

IMMANUEL KANT'S CONCEPT OF HUMAN DIGNITY: A PANACEA FOR POLICE BRUTALITY IN NIGERIA

Nnajofo Osita

Department of Philosophy,
Nnamdi Azikiwe University Awka.
og.nnajofofor@unizik.edu.ng

&

Unadike Chimezie

Nnamdi Azikiwe University, Awka.

Abstract

The Nigerian citizens are facing a lot of challenges both internal and external. Most of the internal problems originate from the government and the corruption from government agencies. Over the years, Nigerians have endured a brutal maltreatment from Nigerian security agencies especially the Nigerian Police Force (NPF). There have been instances of extortion, bribery, unlawful arrest, and collaboration with armed robbers, kidnappers, fraudsters (419), ritualists and scammers by the Nigeria police Force. Unfortunately, nothing tangible has been done to correct these anomalies by either the government or authorities of Nigerian Police Force. In 2020, these anomalies came to a climax that warranted the Nigerian populace, especially, the youth to start a protest against police brutality in Nigerian. The effects, consequences, implications of the protest are still fresh in the minds of Nigerians. It is on the strength of the above that this work employs the method of analysis to investigate the origin, the causes and effects of police brutality in Nigeria. This work will observe that the Nigerian Police are in the habit of dehumanizing, harassing, and degrading her citizens as objects instead of as subjects for their selfish gains and not necessarily to keep law and order by all means. This work will employ the work of Immanuel Kant on Groundwork of Metaphysics of Morals to conclude that human beings should be treated as subjects not as objects. They must be seen as ends in themselves not as means to an end.

Keywords: Human Dignity, Brutality, Police, Nigeria, Kant.

Introduction

The beginning of October 2020 was heated up with demonstrations and protests clamouring for an end to the highhandedness of the police in dealing with the citizens of Nigeria. Thousands of Nigerian citizens trooped out to the high ways and the byways, including government squares to cry out about this awful development. They at the same time demanded for justice for the victims of police violence and extrajudicial killings. Following the peaceful protest and demonstration (tagged “End SARS”) to draw the attention of those in power to the anomalies of the police, the young people that gathered at Lekki, city of Lagos had a horrible experience with the men in the Force. This was duely confirmed by *Amnesty International* Osai, (2020 – 10 - 28) Nigeria Authorities Must Stop attempts to Cover up Lekki Toll Gate Massacre – new investigative timeline URL. Many were also injured. The same army blatantly attempted to conceal evidence of the carnage by taking away the dead on the scene.

The cries of the young Nigerians (especially) were not without facts. Reports and witnesses of such police acts of unprofessionalism were overwhelming. Such dehumanizing treatments ranged from being bound and suspended in mid-air in painful positions, being kicked and beaten with machetes, gun butts, boots, fists, electrical wires, animal hides and other instruments. Police commit rape affecting both sexes; engage in extortion at every rare opportunity. What points will one hold on to gainsay this open secret?

The news went viral about how the dead bodies of about fourteen youths were carried along the Owerri - Onitsha expressway. Those were the bodies of unarmed young men who were murdered in cold blood by the policemen for merely being suspects, as the police claimed.

Following these narratives, one sees that the Nigerian police are yet to understand, appreciate and value the worth of the human person in the society. This worth and value of the human person is principally the concern of Immanuel Kant. The human person, for Kant (1997), is a value in itself and does not depend on another existence to make its value worthwhile. Many personnels in the Nigerian force seem to be bereft of this truth. Little wonder then they handle human beings like animals. Examples of such treatments are outlined above. A reflection on this brutal act became timely and important for the perpetrators of these inhuman and beastly acts on the one hand to know the gravity of their offence and on the other hand for the victims, so as to possess the knowledge of the unlawfulness of the actions towards them. The above burden is the preoccupation of this article. To investigate police brutality in Nigeria and the place of human dignity following this backdrop is not only essential, but also timely. Let us try to understand some basic terms before progressing with this discourse.

Conceptual Clarification

Human Dignity

Firstly, let us see what dignity is before trying to understand it in relation to human beings. The word, 'dignity', comes from Old Latin word "dingus" meaning 'worthy'. The *Webster's Dictionary* (1975) gives a common knowledge of it as "the quality of being worthy of esteem or honour". That means to say that a thing has dignity means that it commands respect. It should be treated with honour and esteem. According to *Stanford Encyclopedia of Philosophy* (2023), dignity is the idea of a certain moral status, involving possession of an inherent, unearned form or worth or standing. Dignity as such, is not worked out but inherent to the possessor. It is the determining basis for the actions that may be directed to them and relating to them. To capture the whole respect and worth that should be accorded to human beings, Kant said that a human being is an end in himself.

