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INTERROGATING THE PROBLEM OF SEXUAL HARASSMENT AND THE QUEST FOR HUMAN VALUE IN THE LIGHT OF KANTIAN ETHICS

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Abstract

Since sexual harassment is now a crime for anyone falsely accused of it, it is no longer a contested subject in our modern society or, more specifically, in educational institutions. While it is true that criminalizing sexual harassment primarily aims to protect the rights of all female employees in the workplaces, a moral justification that should center on human dignity does not appear to address this as a crucial issue, despite the fact that many women see it as a positive development to womanhood. Without embellishing it, the government wants to encourage moral behavior in society, but the true issue at hand is the fundamental question of what constitutes a human value. Many males and other moral academics have raised objections to its critical evaluation. The paper thus critically examines some of the key issues relating to human dignity in the African context using philosophical tools from a moral perspective. It considers the view; that harassment has gone beyond male–female, lecturer-student or employer-employee issues as being the mindset of the people, instead discussing the subject as a concept in the context of environmental ethics, where human value and staff dignity are the main focus.

Keywords: Kantian Ethics, Sexual Harassment, Human Value, Virtue, Morality, Society.

Introduction

The mutual relationships between genders in a community are among the elements that foster peaceful coexistence, without which human value and dignity will never be given the attention they deserve. Although achieving satisfaction within the community is the goal of human existence, this cannot be done without assistance from other people. Similarly, an employee's contributions to any corporate organization cannot be undervalued if the so-called organization hopes to accomplish its aims and objectives. As an active or central component of the organization's smooth functioning, the employee plays a crucial role. However, the employer also has moral obligations to the so-called employee, and vice versa. Even though the connection that exists between an employer and employee is crucial to business and is required to be friendly, hierarchy in any company gives one person more power than others inside the framework of the organization, placing one person over and above the other. Nevertheless, regardless of gender disparities, the effectiveness or otherwise of an organization depends on the friendly relationship between the boss and the subordinates. The rightness or wrongness of any group's behavior is determined by the level of social responsibility demanded of them.

More specifically, the study of ethics as a subfield of philosophy aims to engage in a critical examination of the origins and foundations of morality. There is little question that the study

of ethical norms and the justification of human activity are both facilitated by the field of ethics. Although many philosophers consider the justification of an action's rightness or wrongness to be a crucial issue, the role of ethics has assisted in the restructuring of human organizations and society as a whole toward the achievement of the mutually good life, the society consisting of an institution, a corporate organization, a state of diverse ethnic and gender groups, and so on. But it is undeniable that immorality has prevailed, making the question of moral value, which is founded on the representation of the ethical order, an important one that has to be re-examined.

Ethics in Human Relationships

One definition of ethics as a component of philosophy is "the principle of human behaviou3r." It is a subfield of philosophy that examines the ethics of human conduct. According to Omoregbe (1993:4), ethics is the normative science of morality, or the systematic study of the fundamental principles underlying moral laws. In other words, ethics is the study of morality, moral issues, and moral judgment. It is a philosophical analysis of how people behave, focusing on the difficulty of morality and, ultimately, moral judgment.

In addition, it must be acknowledged that morality is primarily an expression of reason; as man is a rational being, he is also a moral person. On this foundation, ethics examines the moral precepts; by doing so, we conform our behavior to them. Morality and moral philosophy strive to promote the growth of peace and harmony in society as well raises one's moral standards. Ethics is not just learning with the goal of living a moral life.

Ethics has two main definitions. On the one hand, the term refers to a system of guidelines that people use to order their lives, most frequently derived from principles of morality. On the other hand, the phrase is also used to describe a body of theoretical research that aims to explain all the problems connected to and arising from the initial interpretation of the phrase. It would be comforting to believe that this ancient body of knowledge has at this point reached a clear and uncontroversial understanding of how we ought to organize our tie to moral concepts like "ought," "good," and "right." In essence, ethics is mostly concerned with how individuals behave and engage in social interaction. Given that ethics is fundamentally focused on the same objective and that society is a result of men working together, regardless of how differently people may see this idea, Men will inevitably engage with one another in society, and it is through this interaction that the issue of appropriate behavior and interpersonal relations emerges. Every culture is linked to a set of values or standards, like its worldview, differ from one another in terms of how individuals live their lives. For instance, while the concepts of right and wrong, good and bad are universal, what is considered bad in one civilization may not be as such in another, as a result, moral judgment for various types of behaviour varies. Nevertheless, ethics lends meaning to life by attempting to address issues like why we view some behaviours as good and others as evil. How do we determine whether activities are right or wrong? What standards or criteria were used to make certain decision? What are the core moral values, and how can we identify them? Is it accurate to say that there is neither good nor bad, but that thinking creates good or bad? Or do some things matter less than how we think about them? These are some of the issues that ethics seeks to address and resolve because addressing them could give life purpose. These issues arise in everyday human contact and activities.

