

**FROM AFRICA OF STATES TO UNITED
AFRICA: TOWARDS AFRICANA DEMOCRACY**

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ABSTRACT

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Since Western Liberal Democracy's philosophical, cultural, and value foundations are radically different from that of Africa and based on post-disciplinary approach and review of the vast literature on theories and philosophies of democracy, the dissertation proposes and argues for Constitutional communitarianism and Africana democracy as alternative and complementary path towards democratization in Africa. When almost all its conditions are lacking in Africa, liberal democracy cannot easily be transferred and rooted nor should it be enforced as a weapon of political conditionality unless the call for democratization is a disguised cry for *recolonization*. Also, since liberal democracy is Newtonian politics at work with adversarial and inquisitorial opposition running rampant at its core, the future of humanity rests no less in transforming and reforming liberal democracy itself as in democratizing illiberal societies and tyrannical polities

DEDICATION

To Ato Awol Mamo, Ato Negash Alemu, Fisseha Haile (PhD, Psychology) Samson Mebrhatu (PhD, Psychiatry), and W/o Nigist G/Hiwot for they symbolize what is possibly humane.

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Pelle Darota Danabo

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Introduction

Africa of today is constitutive of what V.Y. Mudimbe calls an African, Muslim, and European or what A. Mazrui identifies as the indigenous, the Arabic, and the Western heritages. From the Eastern to the Western; from the Northern to the Southern corners, one can observe these confluences and imprints alive and thriving: the Indigenous, the Christian, the Islamic, and the Judaic; or, the African, the Arabic, the Semitic, and the European. From the Western African Ocean (the now Atlantic) to the Eastern African Ocean (the now Indian), Africans have a shared history and values that unites them more than those that divide them as some try to convince us. Africa is our common ancestral home, it is our common country. Whether one refers to the system of communal councils or earned leadership or the Palaver tradition or the Chieftaincy system or the traditional Shura System, one is dealing with a culture and tradition where the need and necessity for public deliberations and consented-consensus has always been its indigenous and constitutive hallmark.

Even more, there are historical facts and brutal truths that unite us as Africans than anything else: our shared and collective suffering and afflictions in the history of the modern world. We are the burden bearers of the organized crimes, the injustices, and the inhumanities of the modern world: We were/are deeply afflicted, wounded, abused and raped; we were subjugated and dehumanized together no matter what our localities, our regions, our ethnicities, religions, our resistances, and our gallantry; we were browbeaten as Africans; sold and shipped away as Africans; colonized and degraded as Africans; indebted and went through the hellish and unjust shock

therapies as Africans; infested and infected with all sorts of man made and natural diseases and disasters as Africans. In short, we were/are the targeted. Thus, our shared suffering and affliction is no less important than our shared culture and geography in uniting us as Africans from one corner to the other.

Philosophically, Africans are responsibility/duty-based than rights-based societies; politically, they work around consented-consensus than majoritarian decision making procedures. Whatever and how ever expressed, there are aspects of Africana-ubuntu in allover places in Africa, no matter where our emphasis focuses on. Africans value life, community, generosity, sharing, spiritual union, mercy, forgiving, personal as well as communal healing and moral restoration. In Africa, the restoration and mending of the health of communal ties is no less important than retribution and balancing of the scales. It is in the light these back grounds that the project of liberal democracy should be seen ad evaluated against.

Given these backgrounds, there are a number of reasons why one should take a second thought on the possibility and feasibility of liberal democracy in Africa. There are questionable assertions/claims about WLD, both in theory and in political practice: for instance, the entrenched and unresolved tension between the liberal and the democracy conjuncts in the liberal democracy pair; equating liberal democracy with democracy in general; infusing understanding of democracy with liberal ideas and assumptions; conceiving democratization as liberalization; and framing an argument for democracy in terms of an argument for liberal values such as unconstrained individual freedoms, rights, liberties, and the free market. Whether this

relation of identity is correct and universalizable is questionable, to begin with. There are different conceptions of democracy all of which have useful things to say about what a democratic polity should be and liberal democracy should be understood as one among possible models, the viability of each depending on the socioeconomic and cultural contexts to which it is to be applied. Since cultural/philosophical considerations should be constitutive part of the democracy project, the cultural particularity of liberal democracy should not be ignored also. Thus, thoughtless and arrogant attempts to universalize liberal democracy as the end goal of world history is both self defeating and imperialistic at its core. That is why the reflection on whether it is possible to transplant and integrate liberal democracy in Africa becomes an attractive philosophical investigation in of itself.

In the light of this, here are some reasons/reservations why an uncritical attempt to universalize liberal democracy may fail to bear fruit with detrimental consequences for both the imposer and the importer under illiberal socioeconomic, philosophical, and cultural circumstances.

To state some: WLD is founded on the conception of human nature that is either (only) expressive of the essence of Western humanity or else extremely exaggerated, even out rightly wrong. It is founded on a pessimistic, one-dimensional conception of humans as brutish and selfish beings; it is a rights-based democracy that gives precedence to individual rights with little or no appreciation of groups' rights, group cohesion, and societal integration, since it is believed that group rights violate the equal rights and worth of persons. WLD privileges the atomistic,

possessive individual over/against the community, whereas humans are individuals embedded in social relations, values, and norms; it is founded on and evolved through all kinds of violence and wars, genocides, ethnocide... It is grounded on centuries old global structural and human violence: slavery, imperial conquests, colonialism, unmitigated resource wars and holdings. WLD is a child of racism or grew along with racism both at home and abroad. It is enigmatic as to how and why a project of Enlightenment meant to enshrine the noble ideas and ideals succeeded in sanctioning its antithesis on perceived and encountered "others." WLD is based on distinctions like public/private, political/personal, and public/non-public reasons. Such distinctions are deeply rooted in the Enlightenment tradition. Similar in spirit is the distinction between the public and the nonpublic. As the argument from the public-private distinction rejects government interference in decisions that are properly personal, so does the public/nonpublic distinction demand that laws, policies, and judicial procedures be articulated through discourse that is properly public. Furthermore, there is an undemocratic and elitist side to WLD, which stands in contradistinction to the definition of democracy as 'rule of, by, and for the people' and which is clearly manifested in the tension between the democracy and the liberal divide in the liberal democracy union. Given these features and limitations, Liberal democracy cannot be an option as a democratic future for Africa. Thus, the choice of democracy and a democratic path should not be mistaken for and equated necessarily with a liberal democratic course (of course, the importance of the knowledge of the liberal ways and its constitutional models to other countries is beyond dispute).

The principle of unity in life, community society, individuality within community, humanness; the belief in responsibility for oneself and others - one's friends and families, relatives, the community, and fellow human beings; generosity, friendship, truth, compassionate caring, etc. ought to be the value foundations of Africana democracy. Thus, *deliberative and moderate communitarian* view in which all humans are given equal regard and any concept of the individual ego is integrally tied to the community through the aforementioned values ought to serve as its founding values. The institutionalization of Africana democracy should be open to warrants and rationales that lie outside liberalism, one that would be open to language and concepts that are difficult to express through the language of rights, freedoms, equality, utility, and other familiar liberal concepts alone; Africana democracy ought to be grounded on a morally nourishing and spiritually re-centering democratic project. Since African societies are conflict ridden; democratic society is impossible without the development of common solidarity founded on sisterhood and brotherhood in our common humanity, ethnic and political tolerance, mutual understanding, economic development, and attentive justice. These demand the privileging of social-moral restoration and individual moral/spiritual transformation over retributive measures. Therefore, a system that would be flexible in its view of retribution, open to forms of accountability that might fall short of proportionate punishment is in order. Both the philosophy of ubuntu and the culture of mediation ought to inform this proposal. Africana democracy ought to refrain from demanding any strong version of the public-private distinction, viewing the restoration of the

victims of (political) violence, in all its dimensions, as a proper political end. Equally, it ought to renounce any strong reason for “public reason” and be open to importing into the political order concepts whose roots lay in comprehensive conceptions like religions. Africana democracy ought to be grounded on a holistic conception of the world that is pluralistic, responsive, bottom up or emergent, green, spiritual, dialogical, and that gets beyond the individual collective dichotomy. When the technologies of democracy are added to this world view transformation, Africana democracy would deliver exemplary democratic features. Since the destruction of political equality is inherent in economic inequality and since it is undemocratic for it deprives large numbers of citizens of equal political power, Africana democracy should envisage a society that is both economically just and democratically balanced.