Police Brutality

The word brutality comes from the adjective brute. Brute according to *Webster's New World Dictionary* (1975) is coined from the Old Latin "brutus" meaning "irrational". One takes from this that brutality is largely connected with being irrational. It is associated with savage physical violence; great cruelty. It is therefore an irrational physical violence or cruelty against another. On the other hand, Folayan (2018) remarked that the word police is derived from the Greek word "polis" which means that part of non-ecclesiastical administration having to do with safety, health and order of the state. One quickly knows from here that the institution of the police is basically for the welfare of the citizens. *The*

Encyclopedia Britanica (2023) defines it as body of officers representing the civil authority of government. Police are responsible for maintaining public order and safety, enforcing the law, and preventing, detecting and investigating criminal activities. These functions are known as policing.

The action of the police can however turn against this desired welfare of the people. An instance of which can be police brutality. Police brutality is the use of repressive measure by personnel affiliated with law enforcement when dealing with suspects and civilians. The term is also applied to abuses by “corrections” personnel in municipal, state, and federal penal facilities, including military prisons. Police brutality is usually applied in the context of causing physical harm to a person. It may also involve psychological harm through the use of intimidation tactics that often violate human rights. Police brutality refers to use of excessive or unnecessary force by law enforcement when interacting with citizens. It is when the police metes out savage physical violence on the citizens. It is irrational, cruel actions of the police against persons.

Kant's Concept of Human Dignity

Immanuel Kant (1997) treated the concept of human dignity in the general theme: “Transition from moral philosophy to metaphysic of morals”.

Kant's position is no doubt, rationally based. He refuses to link up his thoughts and position to anything empirical, in order, for him to achieve the objective position which he desires in morality. In this direction, he expresses his concern thus: “Here, then, we see Philosophy put in fact in a precarious position which is to be firm even though there is nothing in heaven or on earth from which it depends or on which it is based” (Kant 1997, p. 35). One quickly notices from this, the effort of Kant to detach the principles of morality and standard of relating to human beings from being conditioned by what is happening here and now. For Kant (1997), if this is allowed, it will lead man into a contradiction to his starting point.

Kant (1997) clearly stated: “The will is thought as a capacity to determine itself to acting in conformity with the representation of certain laws. And such a capacity can be found only in rational beings. Now, what serves the will as the objective ground of its determination is an end, and this, if it is given by reason alone, must hold equally for all rational beings” (36).

Kant (1997) himself was point blank about maintaining equality and justice in treating human beings. He said:

Now I say that the human being, and in general every rational being exists as an end itself, and not merely as a means to be used by this or that will at its discretion. Instead, he must in all his actions, whether directed to himself or also other rational beings, always be regarded at the same time as an end. All objects of inclination have only a conditional worth; for if there were not inclinations and needs based on them, their object will be without worth (p.37).

One thing is clear from Kant (1997) that he maintains that rational beings must not be treated as objects. They are subjects according to him and they must be treated as such.

For Kant (1997), by universibility, we understand that the principles are true for all

rational beings. These principles are deducted by reason which has moral commands. Kant calls them categorical imperative. Man is a rational being and only a rational being has ability to act according to principles. Each persona is capable of being conscious of moral principles. So man is fully autonomous given the fact of reason. Based on our common rationality every human being is equal. Individuals should therefore treat one another, as equal. He has taken man as having an absolute value because of his rationality. Every rational being no matter where you find him deserves an equal respect. This is why a moral agent in Kant is an end in himself.

Let us go ahead and see something about the Nigerian police whose activity militates against this status Kant (1997) recognises for man.

Paragraph 1 of the section 214 of the Nigerian Constitution (1999) stated that “there shall be a Police Force for Nigeria which shall be known as the Nigerian Police Force and subject to the provisions of this section no other Police Force shall be established for the federation of any part thereof”. Paragraph 2 stated that subject to the provisions of this constitution, the members of the Nigerian Police Force shall have such powers and duties as may be conferred upon them by law. Such duties are outlined as follows: Crime prevention, Protection of lives, Property protection, Order preservation, Offenders arrest, Crime duties, Military duties, Prosecution, Person Identification, Search through belongings

Why is it important to know the duties of the police as a citizen of Nigeria? As a citizen of Nigeria, it is important to know the powers, functions and duties of the Nigerian Police Force. The reason is that it is an executive organ of the government. This implies that they are closer to the government than any organ of government. Since the executive is closer to the citizens, it is largely expected that in performing their legal duties, they may breach the rights of citizens. It is apparent also that the executive is the strongest organ of the government in Nigeria.

