manner towards others are more likely to be treated favourably in return whereas individuals who act unfavourable towards others are more

likely to be treated unfavourably in return especially in situations where an individual's acts offend others.

So, this leaves us with a follow-up question that, because an individual's action tends to affect how he or she, in turn, is treated by others (where the individual risks being treated unfavourable especially when he or she acts in ways that offend them), how does the conception of personhood Menkiti articulates propose to safeguard such an individual from not being treated badly by others whom he or she has offended?

The answer to this question as I note from Molefe's suggestion is that, because the status of personhood is achieved by the means of treating or behaving positively towards others, in the moral context of human interaction where an individual has been offended by another individual, he or she would not treat or react towards the offender unfavourably by behaving in a manner that will harm the offender. This is because as a person, the individual knows that such an unfavourable or harmful reaction is wrong and that more importantly performing such an act would in turn cause him or her also to lose the status of a person in the eyes of others. That is to say, treating the offender in an unfavourable or harmful manner will cause the individual's conduct to be judge by others as not befitting of him or her as a person (i.e. as an individual who knows right and wrong and does what is right or morally acceptable). So, if an individual fails to treat others well and, as a result, he or she risks being treated unfavourably in return, the individual would not be treated unfavourably in return because other individuals (as persons) would behave in a morally considerable manner where they succumb not to the anger, frustration, disappointment or the hurt that the offender's action might have stirred up in them. And it is clear to me that, in this approach the course of action taken would considerably be the same as the kind of actions that the dictates of human rights demand for the recognition of the

moral worth of the individual in a situation where one has done something which offends another person or violates the rules of a community.

However, in my view, the human rights approach seems to do a better job at safeguarding human moral worth, particularly in situations where individuals' actions offend others and as such put them at risk of being treated unfavourably in return. This is because of the entitlement feature of rights which gives rights its protective force (serving as a moral constraint on others) thereby protecting the offender from being treated by others arbitrarily, anyhow or in an unfavourable manner usually motivated by anger, vengeance, disappointment or hurt. But, on the other hand, in a situation where an individual's action greatly offends others, it would seem hard that maintaining one's personhood status would serve as enough motivation to constrain or prevent an individual who has greatly been offended to not treat the offender unfavourably also. In such a situation an individual could be said to have been offended to such an extent that he or she would not see it worthwhile to act or show any appropriate moral regard towards the offender⁵.

The point being made is that with the human rights approach an individual's actions, whether good or bad, are more or less guaranteed to not have any influence on how others ought to directly treat him or her as a being of moral worth. But, with the personhood approach, this would hardly be the case since some actions of individuals that offend others could be so great that the inevitable consequences of it would be that individuals end up treating others unfavourably in return. And in the process, they will most likely show no appropriate regard for

⁵ Molefe (2017), recognises the entitlement feature of rights in securing human dignity when he considers rights and Menkiti's duty-based approach as two alternative approaches. However, in comparing the two, I subscribe more to the rights approach because it appears to perform better in ensuring that individuals' actions do not affect whatsoever how they are to be treated as beings of moral worth. But for the duty-based or the personhood approach, it appears to be the case that much will depend on individuals' temperaments, how they would be seen by others, and also on relational virtues such as compassion that individuals may have acquired as part of their personality. The problem with this is that not all individuals exhibit these conditions in the same way.

the moral worth of the offender. I turn now to Ikuenobe to examine his substantive interpretation of rights in Menkiti's conception of personhood in relation to the problem that certain actions of individuals that offend others cause them to lose their moral worth in the eyes of other individuals wherein they are treated unfavourably in return.

Unlike Molefe (2017) who sees in Menkiti's conception of personhood an alternative approach to securing human dignity which is not rights-based, Ikuenobe (2018) sees in Menkiti's conception of personhood individual rights being rendered as not absolute in the sense that they are circumscribed by or depend on certain conditions for them to be worthy of consideration in the treatment of the human person.

The first point made by Ikuenobe (2018) is that the violation of individual rights takes place in the community which implies that it is when an individual lives with others that issues about one's rights being violated arise as opposed to when an individual lives in isolation. So, in living with others, it is up to the community to implement laws or rules that guide individuals' actions as they interact with each other and this is one of the conditions that guarantee individual rights as worthy of consideration in the treatment of individuals as beings of moral worth. Hence, in Ikuenobe's view, an individual has rights or may have rights such as not to be treated in a morally demeaning manner but this can only be achieved or sustained only when the community enforces the relevant laws that prohibit individuals and perhaps even the community itself from treating individuals in ways that show no appropriate moral regard for their basic dignity (Ikuenobe, 2018 p. 193).