Africana democracy should modernize and reenergize the indigenous democratic assets available in different parts of Africa. The community meetings, the palaver culture pervasive in Africa, the concept of earned leadership, consultation and the Shura, discussion, and consented consensus, mediation, etc. ought to be reinvigorated and made constitutive of Africana democratic norms. The indigenous concepts of politics as service to community and earned leadership are worthy of examining and instituting accordingly. The possibilities of leadership by rotation, executive power-sharing, the council of elders and scholars need not be discounted. Whether the conventional three branches of government are apt to Africa needs to be examined seriously and the Newtonian concept of “check and balances” based on opposition/confrontation should be given a serious second thought and it ought to be

seriously reconsidered or overhauled, for in Africa, opposition breeds conflict, permanent-looking instability, and war among competing interests. Furthermore, opposition politics is a post colonial investment in Africa and how costly it is, is terribly evident across our giant country. Lessons from successful liberal democracies shows that opposition politics is embedded in, tolerated, exercised, and has meaning in those societies that enjoy “cultural homogeneity,” to borrow from Mill. So, when the economies got moving and the technologies of democracy become common everywhere and, when these are added to the cultural values and assets all across Africa, the combination would enable a democratic culture and society on its own groundings.

In the light of this introduction, therefore, chapter one the dissertation presents a comprehensive reflection on democratic theory, both politically and philosophically with different ends in view in a nutshell. In chapters two and three, a comparative attempt is made to show the philosophical and cultural groundings of WLD against indigenous African values and traditions that would affect and shape the future and content of Africana democracy. Chapter four attempts to establish and argue for the feasibility and possibility of grounding Africana democracy on PanAfrica spatial and value foundations; whereas, chapter five presents the conditions, values, and principles underlying Africana democracy and shows why the liberal perspective, as world historical and profound as it is, cannot be aped and forced upon the African background.

CHAPTER I

Reflection on the Philosophy, democratic theory and Democracy: what is it?

Political/social philosophy is not about conjuring up happier social circumstances by an act of free-wheeling imagination; rather, its major task should be to foresee what is yet to be accomplished in historical unfolding. The human quest for freedoms made possible the birth and development of democracy as an emancipatory project for human devolvement and empowerment. It is a freedom understood as the “positive” fulfillment of the potentialities of the human spirit. The question that follows would be, what would human life and society look like when everyone was genuinely free and genuinely equal?¹ Any answer to this question must convincingly show that “only with liberty will democracy work but only with equality is there reason to believe that it ought to work.”² Liberty, important as it is, should not trump democratic substantial equality.³ Social and political philosophy should help us see the problematic and ideologically perpetuated link between the “illusion of political

¹ For a further elaboration of what is considered ‘genuinely free and genuinely equal’, see what Sidney Hook identifies as the content of “ethical democracy” see “The Philosophical Presuppositions of Democracy”, *Ethics*, Vol. 52, No. 3 (Apr., 1942) , pp. 278-79. It is wrong to base property right on both natural right and natural law while removing all the natural law constraints and limits from the regime of property rights.

² Cohen, C; *Democracy*, Athens GA: University of Georgia Press, 1971, p.274. A democratic thinking and practice that stops at political democracy or the equality of freedoms alone is vacuous because it fails to ground the emancipatory potential attached to democracy on other spheres of social existence that bear upon the effective exercise of equality of freedom itself.

³ In this context, it is important to note Stephen Holmes’s warning about a common error in constitutional theory: “the view that the primary or even sole purpose of a constitution is to secure individual liberty by hamstringing the government and its agents.” Holmes, Stephens., *Passions and Constraints: On the Theory of Liberal Democracy*, Chicago: University of Chicago press, 1995, p.101.

freedom and the reality of moral slavery to economic passions and interests”⁴ also. In attempting to reflect on the questions of democracy, one gains a perspective on many related issues of political and social significance⁵ as well.

I. Democracy: To begin with, if George Orwell is correct, “a word like democracy not only [has] ... no agreed definition, but the attempt to make one is resisted from all sides. It is almost universally felt that when we call a country democracy we are praising it: consequently the defender of every kind of regime claims that it is a democracy and fears that they might have to stop using the word if it were tied down to any one meaning.”⁶ George Orwell is not alone. According to David Collier and Steven Levitsky, efforts to define democracy in terms of those necessary and sufficient for the existence of a democracy have not produced the intended uniformity of usage and high degree of inter-coder reliability, but rather led to the identification of hundreds of subtypes or what they term as “democracy with adjectives.”⁷ They reason that these findings confront scholars with a dilemma: on the one hand, there is an impulse to maximize analytic differentiation in order to capture the wide variety of democracies that have emerged across the globe; on the other,

⁴ Diggins, John P., *The Lost Souls of American Politics: Virtue, Self-Interest and the foundations of Liberalism*, Chicago: Chicago University Press, 1984, pp.20/217.

⁵ For instance, some such issues include whether ‘American democracy is a totalitarian technological moral waste land’ and whether ‘liberal polities are disciplinary regimes grounded in discourses of power that legitimate elite dominance,’ reported as being claimed by Martin Heidegger and Michael Foucault respectively. See Rorty Richard; *Achieving Our Country*. Cambridge, MA, and London: Harvard University Press, 1998.

⁶ Orwell, George., *In Front of our Nose, 1945 - 1950: Collected Essays, Journalism and Letters of George Orwell*, Vol.4, NY: Harper and Row, 1968, pp.132-3.

⁷ Collier, David and Levitsky, Steven., “Democracy with adjectives: Conceptual Innovations in Comparative Research,” *World Politics* 49 (April 1997), pp.430-51.

there is a necessary concern for conceptual validity, that is, a need to avoid what Giovanni Sartori called “conceptual stretching” or “conceptual straining.” The application of a concept to cases for which it is inappropriate means “gains in extensional coverage” that “tend to be matched by losses in connotative precision.”⁸ In the light of these methodological and epistemic hurdles, it is difficult to “tie down” the term “democracy”. Thus, I shall attempt to offer few conceptions of democracy along with some (even contestable) philosophical and normative claims and justifications about or related to it.