Socrates believes that knowledge is a way to a moral life and that the goal of ethics is to help one live a decent life. Socrates believes that knowledge is virtue; he correlated understanding with virtue and held that to know virtue is to possess it. According to Socrates, immorality was caused by ignorance. Wickedness is a product of ignorance, since a rational person would not act in a wrong way. Socrates believes that morality and righteous deeds flowed from knowledge. Man will not engage in evil if he is aware of it, as no one ever engages in evil voluntarily. On the basis of these assumptions, this work sets up to address a crucial problem that is unique to our modern human society. The topic of sexual harassment at work is one of the topics covered in the subject of business and ethical conduct regarding the environment.
In today's society, sexual harassment in the workplace is a topic that is frequently discussed, mostly by women. Many times, women will assert that their bosses or other men in the workplace are harassing them. For example, female students in higher institutions will accuse their lecturers of harassing them, while the waiter at the reception will also charge the accuser with the same infraction. This creates setbacks for many organizations and a negative attitude toward women at their various workstations. On the other side, the issue of harassment has led to the exclusion of capable women from several workplaces. This self-indulgent behaviour is specially reinforced in higher institutions of learning, where students are supposed to receive training in both academics and character, notwithstanding the seriousness of the repercussions of harassment on human dignity.

The focus of this work, however, is to philosophically examining the ethical implications and the justification of human action as mention by Kant in his ethical work, and more so demonstrates the value and dignity, not on approaching this important topic from a commonsense perspective. For the concept of sexual harassment to be morally significant, there are several important aspects that require clarification, among which include: nature of ethics, the distinction between harassment, assault, and discrimination, is there an ethical justification for every actions, and the quest for human value in relation to the issue.

The concept of harassment is traced down to sub-branch of philosophy called “business ethics". This is etymologically defined as "the rules, standards, and moral principles regarding the rightness or wrongness of human action in particular areas of action." It is a branch of applied ethics that looks at moral standards and principles in a business context, as well as the different moral dilemmas that can occur and any unique responsibilities or duties that pertain to people who are active in commerce. In other words, business ethics consists of moral norms and principles that direct the behaviour in the corporate sector (Fraedrich& Ferrell 1994:6). On the other hand, it involves the study of ethical business procedures and regulations in relation to potentially conflict-ridden problems such as corporate governance, insider trading, bribery, discrimination, corporate social responsibility, and fiduciary duties (Stanford 2013). The justification of principles and actions in the business profession requires the critical use of ethical tools in business ethics. This suggests that the philosophers' attempt to justify the actions made by independent, individual and organizations with the objective of preserving customers' rights is led to the introduction of ethics to professional activity. Business ethics corresponds to the idea that organizations should uphold the highest standards for their products in every nation, regardless of whether they are legally required to do so. It can thus be seen as laws that may or may not be governed by legislation but are laws developed by societies that are simply to do the right thing.

When professional philosophers began using ethical theory and philosophical analysis to frame the discipline of business in the early 1970s, its nature became more pertinent and method used to approach the research; whether philosophical, theological, or pragmatic yield distinct insights. Its main focus is to finding answers to certain managerial issues. However, there is no universal business ethical standard, demonstrating that ethics does not simply moralize about what should or should not be done in a particular situation but instead systematically links the concepts to morality, responsibility, and decision-making within the organization. As a result, accepted business ethics vary from one culture to another.