Ikuenobe's point then is that the claiming of rights does not in itself protect individuals but rather it is the enforcement of rules with sanctions backing them that guarantee the realisation of the rights claimed by individuals. And it is the cultural community perhaps as an

entity, that possesses the capability to do so and perhaps do it well. It is this sense that Ikuenobe (2018) says a charitable interpretation of Menkiti's claim that the community has priority over individual rights should lead us to, as opposed to understanding Menkiti to be saying that rights are not important or that the individual has no rights or that he rejects rights.

The priority of the community, Ikuenobe claims is justified by the fact that it possesses the capability to establish the rules backed by sanctions that enforce both the respect individuals are entitled to from others and the obligation to prevent the violations and circumscribing the scope of individual rights within the context of community. Hence, the duties that individuals owe to the community are nothing short of those social rules or values, or norms of harmonious living that allow for the successful realisation of the rights of individuals (Ikuenobe, 2018 p. 193).

In the light of this then, we can infer that the individual whose action has offended others will not be treated unfavourably since the relevant rules of the community acknowledge individual rights and will see to it that the laws are appropriately enforced. In the absence of such rules or a capable entity to enforce them, it will be hard to see how individuals' capacity to claim rights in themselves will be able to protect them from being treated inappropriately. However, societies or communities or states are also noted to be serious violators of individual rights, claims Donnelly (1982 p.307); hence in this case, if the cultural community lacks the decency and as such possesses a power that sets it beyond reproach, then it can implement its laws and rules unfairly or unfavorably where some individuals benefit whilst others do not. So the community itself must be bound by the established relevant rules and as such possess the relevant degree of decency and integrity to implement the rules fairly so that every individual enjoys his or her basic share of the protection that the rules or the laws offer for all the members.

This, in my view, is what underpins, in a subtle manner, Gyekye's criticism of Menkiti as having giving too much priority, or exaggerated the importance of the essential role that the cultural community plays in the overall development, flourishing and well-being of the human individual, such that by failing to appropriately recognise individual rights as having the same priority as the community fundamentally Menkiti risks sacrificing individual rights and consequently human dignity at the expense of the interest of the community.

The second point, according to Ikuenobe (2018) is that in Menkiti's conception of personhood one ought to understand that individual rights and for that matter, their moral worth is not solely based on his or her possession of the psychological features and capacities of autonomy, rationality, will, and agency. But rather, it is to a large extent based on how human beings exercise, express, or use these capacities (p. 201). By extension, this view of Ikuenobe could be interpreted to imply that being human and possessing whatever biological and psychological properties are not enough for one to fully realise his or her rights and consequently dignity. Grounding the rights and dignity of humans solely on their being humans and possessing certain psychological properties according to Ikuenobe is considered to be, precarious, vacuous, and only nominal in Menkiti's system of personhood (Ikuenobe, 2018 p. 202). And this also to my mind implies that such an idea of rights and dignity carries no weight or moral force. What gives individual rights and dignity moral force then, according to Ikuenobe, is how individuals express, exercise, or use their naturally endowed psychological properties or capacities of autonomy, rationality, will, and agency by way of the decisions, choices, and actions they take. And because of this, Ikuenobe sees Menkiti's notion of a person which is essentially about the moral growth of the human individual offering a good contribution.

The contribution is that, according to Ikuenobe (2018), through the achievement of personhood the human individual puts to good or proper use his or her psychological properties or capacities as he or she goes through the cultural community's socialisation process by which members of the community guide their decisions, choices, and actions by the prescribed standard of behaviour in the community. And the proper, good, or worthy use or exercise of their psychological capacities entails they acting in a manner that is considered acceptable or worthy of commendation by others in the community. Ikuenobe is quick to point out also that as the individual behaves in a manner that is acceptable to the community, the individual tends to also find himself or herself in a position where he/she receives social-moral status or recognition of honour, prestige, and respect in the community (pp. 191-192). So according to Ikuenobe, this is a substantive view of individual rights and hence human dignity that Menkiti's conception of personhood provides wherein the actions of individuals are considered to be essential to the realisation of their rights and consequently their dignity. However, I find this substantive view of rights and consequently human dignity problematic for the following reasons.

First, in the context of grounding the rights of individuals and consequently their moral worth in their actions wherein they are conditioned to make choices and behave in ways that meet communal standards in Menkiti's conception of personhood, individuals would find themselves in a situation where their status as beings worthy of moral consideration would be tied to them being in some favourable position in the eyes of the community. They would have to act following the moral dictates of the community to deserve being treated in a morally relevant manner. And if they fail to act in accordance with the moral dictates of the community, especially in a community that lacks integrity, they lose some moral worth in the eyes of the community and as such risk being treated unfavourably. And the result of this is that not all

individuals within Menkiti's system of personhood would be accorded the same basic treatment. Some individuals would be treated differently from others. So, we would still be faced with the problem of certain individuals being treated in an unfavourable manner.