Let me make the following points very clear from the outset, however: (1) much of the literature on democracy and democratization begins with liberal western democracy *as a given*, only taking side with and espousing either member of the liberal family. This is not surprising because democracy is viewed western both etymologically and practically. As to the debate on preferred models, few and strong exceptions come from research on East Asia and Latin America against the liberal tradition. These exceptions are no match to the intellectual force and political pressure from the long standing traditions, though. The picture gets a little murky and worrisome when it comes to Africa. For instance, scholars like Michael Bratton, Nicholas Van de Walle, Michael Chege, and Staffan I Lindberg, among others,⁹

⁸ Sartori, Giovanni., “Concept Misinformation in Comparative Politics,” *American Political Science Review* 87 (December 1970), pp.1033-53, quote at 1035; Collier, David and Mahon, James E, Jr., “Conceptual ‘stretching’ Revisited: Adapting categories in Comparative Analysis,” *American Political Science Review* 87 (December 1993), pp.845-55.

⁹See, Winder, Jennifer A. (ed.), *Economic Change and Political Liberalization in Sub-Saharan Africa*, Baltimore: Johns Hopkins University Press, 1994; Bratton,

believe that concepts, models, and theories developed in the west by Westerners or based on the study of Western countries can and should be applied to politics in Africa, beliefs and recommendation premised on questionable assumption about Africa and Africans. (2) Much of the literature on democracy/democratization in “developing countries” and Africa in particular focuses on electoral democracy. Thus, democracy is defined in the minimal sense as ‘free and fair competitive elections under universal franchise for occupants of those posts where actual policy decisions are made.’ Democracy so understood is a procedure for filling of political offices through periodic elections.¹⁰ (3) Whether democracy is best understood as a ‘dichotomous’ or a ‘gradualist project’ is of importance also. Whereas dichotomist Scholars vigorously argue in favor of a rigid demarcation of what is democracy and what is not, since there are authoritarian actors with complete undemocratic

Michael., “Deciphering Africa’s Divergent Transitions,” *Political Science Quarterly* 112(1): 67-93, 1997; Bratton, Michael., “Second Elections in Africa,” *Journal of Democracy* 9(3): 51-66, 1998; Bratton, Michael and Nicholas van de Walle., *Democratic Experiments in Africa: Regime Transitions in Comparative Perspective*, Cambridge: Cambridge University Press, 1997; Chege, Michael., “Between Africa’s Extremes,” In Larry Diamond and Marc Plattner (eds.), *The Global Resurgence of Democracy*, 2nd edition, Baltimore: Johns Hopkins University Press, 1996; Van de Walle, Nicholas., *African Economies and the Politics of Permanent Crisis, 1979-1999*; Cambridge: Cambridge University Press, 1999; Van de Walle, Nicholas., “Elections without Democracy: Africa’s Range of Regimes,” *Journal of Democracy* 12(2): 66-80, 2002; Lindberg, Staffan I., *Democracy and elections in Africa*, Baltimore: Johns Hopkins University Press, 2006; Lindberg, Staffan I., “The Democratic Quality of Multiparty Elections: Participation, Competition, and Legitimacy in Africa,” *Journal of Commonwealth and Comparative Studies* 42(1): 61-104, 2004a; Lindberg, Staffan I., “it is our time to ‘Chop’: Do Elections in Africa Feed Neopatrimonialism Rather than Counter-Act It?” *Democratization* 10(2): 122-140, 2003.

¹⁰For example, see Nathan, Andrew, “Chinese Democracy: The Lessons of Failure,” *Journal of Contemporary China*, no. 4 (1993), 3; Lindberg, Staffan I., *Democracy and Elections in Africa*; The Johns Hopkins University Press, 2006.

credentials,¹¹ others posit that democracy is a matter of continuum ranging from “full democracy” to “complete no democracy”.¹² There are two variants to the degreeism argument: (1) *categorization*; for example, “limited democracy,”¹³ “restricted democracy,”¹⁴ “protected democracy,”¹⁵ “Tutelary democracy,”¹⁶ and “virtual democracy.”¹⁷ (2) Continuous indices.¹⁸ Added to these, (4) the literature on

¹¹See, Collier and Adcock 1999; Lindberg, 2006: 22-27; Alvarez et al, “Classifying Political Regimes,” *Studies in International Comparative Development* 31 (2), 3-36, 1996); Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman: University of Oklahoma Press, 1991, 11-12); Geddes, “What Do You Know about Democratization after Twenty Years?” *Annual Review of Political Science* 2: 115-144, 1999); Linz, “Totalitarian and Authoritarian Regimes,” F. I. Greenstein and N. W. Polsby (eds.), *Handbook of Political Science*, Vol. 3, Reading, MA: Addison-Wesley, 1975, 184-85; Cheibub et al, “What Makes Democracy Endure?” *Journal of Democracy*, 74 (1): 39-55, 1996; Sartori, *The Theory of Democracy Revisited*, Chatham: Chatham House, 1987, p. 184.

¹²See Dahl, *Polyarchy: Participation and Opposition*, New Haven: Yale University Press, 1971, 2, 8; *Democracy and its Critics*, New Haven: Yale University Press, 1989, 316-317; Bollen and Jackman, “Democracy, Stability, and Dichotomies,” *American Sociological Review* 54: 1989, 612-621; Coppedge and Reinicke, “Measuring Polyarchy,” *Studies in International Comparative Development* 25 (1): 51-73, 1990; Diamond, “Democracy in Latin America: Degrees, Illusions, and Directions for Consolidation,” in Tom J. Farer (ed.) *Beyond Sovereignty: Collectively Defending Democracy in the Americas*, Baltimore: John Hopkins University Press, 1996, p. 53.

¹³See, Archer, Ronald P; “Part Strength and Weakness in Colombia’s Besieged Democracy,” in Scott Mainwaring and Timothy R. Scully (eds.) *Building Party Systems in Latin America*, Stanford, CA: Stanford University Press, 1995, p.166.

¹⁴Waisman, Carlos H; “Argentina: Autarkic Industrialization and Illegitimacy,” In Larry Diamond, Juan J. Linz, and Seymour M. Lipset (eds.), *Democracy in Developing Countries: Latin America*, Boulder, CO: Lynne Rienner, 1989, p. 69.

¹⁵Loveman, Brian; ‘Protected Democracies’ and Military Guardianship: Political Translation in Latin America, 1978-1993,” *Journal of Interamerican Studies and World Affairs* 36 (Summer): 108-111, 1994.

¹⁶Prezowski, Adam; “Democracy as a Contingent Outcome of Conflict,” in Jon Elster and Rune Slagstad (eds.), *Constitutionalism and Democracy*, Cambridge: Cambridge University Press, 1988, 60-61.

¹⁷Joseph, Richard; “Democratization in Africa after 1989: Comparative and Theoretical Perspective,” *Comparative Politics* 29 (3): 1997, 367-368.

democratization in the 3rd world is flooded with variations on the theme of both types. Even more, these vast literatures come mainly from the disciplines of political science and sociology. The literatures on creation and consolidation of democracy are full of ideas and insightful case studies, but they have provided little or no theoretical generalizations about the circumstances that lead a society to become and remain democratic. So, although rich in its empirical content, it runs short of normative exploration and reflection.¹⁹ This is not to question Popper's proposition that 'empirically falsifiable theories are evidence of robust scholarship;'²⁰ rather, following Merkel, it is to indicate that normative questions in general are not addressed.²¹ So, many scholars in this area seem to follow Sklar's suggestion that, since "political science is not moral philosophy, it doesn't not prescribe the ends of political action;" "it is concerned with finding adequate means for achieving politically defined ends"²²

¹⁸Continuous Indices are used, for instance, by Bollen, Kenneth; "Political Democracy and the Timing of Development," *American Sociological Review* 44 (4): 527-587, 1979; Coppedge, and Reinicke (1990); Freedom House; Annual Survey of Freedom Country Scores, 1972-73 to 2003-2004; Rating on political rights and civil liberties, 2004; Marshal, Monty G., and Keith Jagers; *Polity IV Project: Political Regime Characteristics and Transition, 1800-1999*, 2001; Hadenius, Axel; *Democracy and Development*, Cambridge: Cambridge University Press, 1992; Vanhanen, Tatu; *Prospects of Democracy: A Study of 172 Countries*, London: Routledge, 1997.