Police Brutality as Kant's Untutored Self Love

Police brutality is one of the commonest terms in our localities today. This is because our neighbourhood towns, streets, cities are replete with brutal acts of the Police to the citizens of Nigeria. Even though many of these acts are hidden yet many happen in broad day because there is seemingly no check to their actions. It has been earlier underscored that brutality in an irrational physical violence or cruelty against another. Police brutality is the use of repressive measure by personnel affiliated with law enforcement when dealing with suspects and civilians.

According to Gale (2023), the term is applied to correction personnel in municipal, state, and federal and penal facilities. Police brutality is the use of excessive force, usually physical, but potentially in the form of verbal attacks and psychological intimidation, by a police officer. With this backdrop, one can now see endless lists of acts of Police brutality in our surroundings. We record daily about the police instances of extortion bribery, unlawful arrest unlawful collaboration with armed robbers, kidnappers, fraudsters, ritualists, scammers by the Nigerian Police Force. One quickly wonders what propels the police in deciding and executing these actions.

Is it because they want to insist on the maintenance of law and order by all means? This is practically not the case because; they are themselves contradicting and taking the law into their hands, by their choice of actions. The point is that what drives the passion of this

policemen is nothing but their personal gains. The authorities in the police command know this. This is the reason they do all in their power to ensure that their actions are covered. Nevertheless, there are some of the policemen, who neither tolerate nor cover up these crimes. As Eniola (2023) reported, just this last January, operatives of the Nigerian Police Force guarding the palace at Ilasan, Lekki Phase I were captured in the video assaulting the Lady when she attempted to record them during conversation with an Uber driver. The lady's phone was seized and she was arrested too. Reacting to the matter on Twitter when his attention was called to it, Force spokesperson Olumuyiwa Adejobi said that the state command should investigate all information relating to the incident. Responding to the incident, spokesperson of that Police Command Benjamin Hundeyin said that it is not a crime to record a policeman on duty as long as it does not obstruct duty. One notices from the above incident a conscious and even violent effort by the offending police officers to conceal all these illegal steps they took in carrying out their duties. They are quite aware of the fact that what they are doing is not supported by the law. So they make effort to cover those actions so that they will not be known. If not the Police officer who is carrying out an assignment given to him by the Federal Republic of Nigeria has no reason to hide himself or to reject a video of him being taken when carrying out his constitutional assignment. The effort to hide and not to be seen shows that something is being done wrongly. On the other hand, the authority of the Nigerian Police Force should be praised here for bringing to book their offending colleagues. If efforts like this continue, the problem will be eradicated.

What happened in the Central City of Ilorin is rather more worrisome. According to Salako (2022), Theophilus Blamor and two of his friends were walking with him to buy items for their dinner in the central Nigerian city of Ilorin on the evening of September 6th, when a black pickup truck stopped beside them. One door opened and someone shouted at them to enter. It was a Policeman. When they didn't reply, two Policemen jumped out and cocked their gun, the trio, now scared, entered. Just before the vehicle drove on, a Policeman recognized one of the young men as a fellow Church member and let him go before driving off to the nearby Police station. They searched their phones but didn't find anything incriminating. They checked their account balance and found one had just withdrawn the last #1,000 (one thousand naira). One officer asked why they were not Yahoo-Yahoo boys (Internet Fraudsters), ostensibly so there could've been more money for the talking. When Blamoh asked why a Policeman should ask that, they started hitting them with the butt of their guns.

Who needs to be told that these Policemen were not out to maintain law and order? This is how they go about being nuisance to others instead of fishing out those who indulge in these kinds of acts. They were driven by untutored self-love. In order to get their own gains; in order to extort money from poor young boys they started suggesting to them a crime they may not have thought about. Now all these are done behind the scenes. That is to say that the Police officers who perpetrate these acts will not proudly have it as maxims with universal imperative. It cannot continue as a method of policing and be consistent. The issue about brutality in the exercise of police duty has become so frequent that some people now regard it as part and parcel of the Police work. Zinat Jimada (2021) explained that torture is an intrinsic part of the functioning of the NPF as documented extensively by