The philosophers discuss a variety of topics, including morality, social responsibility, and certain ethical dilemmas in business. The contributions of the philosophers will undoubtedly aid in identifying certain moral concerns that impact people in their varied places of employment. Bribery, deceptive advertising, sexual harassment, and many other important topics are covered. As a result, business ethics might be handled from a philosophical framework or theological principles, or alternatively, from a pragmatic attitude to seek a solution to particular managerial challenges.

However, the focus of this paper is not to go into great detail about what business ethics is; rather, it just serves as a foundation for the important topics that will be covered. It is quite understandable that most countries, move the bill to make it offensive for any defaulters on harassment, rather than mitigating the philosophical inference on human dignity is the main concern in determining sexual harassment in the workplace, a problem that has emerged as a crucial issue in society.

Sexual Harassment Conceptualized

Similar to other philosophical ideas, sexual harassment is a moral dilemma that is hard to explain, giving a specific definition will result in an emotional response. A specific definition could be biased toward the emotional interests of women. From this, it must be stated clear that Sexual harassment can be distinguished from sexual assault without being sexist or prejudiced. Among the further mental questions that arise on this issue include: When can we declare that someone is being sexually harassed, the issue needs to be answered before trying to define the term objectively. Is it when a person in charge threatens to terminate a worker if she doesn't or won't engage in sexual activity with him, or what can we say when a woman consistently declines a coworker's request for a date but the man persists? Can a woman harass a man too? Some of the definitional issues in this area include these and numerous other queries.

Legislation and judicial rulings frequently redefine and broaden the definition of sexual harassment. However, it must be made clear that not all sexual activity at work constitutes harassment and that the law prohibiting harassment does not apply to circumstances outside the office.

The Equal Employment Opportunity Commission (EEOC) of the United States provided the fundamental concept of sexual harassment. Sexual harassment, according to the commission, is defined as unwanted sexual advances, requests for sexual favours, and other verbal or physical acts of a sexual nature that have a negative impact on an individual's employment,

unreasonably interfere with their ability to perform their job duties, or create a hostile, offensive, or intimidatory work environment (Marshall, 2007:2).

It is reasonable to assume that harassment is unpleasant behavior directed at a worker that frequently leads to the loss of a job and, more often than not, mental tranquility. Additionally, it is possible to say that sexual harassment includes any unwanted physical contact, persistent comments about a person's sexuality, bullying, and accusations of a sexual nature, as well as rewards given in return for privileges (Barcalow 1994:335).

A person who is being sexually harassed may be offered career or employment opportunities in exchange for sexual favours, or they could be confronted with unfavorable consequences if they refuse to comply, according to the civil rights law as recorded under title vii of the Civil Rights Acts of 1964.

Additionally, it includes any unwanted sexual behaviour that "unreasonably interferes" with the person's ability to do their job or otherwise makes the workplace unpleasant, threatening, or insulting. Others see it as a legal term designed to put a stop to workplace harassment and discrimination against women.

In addition, sexual harassment can happen whenever men have authority over women, including those who are clients of charity agencies, patients of doctors, female police officers, and students of professors. The harasser may be an employer, an authority figure, a coworker, a client, or somebody else in the place of employment. However, Fraedrich (1994) posits:

> It is continual or repeated verbal abuse of a sexual nature, including but not limited to graphic commentaries on the victim's body, sexually suggestive objects or pictures in the workplace, sexually degrading words used to describe the victim, or propositions of a sexual nature. (1994:262)

By and large, it is a notable fact that the argument goes beyond female issues. It occurs in a relationship where there is a power imbalance or an unwelcome sexual advance that is one-sided and often comes with strings attached. Mackinnon (1994:285) states that harassment denies one the opportunity and right to work or study without being subjected to sexual extortion.

From the various conceptions, the fact remains that the definition is one-sided in the sense that it becomes sexual harassment if it is something the female wants to turn off but cannot or when it is coming from someone with economic or political power to hire or fire, help or hinder, reward or punish. The following are the main characteristics of sexual harassment:

The individual who committed the crime can be any individual, including a customer, a fellow employee, a parent or legal guardian, a relative, a teacher or professor, a student, a friend, or someone who is unfamiliar. The victim need not be the one being harassed directly; instead, they can be a bystander who finds the harassment offensive and is adversely affected. Harassment can occur in a variety of settings, including schools, universities, the workplace, and others. There could or might not be additional witnesses or participants. The offender might not even be aware that their conduct could be illegal or that their offensive behaviour or sexual harassment might be considered such. The incident may occur in circumstances when the individual being harassed is unaware of or unable to comprehend what is taking

place. Although the situation might have only happened once, it tends to repeat itself rather frequently. The target frequently has negative impacts such as stress and withdrawal from social situations, trouble sleeping and eating, general health damage, etc. Either gender may serve as the victim or the offender. The offender need not be of an opposing sex.