¹⁹As an exception, the late Claude Ake engages in a normative discussion as a point of departure for his empirical work. See, Ake, Claude; *The feasibility of Democracy in Africa*, Dakar, Senegal: CODRESIA, 2000.

²⁰Popper, Karl; *The Logic of Scientific Discovery*, London: Routledge, 1953/1999, 57 ff.

²¹Merkel, "The Consolidation of Post-Autocratic Democracies: A Multi-Level Model," *Democratization* 5 (3): 33-67, 1998.

²²Sklar, "Towards a Theory of Developmental Democracy," in Adrian Leftwich (ed.) *Democracy and Development*, Cambridge, England: Polity Press, (1996, p. 26.

Etymologically, the word “democracy” consists of two Greek words: “demos” (the people”) and “Kratein” (“to rule”), thus meaning “people rule.” President A. Lincoln’s peroration in his Gettysburg address, “The Government of the people, by the People, for the people” is taken as synonymous to democracy also. And John Jay’s maxim cannot be ignored: “The people who own the country ought to govern it.”²³ Characteristic of this definition is its indeterminacy and laxity. To begin with, in all cases who the people are and by what criteria²⁴ remain indeterminate. Then there are other open ended issues: Does this mean it is “a form of government” as the vast body of literature on equality of freedom or political democracy suggests?²⁵ Does it

²³ Hofstadter, Richard., “The Founding Fathers: An Age of Realism,” in Robert H. Horwitz (ed.), *The Moral Foundations of the American Republic*, 3rd ed., Charlottesville: University of Virginia Press, 1986, p.73. Had democracy meant the alienation and reification of the people in power from those who elected them to represent and govern them, Jay’s maxim could have gone to heart of democracy in practice. It has some attraction, for democracy seems hijacked and prevails but in name. Hasn’t what we have been taught to come to believe as democracy and freedom has become in reality an ingenuous and invisible form of economic dictatorship? Isn’t democracy, therefore, “an ingenious and invisible form of economic dictatorship? Or, did Marx have Jay in mind when he commented that ‘Capitalist democracy is nothing other than the institutionalization of class inequality and the exploitation of unpaid labor’?”

²⁴ If “democracy means rule by the people,” then “in modern times *the people* has come to mean two things,” writes Mann. “The first is what the Greeks meant by their word *demos*. This means that ordinary people, the masses of the population. So democracy is rule by the ordinary people, the masses. But in our civilization, the people also mean “nation” or another Greek term, *ethnos*, an ethnic group - a people that that shares a common cultur and sense of heritage, distinct from other peoples. But if the people is to rule in its nation state, and if the people is defined in ethnic terms, then its ethnic unity may outweigh the kind of citizen diversity that is central to democracy. If such a people is to rule, what is to happen to those of different ethnicity?” The answer looks simple: “democratically but tyrannically.” Mann, Michael; *The dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge University Press, NY, 2005, p. 3.

²⁵ political democracy espouses a political arrangement in which an elite minority

mean “form of life” as Whitman-Dewey-Hook argue?²⁶ Is it a political/social revolution,²⁷ or is it coterminous with electoral democracy or democracy by election as some would like to argue? But, among others, Jane Mansbridge’s conception of democracy goes far beyond the symbolic gestures in elections. She reminds us that

rules and insidious socioeconomic inequalities are allowed to pervade the society sanctioned by formal political freedoms and electoral rituals. This notion of democracy privileges civil and political rights over social and economic rights and focuses on how to reproduce the system of inequalities (Gills, Rocamora, and Wilson) through ‘ideological state apparatuses,’ ‘administrative and governmental state power,’ ‘social control,’ and ‘bio-political-power or biopower,’ to borrow from Foucault, Hardt and Negri. See, Gills, Barry J., Joel Rocamora, and Richard Wilson., *Low Intensity Democracy: Political Power in the New World Order*, London: Pluto, 1993; Foucault, M., “Governmentality,” in J.D Faubion, *Michael Foucault: Power, Essential Works of Foucault 1954-1984*, Vol. 3, Harmondsworth, Penguin, 2002a; Hardtm M. and Negri, A., *Empire*, London, Harvard University Press, 2000. For more literature on political democracy, See Note 13 below.

²⁶ See, Whitman, Walt; “Democratic Vistas” (1871), in *Walt Whitman: Poetry and Prose*, ed. Justin Kaplan, New York: Literary Classics of the United States, 1982/1996, p.972; Dewey, John; “creative Democracy - The Task Before Us” (1939), in Dewey, *The Political Writings*, ed. Debra Morris and Ian Shapiro, Indianapolis, IN, and Cambridge: Hackett Publishing Company, 1994, p.244; *Liberalism and Social Action*, reprinted in Michael Levy, ed., *Political Thought in America*, Chicago: Dorsey Press, 1988,412; Hook, Sidney; “The Philosophical Presuppositions of Democracy,” *Ethics*, Vol. 52, No. 3 (Apr., 1942), pp. 275-296.

²⁷ See, Robinson, James A; “Economic Development and Democracy,” *Annual Review of Poli Sci*, 2006, 9: 503. Interesting about this article is that it treats democracy as species of social/political revolution, rearticulating the Leninist theory of Revolution. To this effect, it outlines certain conditions for a democracy to occur or to be created. He writes, “...democracy will be created when (a) there is a threat of collective action; (b) concessions are insufficiently credible; and (c) the cost of repression is high relative to the cost (for the elite) of democracy.” *Ibid*, p. 508. According a model he uses, “democratizations are more likely to arise in a situation of economic or political crisis that is consistent with the observation (Therborn 1977) that democratizations often follow wars and consistent with the evidence of Haggard & Kaufman (1995), Przeworski et al, (2000), and Acemoglu et al (2005b). Of course, his model, as he himself admits, “encompasses Dhal’s theory of democratization, which is that incumbents will democratize when either (a) the cost of tolerating the opposition falls, so that they are prepared to enfranchise them, or (b) the costs of suppression become too high” (1971: pp. 15-16).

democracy is also a way of deliberating and reaching consensus among people sharing similar interests, which she refers to as “unitary democracy that is distinguished from the mere process of elections or “adversary democracy”. Democracy, then, is a process of selecting leaders and deciding policies when citizens’ interests conflict as well as deliberating and arriving at a consensus.”²⁸

If A. Arblaster is correct, the expression ‘people rule’ “says nothing about elections or representation in itself; it does not indicate who comprise “the people”... Nevertheless, it is necessarily the central element in any conception of democracy.”²⁹ Therefore, the idea of rule by the people ought to be adhered to if a particular interpretation is to warrant calling itself an interpretation of democracy, although there is no or little continuity between the historical ideal and modern representative democracy. Indeed, if Claude Ake is correct, the ‘substitution of government by the *consent* of the people for government by the people; the replacement of the sovereignty of the people by the sovereignty of the *law*, and the replacement of popular sovereignty (both Athenian and Jacobean in content) by a regime of individual property rights’³⁰ is a huge departure from democracy as “people’s rule” of the ancients. There are competing conceptions of democracy that can be filtered out from the plethora of views from the market place of ideas on democracy: the representational or political conception of democracy (political) and the *way of life*

²⁸See Mansbridge, Jane., *Beyond Adversary Democracy*, Chicago: Chicago University Press, 1980.

