

African Perspectives on Human Dignity for Everyone Everywhere
An endorsement and elaboration of the
Punta del Este Declaration on Dignity for Everyone Everywhere
By the African Consortium for Law and Religion Studies at its
Seventh Annual Law and Religion in Africa Conference
Law, Religion, and Environment in Africa
Gaborone, Botswana, 19-21 May 2019

Whereas the Seventh Annual Conference on Law and Religion in Africa of the African Consortium for Law and Religion Studies (ACLARS) was held in Gaborone, Botswana, on 19-21 May 2019, with the conference theme, Law, Religion and Environment in Africa;

Whereas the conference participants wish to add their collective voices to the commemoration of the seventieth anniversary of the Universal Declaration of Human Rights by endorsing and elaborating upon the Punta del Este Declaration on Human Dignity for Everyone Everywhere;

Whereas there are many unique and characteristic understandings of human dignity that arise from African perspectives, and it is our hope that these perspectives can enhance and enrich the global and universal appreciation of human dignity as the foundational principle of human rights;

The following statement was drafted and welcomed by delegates and participants at ACLARS' Seventh Annual Law and Religion Conference in Africa.

1. **African conceptions of human dignity.** Human dignity is a foundational societal, religious, cultural and legal concept in Africa. There is no one single African concept of dignity, but rather many different and often complementary conceptions. Dignity is a concept that has widespread purchase in African cultures, religions, and languages. As with many concepts, there is in Africa an ongoing contestation or negotiation about the meaning of human dignity. Nevertheless, there are African characteristics of the concept that are widespread and widely shared. For example, Sir Seretse Khama, the first President of the Republic of Botswana said, "Human dignity, like justice and freedom, is the common heritage of all men." The legacy of South African president Nelson Mandela is also as a champion of human dignity and freedom. As U.S. President Bill Clinton said upon the passing of Nelson Mandela, "History will remember Nelson Mandela as a champion for human dignity and freedom, for peace and reconciliation." We reiterate the Punta del Este Declaration's emphasis that human rights are interdependent, universal, indivisible and interrelated, and each one is critical for achieving human dignity.
2. **Relationships and community.** Africans think of dignity not solely as an individual human characteristic or right, but as a concept that implicates our most important relationships, including family, community, tribe and nation. Human dignity is a concept that is understood as existing in relationships with others. As such dignity implicates understandings of human duties and relationships, not just individual claims against others. There is a natural reciprocal understanding of human dignity. Part of our human dignity is recognizing and respecting the

dignity of others. An African perspective on dignity is outward looking, not just inward reflecting.

For example, in southern Africa, the Nguni Bantu concept of *Ubuntu* (in isiXhoso/*botho* in Setswana) and in Eastern Africa's Kiswahili concept of *Utu are* closely related to human dignity, and clearly involve a relational character of human lives existing in connection and community with others. In some African cultures such as Botswana, the concept of totems is closely related to the idea of familial ties, which extend broadly, creating connections with others. African thinking about dignity necessarily includes the idea of equality; a concern for dignity is a concern for the equal dignity of all.

The meaning of dignity is taught first of all in the home, by parents and grandparents, and should then be reinforced by primary and secondary education, and through societal institutions such as mosques and churches.

In some African countries, including Zimbabwe, the idea of dignity is closely associated with the idea of solidarity. This communal ideal of unity and sharing confirms a communal dimension to human dignity.

3. **An indigenous concept.** While “human rights” is a concept that can be difficult to translate into some African languages, the concept of human dignity is much easier to integrate linguistically. Rights are claims of what someone owes us, whereas dignity is something that is inherent in the human person. For example, in the Yorùbá language rights (*eto*) are assertions of a claim of something owed to you, whereas dignity (*iyi*) lies at the foundation of rights. While the idea of rights resonates with Africans, in African languages such as Yorùbá, dignity (*iyi*) is a noun, a state or quality of being. Even when there is not agreement about the specific definition of human dignity, it is a concept that resonates widely and meaningfully. We believe there is much that can be learned from various African perspectives on dignity that will enrich not only African understandings of this concept, but global understandings as well.
4. **Many meanings of dignity.** There are many different meanings of dignity in African contexts, including the idea of living a dignified life (which can be related to ceremony and honor), dignity as rank or status (which can be hierarchical), dignity as a moral ideal (reflected in dignified behavior, including dress), dignity as a right, dignity as a personal responsibility (the duty to behave in a dignified manner), as well as dignity as describing the inherent value and worth of the human person. In a fundamental sense, because they are human, all human beings have dignity, even if they behave in ways that are undignified. We can urge others, such as our children, to behave with dignity without questioning the inherent human dignity of all regardless of how they behave.

There are dimensions of dignity that include living a complete and virtuous human life, for example reflected in the Yorùbá people's concept of *omoluwabi*, which suggests the ideal of someone who has a good character in all dimensions of life, reflecting virtue or good character in every sphere. This idea of being completely trustworthy, courageous, hard-working, humble,

and of good character, and of treating others with respect, is also an ideal that is closely related to the ideal of dignity.

Discussions of human dignity, as with discussions of human rights, should take place in a spirit of genuine dialogue, including between the northern and southern hemispheres, rather than in a spirit of instruction or direction. When we focus on one perspective of human dignity, we should not mistake it as an “African” perspective, since there will be many African perspectives. Dignity eludes definition and capture by any one group or viewpoint.