Secondly, individuals' actions and choices appear to be considered as the grounds for their being treated in a morally relevant way according to this substantive view of rights and dignity in Menkiti's conception of personhood. If merely being human and endowed with the capacities of autonomy, rationality, will, and agency is not what necessarily make an individual worthy of being treated in a morally relevant way but rather how the individual exercises these capacities, then it is the individual's actions and the choices that confer on him or her moral worth. So, to deserve being treated in a morally relevant manner, an individual must make certain choices or behave in a certain way. And the implication would be that when the individual fails, he or she loses that moral status and as such risks being treated in an unfavourable manner.

Also, in individuals' interactions their obligations towards each other would be engendered by their actions and this, in turn, means that an individual's moral obligation towards another individual would be influenced by the moral worth he or she sees in the other individual's actions. If the individual finds no worth or value whatsoever in another's action especially in situations where the action of the other offends him or her, then that would form the basis for him or her not being obligated to treat the other individual in any morally relevant manner. This in turn allows room for individuals to be subjective or arbitrary about their moral obligations toward others yet moral standards must be objective and uniformly applied. Consequently, this could lead to the maltreatment of an individual, and this in my view would not enhance individual rights and consequently dignity.

So, the point that the above two reasons seek to make is that, if the substantive view of rights and moral worth that Ikuenobe offers appears to suggest or indicate that individuals' actions are what ground their moral status or moral worth in Menkiti's conception of personhood, then within Menkiti's understanding, human dignity would not be adequately safeguarded as there would still be room for certain individuals to be treated in an unfavourable and unworthy manner. Such an interpretation prescribes that individuals must either behave in ways that uphold communal standards or act in ways that other people would find worthy to avoid being treated unfavourably. However, not all individual members of a community can act following the communal standards of a community or act in ways that other people may find worthy. And since not all individuals can make choices or behave in ways that either meet communal standards or appear worthy to others, it follows that not all individuals would be able to avoid being treated unfavourably. Granted that the above argument is plausible, it appears then that an alternative interpretation of the substantive view where individuals' actions are considered as only relevant but not as what ground individuals' rights and consequently their dignity would suffice. And that is what I explore briefly in the next section.

4.3 An alternative interpretation of the substantive view of human rights and dignity in Menkiti's conception of personhood

The discussion in this section takes interest in two claims that are essential to Ikuenobe's substantive view of rights in Menkiti's conception of personhood. The first claim is that human rights and, for that matter, human dignity grounded in merely being a human being endowed naturally with certain psychological features are precarious, vacuous, and only nominal (Ikuenobe, 2018 pp. 192 & 202). This claim seems to imply that human rights/human dignity grounded in natural endowment is inadequate to be properly secured in Menkiti's conception of

personhood. However, no explicit reasons are given by Ikuenobe to explain why that is the case, but the second claim appears to provide the reason or reasons why.

The second claim is that human rights (and for that matter human dignity) are properly secured, and made more substantive by how individuals exercise, express, or put to use their naturally endowed psychological features or capacities by way of the decisions, choices, and actions they take (Ikuenobe, 2018 pp. 192 & 201). This second claim implies that human decisions, choices, and actions influence or affect their human rights and dignity. In the light of this, we can infer that the reason(s) why being human and as such merely being endowed with whatever psychological features or capacities are considered not adequate to fully secure and give weight or substance to individual rights and dignity is that they are affected by how individuals behave or act.

But how do human actions affect human rights and hence dignity such that in Menkiti's conception of personhood, individuals' actions but not their being human and possessing certain psychological properties are considered essential to securing their rights and dignity? To answer this question, I refer to an accident that occurred at Dompase near Komenda in the Central Region of Ghana where a driver of a Hyundai bus wrongly overtook another vehicle (a violation of safe driving rules) while approaching a curve which resulted in a head-on collision with a bus that was coming from the opposite direction. It occurred on the 14th of January, 2020. According to a news report, the accident claimed 34 lives and several passengers sustained injuries (News Ghana Agency, 2020). It is clear in this situation that since the individuals involved have rights and as such are beings of dignity deserving to be treated well, the action of the driver in wrongfully making that overtaking has denied them the enjoyment of the rights that they are entitled to especially for those who died and for those who survived with severe injuries. The

dead have been denied their rights to life and those who sustained severe injuries have been denied their rights to live to explore their full potentials; if there was an athlete among them and it so happened that he or she had his leg amputated, then his rights to pursue his dream of becoming a professional athlete has been denied him or her. The driver who did the overtaking according to a news report also died (News Ghana Agency, 2020). His action has caused him to lose his rights to life. So, not only did the driver's action affected others, but it affected him as well. This example shows how the actions of individuals have consequences that affect them and others. Actions that produce bad consequences affect individuals' rights and dignity negatively whereas actions that produce good consequences enhance or secure their rights and dignity.