²⁹ Arblaster, A; *Democracy*, Oxford: Oxford University Press, 1994, p. 9.

³⁰ For a highly condensed critical insight, see Ake, Claude., *The Feasibility of Democracy in Africa* (in particular, chapter one), ...

conceptions of democracy (philosophical).

I (a): A Political Conception of Democracy (PCD): From the standpoint of political democracy, democracy denotes a specific answer to the question of the source of the legitimate exercise of power through legal and political institutions. However, statements about “the people” are gratuitous to allow the concept of democracy to be applied in numerous settings where in fact, through complex symbolic, ideological, legal and military means, forced or voluntary, representation and usurpation³¹ have narrowed down the range of those who actually exercise the power. In classical Greek, women, slaves of both sexes, children and youths, resident migrants and citizens exiled abroad, could not participate in the process.³² Plato and Aristotle criticized the *dhmokratia* of their time not for being insufficiently democratic but for being over-democratic, for becoming a mob rule (*oclokrateia*). Aristotle maintains that “democracy exists where the sovereign authority is composed of the poorer classes and not of the owners of property.”³³

³¹ For instance, what in essence was the federalist argument: representation was expedient in the conditions of a large republic or a large republic was desirable because it necessitates representation? Was it concession to expediency/complexity that necessitated the representative democracy argument or a philosophical alteration in meaning and principle that made possible such a detrimental shift? Was intended to preclude the possibility of popular power/sovereignty? Professor Ake offers an affirmative response to the last line and argues that a ‘large republic was desirable because it necessitated representation.’ See Ake, *Ibid*.

³² See Glover, T.R., *Democracy in the Ancient World*, New York, Cooper Square Publishers, 1966/1927; Finley, M.I., *Democracy ancient and modern*, London : Hogarth, 1985; Raaflaub, Kurt, A. et al., *Origins of democracy in ancient Greece*, Berkeley : University of California Press, c2007. In what sense should one understand whether today’s invisible billions and alienated and dumbed down wage slaves are said to rule?

³³ Aristotle., *The Politics*, Harmondsworth: Penguin, 1981, p.115.

A representational or Political conception of democracy as spearheaded by the procedural excessively dominates the literature on democracy. Accordingly, ‘at a minimum’, writes *Freedom House Annual Survey*, ‘a democracy is a political system in which the people choose their authoritative leaders freely from among competing groups and individuals who were not designated by the government;’ *Encyclopedia Americana* defines Democracy as a ‘form of government in which the major decisions of government -- or the direction of policy behind these decisions -- rests directly or indirectly on the freely given consent of the majority of the adults governed.’ Tutu Vanhanen defines it as, “... a political system in which different groups are legally entitled to compete for power and in which institutional power holders are elected by the people and are responsible to the people.”³⁴

Joseph Schumpeter defines democracy as “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.”³⁵ In a manner that looks a prescription of how things should be, Schumpeter reminds that “Democracy does not mean and cannot mean that the people actually rule in any obvious sense of the terms’, people’ and rule’. Democracy mean only that the people have the opportunity of accepting or refusing the men who are to rule them”³⁶ Accordingly, the people are meant to be ruled, meant to be led. In short, ‘the people cannot rule’. Schumpeter

³⁴ Vanhanen, Tutu., *Prospects of democracy: a Study of 172 Countries*, London: Routledge, 1997, p. 31. The book summarizes definitions of democracy of the last 40 years on p. 28-31.

³⁵ Schumpeter, J., *Capitalism, Socialism, and Democracy*, New York: Harper & Brothers, 1947/1978, p. 269.

³⁶ *Ibid.*, pp.284-5.

offers this elitist view of democracy as a substitute for the alleged inadequacy of the alternative classic theory that he defines as “that institutional arrangement for arriving at political decisions which realizes the common good by making the public itself decide issues through the elections of individuals who are to assemble in order to carry out its will.” Schumpeter asserts that there is no such thing as “a uniquely determined common good that all people could agree on or be made to agree on by the force of rational argument.” The justification for this claim is (a) “that to two different individuals and groups the common good is bound to mean different things” and (b) that even if a definite common good proved acceptable to all “this would not imply equally definite answers to individual issues.” He concludes from these that the concept of the will of the people vanishes.³⁷ By debunking classical theory Schumpeter transforms democratic theory into a theory about the competition between elites thereby severing the alleged classical link between democracy and the conditions and possibilities of self ruling and popular sovereignty. Accordingly, democracy as a procedural system means that the people at regular intervals “have the opportunity of accepting or refusing the men who are to rule them.”³⁸

Samuel P. Huntington writes that his study “defines a twentieth century political system as democratic to the extent that its most powerful collective decision-makers are selected through fair, honest and periodic elections in which candidates clearly compete for votes and in which virtually all the adult population is eligible to

³⁷ *bid.*, 250-52.

³⁸ *Ibid.*, p.285.

vote.”³⁹ Anticipating criticism of his definition, Huntington argues that, while such a government may be “inefficient, corrupt, short-sighted, irresponsible, dominated by special interest groups, and incapable of adopting policies demanded by the public good,” he goes on to claim that such “qualities may make such governments undesirable but they do not make them undemocratic.”⁴⁰ He goes on to argue that democracy is just one public virtue and not the only one. For him, the relationship of democracy to other public virtues and vices “can only be understood if democracy is clearly distinguished from other characteristics of political systems.”⁴¹

Robert Dahl is one of the first to introduce the word 'polyarchy' to describe modern democracies. He operationalized the Schumpeter-Huntington definition of democracy in his book *Polyarchy: Participation and Opposition*. According to him, democracy is an inclusive participatory regime based on party alterations or contestation. It “provides opportunities for (1) effective participation, (2) equality in voting, (3) gaining enlightened understanding, (4) exercising final control by the people over the agenda, and (5) inclusion of adults.”⁴² The political institutional procedures that are necessary to pursue these goals are:⁴³

- *Elected officials*: Control over government decisions about policy is constitutionally vested in elected officials;

³⁹ Huntington, Samuel P., *The Third Wave*, Norman: University of Oklahoma Press, 1971, p.7.

⁴⁰ *Ibid.*, p. 10.

⁴¹ *Ibid.*

⁴² Dahl, Robert. A., *Polyarchy: Participation and Opposition*, New haven, CT: Yale University Press, 1971, pp.6-7.

⁴³ Dahl, R. A., *Democracy and its Critics*, New Haven: Yale University Press, 1989, pp: 221-222.

- *Free and fair elections:* Elected officials are chosen in frequent and fairly conducted elections in which coercion is comparatively uncommon;
- *Inclusive suffrage:* Practically all adults have the right to vote in the election of officials;
- *Right to run for office:* Practically all adults have the right to run for elective offices...;
- *Freedom of expression:* Citizens have a right to express themselves without the danger of severe punishment on political matters broadly defined, including criticism of officials, the government, the regime, the socioeconomic order, and the prevailing ideology;
- *Alternative information:* Citizens have a right to seek out alternative sources of information. Moreover, alternative sources of information exist and are protected by laws; and,
- *Associational autonomy:* To achieve their various rights, including those listed above, citizens also have a right to form relatively independent associations or organizations, including independent political parties and interest groups. ...all the institutions of polyarchy are necessary to the highest feasible attainment of the democratic process in the government of a country.