local civil society Organizations and U.N human rights mechanisms. Police, however, regularly use torture to extort money, obtain information and other confessions during criminal investigations. Despite substantial evidence of violations, implicated Police officers are very rarely prosecuted. In almost all the cases of police brutality, there is always a pointer to personal gain. Jimda notes it clearly that the purpose of some of these brutal acts is to extort money. Even when it is to induce confessions, it is still connected to getting some gain, like being promoted on the ground of having falsely given an impression to be working so hard. The question is; how will these police officer play with the lives of their fellow human beings in order to achieve their whims? How has their personal gain or drive for promotion or positions of power become more important than the lives that they are employed to protect. These things unfortunately happen under the watch of those in authority. Why are these actions not prosecuted? Why are they not being checkmated? Unfortunately, many of the politicians collaborate with these police officers to promote this inhuman treatment as they help them to cover some of their crime. Ukpang (2023) reported a case with regard to the election of 25th February 2023. Police in Rivers State, SouthSouth of Nigeria, claimed that they have arrested three of their personnel for alleged electoral malpractice in the state. The police spokesperson in Rivers, Grace Iring –Koko, who disclosed this in a statement on Monday said the arrest followed a viral video of the alleged malpractice. There have been reports of police officers and other security offices colluding with politicians in Rivers to manipulate the polls in the state. In a clip circulating on Twitter, a police pickup truck is seen, driving away from a supposed polling unit, with ballot papers littered on the ground. This is a very recent and real evidence to the point being made here. Following this kind of experience, one is not to be told what happens when the politician for whom ballot box is being carried, gets into the power. Obviously, it will be practically impossible for him to punish the policeman that committed crime to put him in the office even when it is clear that they are guilty. This way, crime is perpetuated. This is why we record cases of police brutality everyday. There is need therefore to regularly awaken the consciousness of the police found to brutalize their fellow human just to satisfy their self-love through thoughts raised by Kant (1997) as follows: “so act that you use humanity whether in your own person, or in the person of any other, always at the same time as an end, never merely as a means” (p.37).

If therefore a policeman is about to torture a person to extort money, to get confession or to rape a suspect, Kant (1997) suggests a thought proposition within which the policeman will consider his actions. That, if the police officer were treated in the same way he deals with the case of the suspect whether that will go down well with him.

Evaluation

Quite significant to note, what Kant has done is to provide a moral principle that safeguards the equality of all humanity, all rational being. No one should take the decision for action arbitrarily. This according to him must follow a universal imperative. I must not act at an instant in a certain way for a particular situation because it is convenient for me to act in that particular way and act another time in the same particular situation in another different way because that is how it is convenient for me to act at that time. Again, I do not respond to a particular behaviour in a certain way because “A” is involved and respond in

another different way to the same behavior because “B” is involved. At all times and in all situations human beings or rational beings are always the same and must be treated as such. Reactions to the behaviours of human beings in all situations must be the same.

Kant (1997) advocates that a maxim which must be a guide for action should follow a universal imperative. This maxim for Kant (1997) is a subjective principle for action. That is the principle one has to follow for action. This principle is deduced by reason which has moral command or reason. And the fact that it is deduced by my reason is not what makes it plausible and universally acceptable but because it can be applied at all situation and it will successfully pass the crucible of morality and rationality. The backdrop of this line of thought in Kant is his conviction already shown in the body of this work that every human being and in general, all rational beings exist as an end in itself, not merely as a means to be used by this or that will at its discretion, but he must in all his actions, whether directed to himself or also to other rational beings always be regarded at the same time as an end. Man must not serve as a means through which another man achieves his own end.

Conclusion

The position of prominence which man occupies among other beings must not at any instance play a second fiddle. This Kant's horizon of looking at the human person is employed by this work to look at the attitude of the Police to the Nigerian citizens. It has been employed in detail to interpret to the government the highhandedness of the Nigerian Police Force in dealing with the citizens of Nigeria. Over the radio, television, newspaper social media, internet, there are countless cases of people who have received different forms of inhuman treatment from the Nigerian police. This is what this work has articulated, investigated and analysed. Following from this Kantian prism of understanding humanity, it has been established that what the police is doing is a contradiction to the universal character of moral maxims. Kant (1997) was clear that a nature, whose law it will be to destroy life itself by means of the same feeling whose destination it is to impel towards the furtherance of life would contradict itself and would therefore not subsist as nature.

On the other hand, police brutality is a household issue in our country Nigeria today. The police terribly lack the required training. In some cases, they have refused to appropriate the training which they received. For their own selfish gains, they prefer to act in certain unprofessional ways. Kant's notion of human dignity has explained that employing a rational being as a means to achieve one's own end contradicts the universal principle of morality.

The principle of morality being proposed by Kant (1997) recognizes the personhood and dignity of all human beings notwithstanding their colour, race, nationality and other natural and artificial endowments. This is a principle the police must employ to record a pass mark.

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