But how does this insight about individuals' actions having consequences that affect their rights and dignity indicate that the requirement of being human (with certain psychological attributes) is not enough to properly secure or ground human rights and dignity in Menkiti's conception of personhood as claimed by Ikuenobe? The answer that can be given here is that in the above instance of an individual's action affecting his rights and dignity, merely being human and possessing whatever psychological attributes were not enough to secure the passengers' right to life and health. It was not a force enough to save the lives of the 34 dead people and other victims in the road accident. All that was needed was for the driver to have avoided the overtaking.

But, granted that this is true as I believe so, it cannot be seen as a reason that appropriately justifies choosing individuals' actions as the best option to ground or secure their rights and dignity over the alternative of grounding or securing human rights and dignity on their being humans endowed with the aforementioned psychological properties or capacities.

I do not see anything precarious, unstable, or ineffective about grounding or securing

human rights and dignity on the fact that individuals are human beings. Such a notion is consistent with the intuitive feeling that we seem to have about ourselves and others as beings of moral worth whereby we tend to behave towards others in a morally considerable manner. And also grounding human rights and dignity this way gives us a factor that is constant and adequate for the obligations that others owe to us and us to others in all human interactions. The factor of being a human being is constant, unchanging and easily identified in all human interactions as such, the treatment to which we are entitled ought also to be seen as constant and unchanging. And the failure to recognize is tantamount to a wrong done. Lastly, it is adequate for serving the function of acting as a constraint or check on the actions of others towards us and us towards others such that in a situation that one may have wronged others, he or she would still be owed the obligation to be treated in a morally considerate manner.

So, on the basis of humans deserving to be treated as beings of dignity, being human (and thus, endowed with certain psychological capacities) in my view suffices granted these are obeyed and acknowledged by all. But because certain factors or conditions can influence, or prevent individuals from enjoying these rights and the corresponding moral worth attached, other factors that can enable individuals realise their rights and dignity must also be considered as relevant in a complementary sense and not as an overriding factor, especially when they are not inconsistent. And in this case, one of such complementary factors is how individuals behave, act or conduct themselves. This, in my view, is how Ikuenobe' substantive view of rights which projects individuals' actions as essential to the determination of moral worth ought to be presented. In my opinion, understanding the substantive view this way better makes Menkiti's conception of personhood enhance human rights and dignity in that, by grounding moral status or worth or dignity (by which humans have rights) on our being humans and merely possessing

psychological properties, it maintains the protective benefits this offers (specifically, as a moral constraint or check on the actions of individuals towards others). This ensures that at the fundamental level where all individuals are considered as human beings, they do not lose moral worth so that they are treated with respect even in situations where their actions offend others. On the other hand, by also encouraging individuals to behave in a morally appropriate manner as moral agents in any context of human interactions, it would be conditioning individuals to act or behave in ways the consequences of which create an enabling atmosphere for humans to enjoy or realise their rights and dignity.

4.4 Conclusion

I have in this chapter inquired into how human rights and human dignity are safeguarded in Menkiti's conception of personhood by looking at suggestions given by Molefe (2016 & 2017) and Ikuenobe (2018). Molefe's duty-based approach and Ikuenobe's substantive view of rights and human dignity reveal that Menkiti's notion of personhood, charitably understood, appreciate human rights and dignity. The conception of personhood has certain conditions that enhance humans' moral worth in ensuring that individuals do not end up being treated in an undignified manner. Some of the conditions are that: i) individuals treat each other well even in situations where an individual has been offended by another individual, ii) a society or community must with integrity implement and enforce laws that benefit all its members in safeguarding their needs, interests, and well-being, and iii) in the light of the fact that individuals' actions have consequences, individuals must behave well or live morally good lives.

CHAPTER FIVE

CONCLUSION

Motivated by the problem of human rights, this thesis discussed a debate in African Philosophy on personhood between Ifeanyi Menkiti and Kwame Gyekye.