5. **Dignity as a right and as a “mother” of rights.** In some countries, such as South Africa and Nigeria, human dignity is a recognized fundamental constitutional right, and there are important judgments of these nations’ highest courts elaborating the meaning of human dignity and related concepts such as *Ubuntu*. Even in places where human dignity is a recognized constitutional right, there are challenges in definition, scope and implementation of the right. In other countries, human dignity is a foundational concept, but is not itself a legal right. It can be understood as the “mother” of rights, or lying at the genesis of rights. While dignity is foundational, this is not to understate the importance of rights or of the duty of states to respect and protect rights. Dignity is a common concept in African society, and in the contemporary world, human rights can be seen as a way of operationalizing human dignity. The concept of human dignity can reinforce what we know and have as human rights. Human dignity should not be used as a nebulous concept that governments can invoke to limit or deny rights to people.
6. **Concrete concern for basic human needs.** African discussions of dignity are less abstract and theoretical than some other discussions of dignity, focusing on basic human needs that must be satisfied in order to be fully human and to enjoy one’s basic human dignity, including food, clothing, shelter, gainful employment, and the ability to care for oneself and one’s family. Social and economic rights are the cornerstone of human dignity. In many African contexts, including Mozambique, dignity is understood as relating to the basic capacity to fulfill one’s human needs, and then to be able to help fulfill the needs of others, including family and extended relations. Thus, discussions of dignity need to focus on basic human needs and capacities, such as the ability to find meaningful and remunerative work that is sufficient to provide for oneself and one’s family. Discussions of human dignity will be regarded as too theoretical and abstract if they do not include an emphasis on basic economic and social rights, including not just problems of poverty, but of extreme poverty. The rising generation, including university students, will not have patience with theoretical discussions of human dignity when their education does not empower them with basic capacities to make a decent living.

An African perspective on human dignity is also to be mindful of the most serious violations of human dignity, including genocide, other atrocities, forced migrations and displacements, and extreme poverty. Hence, the saying that, “a person possesses no ‘utu’” among Kiswahili speaking communities. Extreme disparities of wealth and poverty will be viewed as a violation of human dignity.

7. **State obligations.** An important obligation of states is to enable its people to live lives of dignity, in light of the broad African recognition of the importance of dignity. Former presidents Julius Nyerere and Ian Khama, have respectively stressed its importance. In Julius Nyerere's farewell 1985 speech he recalled that, "The single most important task, which I set out in my inaugural address in December 1962, was that of building a united nation on the basis of human equality and dignity;" and this he reinforced in his socialist concept of *ujamaa*. And for Ian Khama, it formed a part of the 5 Ds Roadmap: Democracy, Discipline, Dignity, Development & Delivery.

In spite of the broad African recognition of the importance of dignity by some governments, there are places in Africa where dignity is often violated and places where governments do not do enough to protect human dignity and ensure it is taken seriously. Occasionally governments in Africa use references to duties in the African Charter on Human and Peoples' Rights as a pretext for not protecting human rights including human dignity.

8. **Religious and theistic foundations.** African understandings of human dignity are usually based upon a belief in God, a creator who made human beings in God's image. As such, there is an element of reverence and a dimension of humility in understanding human dignity. The idea of human dignity implicates relationships beyond those in this life, including with our creator, and with our ancestors who live in an afterlife beyond the visible world. Thus dignity implicates our treatment of the dead. Dignity implicates the departed as well, recognizing that belonging and being recognized does not just involve the present.

In some parts of Africa, understandings of dignity are inextricably connected to Islam. Muslims in Africa are familiar with the Quranic verse that God honored human beings in creating Adam as God's vice-regent or steward, and that human beings reciprocate this by treating other human beings with dignity. This is evident even in architecture (that is, in the environment), where a room of the house is dedicated to providing hospitality to strangers. This has implications for how we should treat all people, including beggars. While from a Muslim perspective, human rights may seem like a foreign concept, the concept of human dignity is not foreign, but an accepted and intrinsic part of the Muslim faith.

Christian and indigenous religions also have deep and meaningful teachings about human dignity, and each of these perspectives adds depth and flavor to an African understanding of dignity.

In spite of deep reservoirs of reverence and a sense of the sacred that infuse African understandings of dignity, it is not an exclusively religious concept; it is meaningfully significant to those who have no religious beliefs but who are morally righteous and scrupulous.

9. **Gender/age dimensions.** There may be gender dimensions in discussions of dignity that must be noticed. If dignity is understood primarily as a matter of status (the dignity of the King or of tribal elders), it can have a gender dimension that distorts the universal and inherent value of all human beings that is the hallmark of dignity. We also caution that dignity should not be

comprehended mainly as a matter of age, where the dignity of the elder is opposed to that of the young.

Human dignity has deep implications for relationships involving gender difference and age groups, including domestic violence, which is an affront to dignity. If, for example, a man disrespects the woman or the young girl-child acts impolitely towards an elderly person then that person is described as someone who has no *utu*.

10. **Human dignity and our environments.** This conference has focused on the relationships between law, religion, and the environment in Africa. An important recurring theme has been the relational character of human rights and human dignity, and that it implicates and impresses upon all of our relationships, not just with other people, but with other animals and with our natural environments. Just as concepts like isiXhosa's *ubuntu*, Shona's *unhu* and Kiswahili's *utu* extend concern for human beings beyond rights and into relationships, they also extend our concern beyond human relationships and into other relationships, such as with God, with the world, and the various environments in which we live.