In some cases, the incident can result from a situation in which the perpetrator thinks they are making themselves clear but is not understood in the way they intended. The misunderstanding can either be reasonable or unreasonable. An example of unreasonableness is when a woman holds a certain orthodox view of a man such that she does not understand the man's explicit message to stop. It is a truthful assertion that the issue under study is neither an issue of sexual discrimination, as may be concluded by sexism, nor can we link it with racism.

Forms of harassment

Since moral standards vary from society to society and it is impossible to say that there are any particular kinds of harassment, it is generally accepted that harassment can take many different forms. For academic purposes, however, it should be mentioned that there are only two types of sexual harassment:

(1) quid pro quo sexual harassment and

(2) hostile environment; sexual harassment

Latin-based "this for that" is the meaning of the phrase "quid pro quo." Generally speaking, the quid pro quo happens when the boss promises the employee or student rewards or threatens to alter the student's position or workplace circumstances in exchange for the employer's or employee's, or lecturer-student's, compliance with his demand or request. This is when judgments impacting an individual's obedience to behavior that has to do with a mode of living that is environmentally friendly inside the workplace are based on sexual pleasure.

Contrarily, hostile environment harassment can be interpreted in a variety of ways; it might take the form of physical, verbal, or visual abuse. Instead of a job loss, the threat of a job loss, or a guarantee of incentives, this sort of harassment creates a hostile work atmosphere through comments regarding the body, groping, etc. These are further broken down into other forms, including:

Verbal Harassment

Every human purpose, it goes without saying, leads toward action, and this particular type of harassment is primarily directed at a sexual one. Verbal harassment, it is the use of language against another person that harms that person, usually in an emotional or psychological way. It can come from coworkers or employers, causes stress for the workers, and is harsh. This may manifest in a number of ways.

Non-verbal or visual harassment: this form of harassment can be inform of

- Observing someone from above and below (elevator eyes)
- Obstructing someone's way
- Using sexually suggestive pictures
- Making physical gestures or hand motions that are sexual in nature
- Using gestures with the face like winking, kissing, or lip-licking

All of the aforementioned forms of harassment are very prevalent in modern society, especially among members of the opposite sex who have no obligation to one another. However, the key question at hand is whether or not one is unintentionally bringing emotional interest to the topic at hand.

With the level of educational attainment in the West, one might anticipate that the topic should not be contentious in society or that the issue would not persist, but there is no doubt that the topic continues to come up in the workplace due to some key factors, including improper orientation, a lack of public knowledge about it, and a lack of social consciousness. Considering sexual topics are delicate and typically deemed private, women can feel humiliated, denigrated, and intimidated when they are brought up. The female perceives harassment as an invasion of her space or her privacy. Some people who are aware of what it entails choose not to complain at all or express anxiety that their concerns will go unheard. Others may even view the complaint as unprofessional after hearing that the issue is too minor or attractive for a full-fledged person to worry about. Aside from that, the victim occasionally makes space for such an incident, which can easily pique the emotional interest of coworkers or the employer in the workplace. This further raises the question of whether it is appropriate for one person's conduct to influence another. In reality, every human being is a logical entity, and every action he or she takes is driven by a natural feeling that is exacerbated by emotion. Sometimes, the circumstances surrounding the victim's attractiveness inspire men to suppress their propensity for displayable sex. Can't we, instead, see the issue as blasphemy? One could even acquire the perception of exhibiting similarity rather than having such an objective.