Gyekye (1992 & 1997) criticised Menkiti for articulating a notion of personhood that in his (Gyekye,s) estimation fails to take individual rights and dignity seriously. This is because, Menkiti (1984 & 2004) remarked that his notion of personhood is characteristic of African traditional society where priority is given to individuals' communal duties and their rights are considered to be secondary. Gyekye in turn was criticised by other philosophers particularly Wiredu (see Eze & Metz, 2015), Molefe (2016 & 2017), and Ikuenobe (2018) who share the view that Gyekye's criticism is informed by a misunderstanding of Menkiti's notion of a personhood and as such his criticism of Menkiti is unfair and unwarranted. In their view, a proper interpretation of Menkiti's notion of personhood indicates that Menkiti never meant to denigrate human rights and dignity when he remarked that rights in his conception of personhood were secondary to individuals' communal duties.

This thesis, in examining the debate aimed to find an answer to the question of how human rights/dignity was safeguarded within Menkiti's conception of personhood with specific interest in ascertaining how an individual's failure to treat others well did not put him or her at risk of being treated unfavourably in return. This aim of the thesis was considered to lead to some additional information needed to provide an exhaustive defence of Menkiti against the criticism that, his conception of personhood fails to take individual rights seriously and for that matter has unfavourable implications for human rights.

The justification for the thesis' aim of finding out how human rights is safeguarded within

Menkiti's conception of personhood is that, his notion tends to have an effect on individuals' status as beings of moral worth. And this justification was given in responds to the interpretation of Menkiti's notion of a person as an agent-centred notion as opposed to a patient-centred notion.

As an agent-centred notion, Wiredu (see Eze & Metz, 2015), and Molefe (2016 & 2017) has interpreted Menkiti's notion of personhood to address the misconception of thinking about Menkiti's notion of personhood that it grants moral status to human beings such that persons are to be treated differently from non-persons. And this mistaken way of thinking about Menkiti's notion of personhood was believed to underpin Gyekye's criticism of Menkiti's conception of personhood. But it was argued in this thesis that, as a matter of fact, it is not misguided or out of place if Gyekye's criticism is informed by the view that the notion of personhood that Menkiti articulates bestows on individuals a status of moral worth. This is because, personhood is defined essentially to capture individuals' actions as moral agents wherein to be recognised as a person, an individual must be seen living a morally good life by ensuring that one's actions conform to the moral dictates of a community and also displaying behavioural dispositions that promote the interests and well-being of others.

The category of individuals that fall under the domain of persons are individuals whose actions conform to the behavioural standards of a community and individuals who treat others well. This category of individuals tends to be treated well in communities. Ikuenobe (2018) points out that such category of individuals tends to be accorded social-moral status of honour, prestige, and respect from others. The other category of individuals that fall under the domain of non-persons are individuals whose actions do not conform to the behavioural standards of a community like children, mentally retarded or disturbed individuals and individuals who, though are capable, do not just treat others well. They include criminals and social deviants. This

category of individuals on the other hand tends not to be treated well, especially criminals.

In the light of this fact, it was noted that within Menkiti's conception of personhood all individuals would not be treated the same. Some individuals especially those who fail to treat others well risk being treated differently, perhaps unfavourable from other individuals especially when it is possible for a community to display a lack of integrity or decency in dealing with some of its members. This was seen to present an issue of human rights concern for Menkiti's conception of personhood thereby making Gyekye's criticism not entirely out of place.

Thus, a more exhaustive defense of Menkiti was seen to demand an inquiry into how within Menkiti's conception of personhood human dignity is safeguarded or protected. More specifically the question was asked that, in the event that an individual may have behaved in manner that puts him or her at the risk of being treated badly, how is it guaranteed within Menkiti's work that such an individual would not be treated unfavourably or in an inhumane manner?

Answers to the above questions were found in two related suggestions given by Molefe (2016 & 2017) and Ikuenobe (2018). Molefe (2017) notes that there appear to be an alternative approach to securing human dignity in Menkiti's conception of personhood. This approach to human dignity engenders obligations for individuals not on the grounds of rights. The approach is simply a duty-based approach where individuals are required to treat each other well, thereby performing the moral obligations they owe or may owe to others as they interact with each other. And treating each other well or relating positively towards others is how an individual achieves personhood within Menkiti's work. In Molefe's view then, the condition that individuals within Menkiti's conception of personhood are required to treat others well, to perform their obligations to others indicates that Menkiti's views do not threaten human dignity.