But, are issues of pressure and interest groups salient features and issues of democracy? Is “government by the people” compatible with joining groups that strive to influence policy or to realize interests? If democracy means that the people are sovereign, then government must be controlled by the citizens, not by interest groups

or invisible power elites.

If the above presentation is correct, it now is possible to identify the basic tenets of (political) democracy, features that are realized in modern democratic societies. According T. Christiano, “adult persons participate and vote in the process of electing representatives to the legislative assembly; such persons may run for election to public office;” in elections, “a number of political parties compete for political power by advocating alternative visions of the society;” that “the political campaigns of candidates and parties consist in large part in discussion and argument over the worth of these opposing views, and everyone is permitted to have a say in this process; and the society tolerates and often encourages vigorous debate on all issues of public interest.”⁴⁴ Accordingly, democracy could be defined in the minimal sense as ‘free and fair competitive elections under universal franchise for occupants of those posts where actual policy decisions are made. Democracy so understood is a procedure for filling of political offices through periodic, free, and fair elections.’⁴⁵ In short, the political conception of democracy entails institutional mechanisms, usually elections that allow the people to choose their leaders among competing elites for office holding; competition by prospective leaders for public support and, restraint by those elected to rule.

If A. Sen is correct, democracy is not simply majority rule, because it involves

⁴⁴ (Christiano, Thomas, *The Rule of Many: Fundamental Issues in Democratic Theory*, Boulder: Westview, 1996, p. 3; also, see “WHY DEMOCRACY IS WRONG,” <http://web.inter.nl.net/users/Paul.Treanor/democracy.html>

⁴⁵ see for, example, Nathan, Andrew., “Chinese Democracy: The Lessons of Failure,” *Journal of Contemporary China*, no. 4 (1993), 3; Lindberg, Staffan I., *Democracy and Elections in Africa*; The Johns Hopkins University Press, 2006.

certain constraints on the will of the majority. He argues, “one must not identify democracy, with majority rule, since democracy has complex demands” that “certainly include voting and respect for election results, but it also requires the protection of liberties and freedoms, respect for legal entitlements, and the guaranteeing of free discussion and uncensored distribution and exchange of ideas.” Even elections can be deeply defective if they occur without the different sides getting an adequate opportunity to present their respective cases, or without the electorate enjoying the freedom to obtain and consider the views of the competing protagonists. “Democracy is a demanding system, and not just a mechanical condition (like majority rule) taken in isolation.”⁴⁶ These constraints are nothing other than *rights*, understood here as “trumps” against majoritarian encroachments, to borrow from Ronald Dworkin;⁴⁷ or, because “individuals have rights, and there are things no person or group may do to them (without violating their rights)”.⁴⁸

With the exception of “electoral democracy” running rampant in the polities of the Global South, the representational conception of democracy is grounded on and historically antedated by philosophical or Constitutional liberalism, ranging from many centuries to a number of decades such as The Magna Carta (1215), The Fundamental Orders of Connecticut (1638/9?), The American Constitution (1787),

⁴⁶ Sen, Amartya, “Democracy as a Universal Value,” *Journal of Democracy* 10.3 (1999) p. 3-17; <http://muse.jhu.edu/demo/jod/10.3sen.html>

⁴⁷ See, Dworkin, Ronald; *Taking Rights Seriously*, Cambridge: Harvard University Press, 1977.

⁴⁸ Nozick, Robert; *Anarchy, State, and Utopia*; New York: Free Press, 1974, p. IX.

and the Helsinki Final Act (1975),⁴⁹ among others. I think, it is to these traditions that Rawls points when he writes, “In a democratic society there is a *tradition of democratic thought*, the content of which is at least familiar and intelligible to the educated common sense of citizens generally. Society's main institutions, and their accepted forms of interpretation, are seen as a fund of implicitly shared ideas and principles⁵⁰ (italics, mine). A very short review of this tradition is outlined here, since in some of the later chapters it is treated at length.

Western democracy is a political and institutional expression of a certain established way of life, both its liberal ways of life and its philosophically entrenched liberal values. Be it procedural, substantive, deliberative, etc., the underlying preferred ways of living and its values express themselves in western democracy as its *form*. If Fareed Zakaria is correct,⁵¹ western democracy differentiates the *electoral [political] conditions* (which I would like to refer to as its *democracy condition*) from the *liberal [which I prefer to call its philosophical condition]* or constitutional liberalism. The first is all about free and fair election resulting in a majority system of governance. It is a procedure for electing governments based on principles of contestation and participation. Whereas, the later is about inalienable rights and basic

⁴⁹ See, <http://www.constitution.org/eng/magnacar.htm>,
http://www.constitution.org/bcp/fo_1639.htm,
<http://www.usconstitution.net/const.html> ,
<http://www.tamilnation.org/selfdetermination/instruments/95helsinki.htm>,
respectively.

⁵⁰ Rawls, John., PL, 14

⁵¹ Zakaria, Fareed., “The Rise of Illiberal Democracy: The Next Wave,” *Foreign Affairs*, Nov. 1997; or see at
<http://www.foreignaffairs.org/19971101faessay3809/fareed-zakaria/the-rise-of-illiberal-democracy.html>

liberties with emphasis on property rights in particular, freedom of speech and conscience, and the rule of law. Thus, to borrow from Zakaria, “Constitutional liberalism has led to democracy, but democracy does not seem to bring constitutional liberalism.”⁵²

At the heart of Liberalism are individual rights and their autonomy. This is the most succinct conception one might think of.⁵³ Locke in his *Treatises* declared that people had natural rights which no government had the authority to abridge.⁵⁴ In his *Letters concerning Toleration* and others, he made powerful arguments against the Church of England. He argues that political authority must be politically generated, and not based on extra-political authority for which transcendental claims are made. He also says that in conducting politics we cannot rely on private or incommunicable knowledge, but must try to persuade each other.⁵⁵ Immanuel Kant was convinced that the moral law was intrinsic, which means that there are things that are intrinsically

⁵² Ibid.

⁵³ I don't think an indisputable and comprehensive definition of liberalism exists or would exist, a limitation already acknowledged by many liberal philosophers and thinkers themselves. For instance, see, Cranston, Maurice., “Liberalism,” in Edwards, Paul (ed.) *The Encyclopedia of philosophy* Vol. 4, 1967, p. 461; Dworkin, Ronald., “Liberalism,” in Dworkin, R., *A matter of Principle*, Cambridge: Harvard University Press, 1985a, p.183; Flathman, Richard E., *Toward a Liberalism*, Ithaca: Cornell University Press, 1989, p.2; Raz, Joseph., *The Morality of Freedom*, Oxford: Clarendon, 1986, p.1; Ryan, Alan., “Liberalism,” in Goodin, Robert E. and Philip Pettit (eds.), *A Companion to Contemporary Political Philosophy*, Oxford: Blackwell, 1993, p. 291; Waldron, Jeremy., “Theoretical Foundations Liberalism,” *Philosophical Quarterly* 37, 1987, p. 127.

⁵⁴ See, Locke, John., *Two Treatises of Government*, Laslett, Peter (ed.), Cambridge: Cambridge University Press, 1988. Its contemporary critics and adherent mind soldiers are many in numbers and in their convictions.