Former American president Bill Clinton was once accused of sexual harassment with his secretary, but the judiciary ultimately ruled in his favour. It was later determined that the accusation was made to undermine Clinton's political ambition. It must be made very clear that the purpose of this research is not to prove that such behavior is misinterpreted or to refute claims that certain people are subjected to sexual harassment. Instead, an attempt is made to determine if such behavior is morally acceptable and under what circumstances it might be. How do we assess an action's goodness or badness? What standard is used to determine what activities are right and wrong? Given that a person is a free and rational entity in society, how can one then explain one's behavior to the harm of another? Its moral justification as it affects humanistic worth is what defines the focus.

Sexual harassment, according to Marshall (2008), is not as bad as it has been made up to be. He responds by saying that because women have made the decision to enter the workforce, they should learn to put up with the same hardships as their male counterparts because the problem of harassment does not only affect women. Others contend that women are excessively sensitive and take even innocent jokes too seriously. However, Kant's ethical theory will be helpful in trying to ascertain what is morally right or wrong. His idea makes an effort to establish some criteria for judging the morality of behaviour among individuals.

Kant's Reaction to Ethical Issues

It is commonly known that philosophers disagree on issues such as whether morality can be altered and how to define morality. There are two primary points of view on this topic among philosophers. According to the first perspective, morality is innate, which supports the idea that environmental forces cannot alter people's morality. Schopenhauer and Lamarck is a

couple of the proponents of this viewpoint. According to the second viewpoint, morality is malleable. This point of view contends that environmental factors can later mold morality and temperament. This viewpoint was held by many philosophers, including Socrates, Aristotle, Kant, John Locke, Rousseau, and Pestalozzi (Erdem 2002). This viewpoint highlights the idea that moral development can occur through education. Kropotkin, however, was one of the philosophers who held the view that morality was related to social factors and that it could potentially be addressed within many frameworks. Deontological ethics, also known as duty ethics, holds that an action's rightness or wrongness should be determined by the act itself, regardless of what transpires later. According to deontological ethics, the ramifications of an action should not be considered when determining whether it is right or wrong.

Despite being intricate and comprehensive, Kant's deontological moral theory has three key elements that can be distinguished as pertinent to the topic at hand. The first discusses the importance of the concept of obligation. According to Kant, motive is the essential component of morality, and acting in a certain way solely out of worry about the consequences does not constitute moral behavior. Only when an agent acts morally, even when it is to their personal detriment, does he do so after realizing that they have a duty to do so? In Kant's moral philosophy, the motivation behind an action is therefore essential, and what transpires next is absolutely unimportant.

Despite being complex and extensive, Kant's deontological moral theory may be broken down into three fundamental components that are relevant to the current discussion. The significance of the idea of obligation is covered in the first. Kant argues that motive is the fundamental element of morality and that acting purely out of concern for the repercussions does not constitute moral behavior. Only when an agent realizes they have an obligation to accomplish something, even when it is against their personal interests, do they act morally. Kant's moral philosophy holds that an action's motivation is therefore crucial, and what happens after that is completely insignificant.

The practical imperative is a term that has been used to describe the final significant aspect of Kant's moral philosophy. The guiding idea in this situation is that no one should ever be viewed as merely a means to an end but rather as an end in themselves. This imperative forbids the possibility of ignoring an individual's rights in the interest of the many. The key takeaway from this seems to be that the basic principles of equity and fairness cannot be exchanged for another, allegedly "greater" cause.

Sexual Harassment and Human Rights View

People democratically coordinate themselves in order to guarantee social security and general well-being for themselves in a sovereign society. Citizens are required to uphold certain rights. The idea of rights has been defined differently by various academics, while some, like Ogovbaire (1998:121), say that it is political, social, and moral benefit to which one has a legitimate claim. Others contend that state government has a responsibility to preserve and uphold citizens' rights as their just and legitimate entitlements and claims, which are inalienable to its residents. Therefore, rights are benefits that a state's residents are entitled to as a result of being citizens. This can include information about a person's political, social, or ethical obligations. This can raise the issue of whether employees have any legal claims against

their employers. As an alternative, if a woman is granted certain rights that a man does not, and vice versa,