Reflecting on Molefe's duty-based approach I remarked that, the approach takes cognisance of the fact that in their interactions with each other individuals tend to owe certain obligations to each other. And these obligations are obligations the performance of which responds to the human needs, interests and well-being of individuals. Treating each other well entails the performance of these obligations. Since performing these obligations results in satisfying the needs, interests and well-being of others, the result is that, it prevents individuals from being in a position where they may feel disposed to engage in actions or behaviours that may bring harm to themselves and to others. However, I also argued that, as individuals treat or relate positively towards each other, their actions tend to put them in a position where they are held in some moral regard by others. An individual who treats others well usually ends up being treated well in return and, on the other hand, an individual who fails to treat others well usually ends up not being treated well in return. The result of this is that, in individuals' interactions with each other the performance of their moral obligations to others would be influenced by the worth they attach to the actions of others towards them. And this would in turn give room for individuals to display some level of arbitrariness in performing their obligations to others. Individuals would be more inclined to perform their moral obligations to those who treat them well as opposed to those who do not. Thus, the duty-based approach to safeguarding human dignity would still be faced with the concern of individual actions influencing how they are treated as beings of moral worth.

Juxtaposing the duty-based approach with 'rights', I noted that rights do a better job at safeguarding human dignity due to the idea of entitlement that demands that obligations owed to individuals are performed irrespective of the effect of actions performed by those individuals. Failure to do so is tantamount to a wrong doing. That being said, it was realized that within

Menkiti's conception of personhood, where an individual's actions put him or her at risk of being treated badly, individuals are required, as part of their growth towards moral personhood, not to act in ways that would demean or harm another individual. Acting in a good manner in such a situation appears to be the recommended course of action to take.

Ikuenobe (2018), on the other hand, is of the view that we ought to understand Menkiti to be saying that, rights are not considered absolute but rather circumscribed by individuals' duties to the community when he (Menkiti) remarks that rights of individuals are secondary to the duties that they owe to the community. What this means, according to Ikuenobe, is that Menkiti does not subscribe to the idea of rights where individuals appear to be allowed the freedom to do whatever they want with no limitations. Such an idea of rights is abstract, ineffective, empty and only nominal for Menkiti. This in other words, means that such an idea of rights has no weight or moral force for Menkiti. The individual is conditioned to exercise his or her rights, whatever they are, within the confines of the demands of the community. In the light of this, Ikuenobe (2018) notes that Menkiti's notion of personhood requires individuals to exercise their rights whilst respecting the demands of a community, especially when the community has established relevant rules and laws backed by sanctions to prohibit the violation of an individual's rights by another person. Without the community establishing the relevant rules and laws to govern human actions in a human society, an individual's rights claims would appear to lack the force to ensure others' good treatment of him or her. And this is what gives justification to the priority status that Menkiti gives to the community over the individual which does not in anyway suggest that the cultural community is more important than the individual that lives in it. So, in effect it is the cultural community that gives claims of individual rights the moral force. But I argued in chapter four that, such a justification for the priority of the community over the individual requires the

other condition that, the community must be capable of exercising the needed level of decency and integrity in enforcing the relevant rules and norms that it governs by whereby all individuals enjoy equal share of the protection that the established rules and laws provide. This is because states or communities are noted to be one of the major violators of individual rights. Thus, the community itself must be bound by the relevant rules and laws that it establishes so as not to enforce them to favour some category of individuals at the expense of others.

Secondly, Ikuenobe (2018) points out that in Menkiti's notion of personhood, it is not just enough for an individual to be recognised as having rights deserving to be treated as a being of dignity simply because he or she is a human being endowed with certain inherent capacities but also, the individual must be seen exercising or expressing his/her naturally endowed capacities in a proper manner. In that sense, individuals' actions or the choices they make are considered to be an essential determinant of their status as beings of moral worth. In the light of this, Ikuenobe notes that Menkiti's notion of personhood which is associated with the moral growth of individuals conditions individuals as members of a community to act or behave in ways that earns them social/moral worth, respect and prestige in so far as their actions conform to communal standards or approval. This, Ikuenobe claims, represents how individual rights and moral worth (and dignity) are made substantive in Menkiti's conception of personhood. The rights and moral worth of individuals are made substantive on the basis of how they act or behave as they live with others but not only on their status as human beings possessing whatever psychological or physical attributes or properties. I argue in Chapter Four in response to this substantive view of rights and dignity that it appears to render individual rights and dignity to be dependent on actions such that an individual would have to act in a manner that conforms to the communal standards of the community, or behave in a way that others approve of to deserve

being treated in a morally relevant manner. And the implication of this is that, when an individual fails, he or she loses that moral status and risk being treated unfavourably. Thus, the actions of individuals influence their rights and dignity claims as their actions become the basis upon which moral obligations that are owed to them are determined. And the consequence of this is that not all individuals would be treated the same.