⁵⁵ See, Locke, J., *A Third Letter For Toleration*, J.H. Tully (ed.), Indianapolis: Hackett, 1983.

right and there things which are intrinsically wrong. Thus his formulation: “Act upon a maxim that can also hold as a universal law.”⁵⁶ This imperative was intended to provide a guide for determining which actions are in accord with the moral law, and which are contrary. For Kant, it was the actor’s intention that was determinative of the moral content of the action. This has an implication for political philosophy/theory: he is convinced of the centrality of morality in politics and his conception of autonomy (individual) is one of the lasting contributions in this respect. Kantian autonomy expresses the condition in which individuals are free from external determination such as coercion, force, or various forms of threat and manipulation and their choices are controlled by their reason, which is conformity to universalizable principles. He believed that all human beings are equal in their capacity for autonomy, that moral responsibility and human dignity both rest on this capacity, and that morality requires respect for everyone capable of autonomy. Also, Kant separated liberalism from democracy, by arguing that a government may be “republican” in content, but monarchical in form. He argued further that the project “of establishing a perfect civil constitution is subordinate to the problem of a law governed external relationship with other states, and cannot be solved unless the latter is also solved.”⁵⁷ This suggests that sovereignty is relative to morality and, therefore,

⁵⁶ Kant Immanuel., *The Metaphysics of Morals*, Gregor, Mary (Trans.) Cambridge: Cambridge University Press, 1991, p. 51.

⁵⁷ Kant, Immanuel., “Idea for a universal History with a Cosmopolitan Purpose” (1784), Kant, I., *Political writings*, 2nd ed. Nisbet, H. B. (Trans.), Reiss, Hans (ed.), Cambridge: Cambridge University Press, 1991, p.47.

governments should be held to the highest moral standards.⁵⁸

One of liberalism's geniuses was J.S. Mill. His *On Liberty* is best remembered for its assertion that even if the entire planet save one person were of one opinion and only one person holding to a contrary view, that person had every right to that view. Where Locke had championed the principle of tolerance in the religious sphere, J.S. Mill extended that principle to other spheres, being limited only by the harm principle.⁵⁹ This principle, that one should never *willfully* do harm to another lies at the heart of the consequentialist position and receives explicit formulation in *Utilitarianism*, where he writes, "The moral rules which forbid mankind to hurt one another ... are more vital to human wellbeing than any maxims, however important, which only point the best mode of managing some departments of human affairs."⁶⁰ Where Mill respectfully disagrees with Kantian formulations, J. Bentham did more brusquely. According to Bentham, there are no such things as natural rights [hence no such thing as Natural Law - no such things as rights anterior to the establishment of government [as Locke had argued] - no such thing as natural rights opposed to, in contradistinction to, legal [rights].... Natural rights is simple nonsense: natural and

⁵⁸ Is it in this spirit that Peter Singer urged a rethinking of the notion of state sovereignty, proposing that it be deconstructed and dispersed vertically? Characterizing the traditional concept of state sovereignty, as "no longer feasible," Pogge argued instead, that citizens' "allegiance and loyalty should be widely dispersed over these units: neighborhoods, town, county, province, state, region, and world at large." See, Pogge, Thomas W., "Cosmopolitanism and Sovereignty," in Brown, Chris., *Political restructuring in Europe: Ethical Perspectives*, New York: Routledge, 1994, pp.3-4.

⁵⁹ Capaldi, Nicholas., "John Stuart Mill's defense of Liberal Culture," In Eisenach, Eldon J. (ed.), *Mill and the Moral Character of Liberalism*, University Park, PA: Pennsylvania State University Press, 1998, p.85.

⁶⁰ Quoted in *Ibid.*, p. 97.

imperceptible rights, rhetorical nonsense - nonsense upon stilts.”⁶¹

J. Rawls, Jurgen Habermas, and Hannah Arendt are among 20th century’s towering figures in the liberal philosophical tradition, just to mention a few. J. Rawls’ contribution included his defense of Kant’s moral philosophy and his own theory of Justice as Fairness (JAF), which he defined as consisting of two principles. He is known for his use of a fictive “original position”, which amounts to stating a hypothetical situation of bargaining in which people should design the world in which they wished to live without knowing their particularities and conditions in life. In such a situation, he argued, any reasonable person would seek to protect the weak and the sick, and therefore, this provided a reasonable standard to which societies should aspire. He is also known for his use of the term “reasonable” in contrast to the “rational“, and his argument for a pluralism of political ideas, among others. As he wrote in his *Political Liberalism*, “Holding a political conception as true, and for that reason alone the one suitable basis of public reason, is exclusive, even sectarian, and so likely to foster political division.”⁶² Rawls viewed public morality as reflecting the consensus of reasonable minds aspiring to a reasonable solution. This is different from Hobbes’ iron-fisted sovereign, who was empowered to dictate what was right and wrong. But it is also distinct from Kant’s conviction that there are some truths which are objective and which can be discerned by human reason alone. Although

⁶¹ Bentham, J., *Anarchical Fallacies: Being an Examination of the Declaration of Rights Issued during the French Revolution* (1823) (Bentham’s italics), extracted in Singer, Peter (ed.), *Ethics*, Oxford: Oxford University Press, 1994, p.271,

⁶² Rawls, John., *Political Liberalism*, New York, Columbia University Press, 1993/1996, p.129.

original, his view of public reason has drawn critiques from many corners.⁶³

Habermas is the most influential living Kantian today. In *The Inclusion of the other*,⁶⁴

Habermas revives the Kantian project of organizing the international community on the basis of public reason and offers that project as a suitable basis for reducing the incidence of regional conflicts. Whereas, Arendt's writings were (at least in part) stimulated by her personal outrage on anti-Semitism, totalitarianism, and imperialism, viewing the last of the three as a consequence of the first two.⁶⁵ So, what Rawls, Habermas and Arendt have added to the liberal thinking may be summed by the triad of justice as fairness, a plea for public reason, and compassion.

In short, liberalism is a general philosophical conception about individual rights and autonomy, pluralism, freedoms, equality, justice, the rule of law, tolerance, respect for the harm principle, and the neutrality of the state in matters of religion.⁶⁶

⁶³See, Habermas, Jürgen , "Reconciliation Through the Public Use of Reason: Remarks on John Rawls's Political Liberalism" in *The Journal of Philosophy* 92:3 (March 1995), pp. 109-131; Walzer, Michael, *Interpretation and Social Criticism*, Cambridge, Mass.: Harvard University Press, 1987; Okin, Susan Moller., "Political Liberalism, Justice, and Gender" in *Ethics* 105:1 (October 1994) pp. 23-43; "Justice and Gender" in *Philosophy and Public Affairs* 16: 1, 42-72 at 49; Justice, Gender and the Family, New York: Basic Books, 1989 (chapter 5); Okin, Susan Moller, Carole Pateman, *The Disorder of Women: Democracy, Feminism and Political Theory*, Stanford: Stanford University Press, 1989, pp. 26-28, 58-70, 118-140. MacKinnon, Catharine., *Toward a Feminist Theory of the State*, Cambridge, Mass., Harvard University Press, 1989, pp 45-47.

⁶⁴Habermas, Jürgen., *The Inclusion of the Other: Studies in Political Theory*, Cronin, Ciaran and Pablo De Greif (eds.), Cambridge, Mass.: MIT Press, 1998

⁶⁵ Arendt, Hannah., *The Origins of Totalitarianism*, new ed., New York: Harcourt, Brace, & World, 1966.