An acknowledgment should be made to the French Declaration of Human Rights of Man and Citizen from 1978 and the Universal Declaration of Human Rights from 1948, both of which list some of the sacred rights Omoregbe (2004:85) identified for men and citizens. The distinctiveness of these rights demonstrates the essential goal of a civil society, which is to defend a person's fundamental human rights and rebel against any repressive government. This suggests that the majorities of rights in the workplace are transferable and cannot be asserted by an individual if they wish to keep their job. Any rights, however, that conflict with collective rights are unfair. Additionally, some people use social norms to overcome the issue. Although it might be argued that social customs are not always correct, it is generally accepted that whatever is endorsed by social customs is right and whatever is prohibited is evil. The rightness or wrongness of something can be judged by intuition, according to another school of thinking, although it can also be argued that different people have various intuitions regarding what is right and what is wrong. But for some philosophers, such as Thomas Aquinas, what is right or wrong is influenced by human factors. According to Aquinas, what is morally proper or undesirable depends on whether it is consistent with rational reason. But how can we determine whether a course of action is justified? The appropriateness or badness of an activity cannot be determined with absolute certainty by any moral standard or guidance. As a result, the only way to gauge how excellent or horrible an action is to look at the outcome.

It is therefore important to consider sexual harassment's ethical justification regards to human value with regard to the individual and society. No one is right or wrong when it comes to sexual harassment issues if no one can demonstrate who is correct in an argument or harassment. This being said, the sense of rightness is fully up to the employers and employees, who likewise received their legal entitlements from the U.N. Declaration of Human Rights to identify when his rights is truncated. For instance, in a scenario where the other party's action is motivated by the victim's appearance, it is even conceivable to defend the morality of that action using the relativism principle. However, it should be remembered that man is naturally moved by emotion. It is necessary to look at the foundation of the ethical beliefs that are considered to be universally acceptable in order to confirm whether or not someone is being harassed. Kant has shown from the outset that any conduct taken in response to a fictitious compulsion is immoral. In other words, the categorical imperative should serve as the basis for all actions.

When an activity offers value for an individual or advances the welfare of society as a whole, we say it is right. Being moral means respecting the individuality of others as well as our own. Then, we may say generally that someone is doing something properly when they affirm it, whereas someone is doing something wrong when they reject it. Whether or not other community members agree with it, a morally mature person believes that an action that benefits others is a good action and an action that harms others is an evil action.

The truth is that sexual harassment makes women more relevant since it ensures that their sex is acknowledged in the workplace, despite the fact that; like every intellectual term, the problem of justification is subjective in nature. The topic illustrates how important their status

is to men in the same manner that they are important to men in their personal lives. It will be challenging most time to draw a distinction between harassment and genuine love that is based on free will. It is nonetheless true that no sexual act may be considered improper based only on its physical characteristics. Atkinson (1963:148) crowns it up by maintaining that:

> We see no reason why the physical nature of the sexual act should be the criterion by which the question of whether it is moral should be decided. An act that expresses true affection between two individuals and gives pleasure to them both does not seem to us to be sinful by reason.

If the principle of beauty is perpetuated within the community, then one cannot help but expect sexual motives to grow when the face beholds the beauty that resides in the being before him. The fundamental takeaway from sexual harassment is not that it is improper for men to admire and like female physical characteristics or for females to feel the same way about male physical characteristics. It is only when an impulse is acted upon in the workplace to the point where it endangers an employee's level of comfort, self-esteem, position, dignity, and chance of promotion that it is deemed to be improper behavior and requires being recognized, condemned, and avoided. Socrates believes that man's incapacity to recognize right from wrong, virtue from wickedness, and other moral concepts caused his wrongdoings, which might be referred to as the precedent of ignorance. According to Aristotle, an action is not morally right if it does not result in the happiness of the performer.

Conclusion

The work therefore emphasizes the importance of respecting the inherent moral worth and autonomy of human beings which can help to promote the development of human dignity. Nevertheless, Kant approach to ethics is of clear relevance to making decisions about sex because it concerns how we choose to treat persons, both ourselves and others and because in a way sex is the issue most likely to affect persons and their welfare in the long term. The Categorical Imperative demands that we consider the interests of all as ends in themselves and choose to do only what can be universalised and set up as an example to others. In practice it seems that the Kantian could not justify sex outside the context of a long-term committed relationship, because of the potential for people to be used as means to an end outside of that, Kantian Ethics seems likely to oppose sexual harassment because it depends on deceiving people, motive is the fundamental element of morality and acting purely out of concern for the repercussions does not constitute moral behaviour.

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