Having said this, I argued in support of the point of seeing human actions as an essential element in considering their status as beings of dignity having rights. Considering individual actions as essential matters regarding individual rights and dignity stems from the fact that, actions have consequences some of which are good and some of which are bad. Actions with bad consequences ruin individuals' rights and dignity. Having the right to life could be ruined when an individual engages in reckless driving for instance, as opposed to when an individual drive responsibly. Having the right to own or keep one's property can be ruined when an individual carelessly leaves his or her property not protected such that the property gets stolen by another individual who may need it. Having the right not to be assaulted could be ruined when, for instance, an individual offends another individual and even thinks that he or she is right in doing so thereby refusing to even say sorry or apologise. And all these tell us that rights and dignity that are ascribed to individuals by virtue of their being humans endowed with certain inherent properties or capacities are not descriptions of attributes or treatments that are absolutely intrinsic to the nature of the human being – unlike the way indestructibility is a property of an indestructible substance such that when the substance is hit against a solid substances it fails to break; because it is immune to breaking. So, to avoid losing one's property or belongings, it becomes necessary that an individual also takes the necessary measures to secure his or her belongings from being stolen. And to avoid being assaulted one should also refrain from

assaulting others. And if it so happens that an individual offends another person, he or she could apologise as a way of acknowledging wrong-doing in order to curb the potential of being assaulted in return.

Thus, part of what goes into securing or safeguarding the rights and dignity of individuals is their actions, how they live their lives as members of community. And I see this view to be salient in both Ikuenobe and Molefe's suggestions although they appear to be placing too much emphasis on individual actions, thereby discounting the prospects which the seemingly absolute importance given to individual rights offers for safeguarding human dignity.

The prospect is that rights, as the safeguard of human dignity, enable the human individual to be owed a moral obligation and as such the individual needs not to act in a certain way or perform any undertaking to deserve such obligations to be performed to him or her (Donnelly, 1982). So, in the event that an individual may have behaved badly and risks being treated anyhow, the demands of rights set in to limit the extent to which members of a community can go in holding the individual accountable for his or her actions thereby protecting the human individual in such a situation. In spite of the fact that rights perform this protective function, it does not in any way also prevent an individual from also behaving well or living a morally good life.

Thus, for the conception of personhood that Menkiti articulates, so far as human dignity is concerned, rights of individuals can be allowed its seemingly absolute importance or recognition so as to protect the individual against the potential of being treated in a morally bad manner, and so far as having rights and moral worth could be ruined by an individual's actions, achieving personhood in Menkiti's system would also condition the individual to behave in ways the consequence of which enhance the individual's rights and moral worth or dignity. And this is

a significant contribution that I think Menkiti's conception of personhood offers to the discourse on human rights and human dignity. Menkiti provides the insight that, in as much as individuals, as beings of dignity are accorded rights, those rights must be respected, because how they act or behave have consequences that could ruin their own rights and dignity. So, the recommendation it offers to individuals as moral agents is that they ought to behave in a morally appropriate manner or live a morally upright life so as to avoid ruining their moral worth as beings of dignity where they end up being treated well.

- Gyekye, K. (1992). "Person and Community in Akan Thought". In Kwesi W, & Gyekye K, (Eds.) *Person and Community: Ghanaian Philosophical Studies 1*. Washington DC: Council for Research in Values and Philosophy (pp. 36 – 78).
- Gyekye, K. (2002). "Person and Community in African Thought". In P.H Coetzee & A.P.J Roux. (Eds.), *Philosophy from Africa: A text with Readings*, (pp 297 – 312). Cape Town: Oxford University Press
- Ikuenobe, P. (2018). "An Examination of Menkiti's Conception of Personhood and Gyekye's Critique" In E. E. Etieyibo (Ed.) *Method, Substance, and the Future of African Philosophy*. London: Palgrave Macmillan, pp. 187-208.
- International Covenant on Civil and Political Rights (ICCPR)*, Retrieved from <https://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>
- Kant, I. (1996). *Practical Philosophy* (The Cambridge Edition of the Works of Immanuel Kant) Cambridge: Cambridge University Press.
- Kateb, G. (2011). "The Idea of Human Dignity" *Human Dignity*. The Belknap Press of Harvard University Press. Cambridge, Massachusetts, and London, England
- Levine, T. V (2011). *Combatting Mob Justice: An overview*. Global Conscience Initiative. Retrieved from <http://gci-cameroon.org/wp-content/uploads/2013/01/Mob-Justice-2011.pdf>
- Locke, J. (1975). *An Essay Concerning Human Understanding*. Edited by Peter H. Nidditch Oxford: Clarendon Press.
- Magnarella, P. J. (2000). "Achieving Human Rights in Africa: The Challenge for the New Millennium" *African Studies Quarterly*, Vol. 4, Issue 2 (pp 17 – 27) Retrieved from <http://www.africa.ufl.edu/asq/v4/v4i2a2.pdf>
- Matolino, B. (2009). "Radicals versus Moderates: A Critique of Gyekye's Moderate Communitarianism." In *South African Journal of Philosophy*, Vol. 28, (pp 160–170)
- Majeed, H. M. (2018). "Moderate communitarianism is different: A Response to J.O. Famakinwa and B. Matolino" *Journal of Philosophy and Culture*. Retrieved from <https://academicjournals.org/journal/JPC/article-full-text-pdf/525C35C58539>
- Majeed, H. M. (2017). "The Nexus between 'Person', Personhood, and Community in Kwame Gyekye's Philosophy" *UJAH: Unizik Journal of Arts and Humanities*. Vol 18. No. 3. (pp. 26-45). Retrieved from <https://www.ajol.info/index.php/ujah/article/view/166009/155444>
- Menkiti, I. A. (1984). "Person and Community in African Traditional Thought." *African Philosophy, an Introduction*, edited by Richard Wright, 171–182. Lanham, MD: University Press of America

- Menkiti, I. (2004). "On the Normative Conception of a Person." In K. Wiredu (Ed.), *Companion to African Philosophy*, (pp 324–331) Oxford: Blackwell.
- Metz, T. (2014). "Questioning African Attempts to Ground Ethics on Metaphysics" In J. Bewaji and E. Imafidon (Eds.), *Ontologized Ethics: New Essays in African Meta-Ethics*, (pp 189–204) Lanham: Lexington Books.
- Molefe, M. (2017). Personhood and Rights in an African Tradition. *Politikon*. Retrieved from https://www.researchgate.net/publication/317625424_Personhood_and_Rights_in_an_African_Tradition
- Molefe, M. (2016). "Revisiting the Debate between Gyekye-Menkiti: Who is a Radical Communitarian?" *Theoria* Vol. 63, pp 37–54.
- Molefe, M. (2017). "Critical Comments on Afro-Communitarianism: The Community versus Individual". *Filosofia Theoretica: Journal of African Philosophy, Culture and Religion*, Vol 6. No. 1. pp. 1-22. Retrieved from https://www.researchgate.net/publication/318597913_Critical_comments_on_Afro-communitarianism_The_community_versus_individual
- Moore, G. E. (1922). *Principia Ethica*. Cambridge: Cambridge University Press. Retrieved from Retrieved from <http://93.174.95.29/main/1208000/85e3a5c01675194e71c18c760859fc80/Moore%2C%20George%20Edward%20-%20Principia%20ethica-Cambridge%20University%20Press%20%281922%29.pdf>
- News Ghana Agency. (2020). *Dompoase accident: fire personnel struggled to rescue victims*. Retrieved from <https://newsghana.com.gh/dompoase-accident-fire-personnel-struggled-to-rescue-victims/>
- "Overview of the Human Rights Situation in the East and Horn of Africa October 2015-March 2016" A report by (Defenddefenders) East and Horn of Africa Human Rights Defenders Project. Retrieved from <https://www.defenddefenders.org/wp-content/uploads/2016/04/Overview-of-the-Human-Rights-Situation-in-the-East-and-Horn-of-Africa-October-2015-March-2016-.pdf>
- Oyowe, O. A. (2018). "Is, Ought, and All: In Defense of a Method" In E. E. Etieyibo (Ed.) *Method, Substance, and the Future of African Philosophy*. London: Palgrave Macmillan, pp. 161-181.
- Sulmey, D. P. (2007). "Human Dignity and Human Worth" in J. Malpas and N. Lickiss' (Eds.) *Perspective on Human Dignity: A Conversation*, Springer, pp. 9-18.
- Universal Declaration of Human Rights (UDHR)*, Retrieved from <https://www.jus.uio.no/lm/en/manifest/un.universal.declaration.of.human.rights.1948.htm>
1

Warren, M. A (1997). *Moral Status: Obligations to persons and other living things*. Oxford: Clarendon Press.

Wingo, A (2010). "The Odyssey of Human Rights" *Transitions*. No.102. (pp 120-138) Indiana University Press. Retrieved from <https://www.jstor.org/stable/pdf/10.2979/trs.2010.-.102.120.pdf?refreqid=excelsior%3Aa905508965f0e729748501d8d706e5b0>

Wiredu, K. (2008). 'Social Philosophy in Postcolonial Africa: Some Preliminaries Concerning Communalism and Communitarianism', *South African Journal of Philosophy* 27:332-339.