⁶⁶Or is liberalism itself is an ideology? If even so, however, in liberal democracies many of the main elements of liberalism tend to be generally accepted, even, in practice, by apparent critics of liberalism. For instance, within Rawlsian liberalism the argument is made that justice as fairness would be accepted on contractarian

Given the passionate debate surrounding liberalism (by its critics and ardent supporters), my contention is that rights and autonomy take precedence over other cherished liberal values, respectively. So, western democracy cannot be seen apart from these ‘traditions of democratic thought,’ a philosophical/intellectual ‘fund of implicitly shared ideas and principles,’ to borrow from Rawls.

I (b): A Philosophical conception of democracy (PCD)⁶⁷: The “tradition of democratic thought” referred above points at a neglected side in the interpretation and conception of democracy also. An established tradition in thought (*a form of life*) cannot be seen apart from an established way of life lived by a people (*a way of life*). Thus, democracy is a *form of life* grounded on particular values and *ways of that life*.⁶⁸ The statement, “democracy is a *form* of government” itself is rooted in and expresses a way of life valued and lived by a people; or better, democracy is not merely a set of institutions of governance as it is an expression of a larger *way of life* and the essence of the democratic way of life is more than the economic and governmental arrangements. As a form of life it serves to organize human relationships embodying complexes of moral and political ideals. So, the material and philosophical ideal a people aspire to and choose to pursue underlies and shapes its

grounds by all reasonable citizens, and that it (and by implications, Rawls's two principles of justice) is therefore not a controversial political ideology.

⁶⁷In addition to the works cited under this section, a great article by Thomas A. Spragens, Jr. is extremely resourceful for the argument in the following few paragraphs. See, Spragens, Thomas A., Jr., **POPULIST PERFECTIONISM: THE OTHER AMERICAN LIBERALISM**, Social Philosophy & Policy Foundation, USA, 2007.

⁶⁸ This interpretation comes mainly from Whitman-Dewey. Given the vastness the literature surrounding the first option on the interpretation of democracy, the “way of life...” interpretation seems pushed to the periphery intellectual concern and philosophical neglect.

democratic course. For example, both the liberal way of life and constitutional liberalism as a philosophical ideal/doctrine preceded and determined the course and history of Western democracy; more still, whether one takes the Lockean path or Jacobian course or any combination of these to forge a democratic life-mode tells much about the predominance of a particular brand of liberal democracy in practice.⁶⁹ In short, democracy is a *form* of life that expresses a dominant and established *way* of living.

The political conception of democracy does not exhaust the hopes and purposes of democracy and democratic society. That is, aren't there deeper, larger, and higher purposes of democracy also, i.e., doesn't democracy entail some teleological conception of human fulfillment as well as the possibility of what Benjamin Barber calls "an aristocracy of everyone,"⁷⁰ since for most of human

⁶⁹ For instance, whether individual property rights and its protections and/or whether the general will comes before particular interest is detrimental in shaping the democratic course in action or envisioned. So, despite their shared heritage in the liberal tradition, the Locke-Kant or rights based Anglo-American route to democracy privileges and emphasizes more on freedoms and rights than, say, the ideal and path Rousseau espoused that privileges equality and fraternity. Also, divisions such as procedural vs. substantive democracy, among many others, have their origins in the precedent philosophical emphasis placed on some values over/against others. That is why I argue that democracy is an expression of the values one considers sacred and inalienable in ones personal and national-societal life (for further inquiry, see Sabine George H; "The Two Democratic Traditions," *The Philosophical Review*, Vol. 61, No.4 (Oct., 1952), pp. 451-474; LeGarrec, Gilles, "Moral sentiments, democracy and redistributive politics: between nature and culture," *OFCE*, No. 2007-09, March 2007; Ramet, Sabrina *The Liberal Project and the Transformation of Democracy: The case of East Central Europe*, College Station: Texas A&M University Press, 2007; Mentan, Tatah; *Held Together By Pins: Liberal Democracy Under Siege in Africa*, Africa World Press, Inc., NJ/Asmara, 2007).

⁷⁰ See, Barber, Benjamin; *An Aristocracy of Everyone*, New York: Oxford University Press, 1992.

history, the common folk were not able or entitled fully to pursue lives of their own, build their lives around purposes of their own determination, so much as they were extremely dominated functionaries in the service of the purposes of their masters and rulers? Doesn't the ultimate aspiration of democracy and a democratic society extend to matters of the mind, heart, and their spirituality also? Wouldn't the ultimate glory of democracy and a democratic society be its success in fashioning social institutions incarnating a "way life" conducive to the flourishing of the human capacities and the realization of an "emancipated social humanity"?⁷¹ Doesn't democracy entail what J.S. Mill, by quoting W. V. Humboldt, calls "the absolute and essential importance of human development in its richest diversity"?⁷² because human beings are "not indistinguishably alike" but instead possess many different talents and capabilities in all their multifarious splendor, their "life becomes rich, diversified, and animated," and they "become a noble and beautiful object of contemplation"⁷³ as Mill argues. Any unpacking of the implication and logic of democracy and democratization that doesn't show these, among others, falls below what the ideal entails.

A democratic and free society must be judged not only by the per capita income and the standards of living its citizens enjoy; no less important is the moral maturity, the spiritual strength, and the intellectual prowess it citizens. Other wise, as the say goes in indigenous Africa, 'a house built on sand cannot help crumbling before our eyes.' Accordingly, we can argue that democracy (with an moral and

⁷¹ See, Marx, K; *The Jewish Question; The early Writings (or The Paris Manuscript)*

⁷² Mill, S.J; *On Liberty*, Indianapolis: Bobbs-Merrill, 1859/1956, p.71.

⁷³ *Ibid*; p.82,72.

spiritual contents) entails the fulfillment of higher human needs of citizens such as their spiritual, intellectual, and moral development without which human freedom and free society remain mechanical and formal, which, left on its own is undesirable and stifling. A society of dumbed-down “free looking” subjects is antithetical to the ideals of freedom and free society. An uninformed and uncritical mass of people is subject to elite manipulation and its politically engineered corruptions. Thus, the liberating potential of democracy cannot be seen apart from its liberating and flourishing potentials. Unfortunately (or deliberately?) the this side of democracy’s potency and intellectual lineage has been given little or no attention compared to sacred status assigned to procedural norms and ideals.

Largely ignored and neglected by the predominantly representative conception of democracy, Walt Whitman’s “Democratic Vistas” offers an argument for a deeper and higher purposes of American democracy and the project of democratization in general. Whitman tells us that America should be understood as a “grand experiment of development;”⁷⁴ it represents the leading edge in a vast cosmic process of spiritual unfolding animated by “divine purpose.” In the context of this cosmic drama, Whitman suggests, American democracy should be seen as only in the earliest stages of its own development. Its “fruition” and “the only large and satisfactory justification of it ... resides altogether in the future.”⁷⁵ This ultimate “fruition” of democracy will consist in its attainment of purposes that are not simply material and

⁷⁴ Whitman, Walt; “Democratic Vistas” (1871), in *Walt Whitman: Poetry and Prose*, ed. Justin Kaplan, New York: Literary Classics of the United States, 1996, p.972.

⁷⁵ *Ibid*; p.1009.

institutional but moral and spiritual in nature. He writes, “The world evidently supposes...that the States are merely to achieve the equal franchise, and elective government - to inaugurate the respectability of labor, and become a nation of practical operatives, law-abiding, orderly and well off. Yes, those are indeed parts of the task of America; but they not only do not exhaust the progressive conception, but rather arise, teeming with it, as the medium of deep, higher progress....For so long as the spirit is not changed, any change of appearance is of no avail.”⁷⁶ Indeed, spiritual and moral decadence and starvation is no less cancerous and viral than material deprivation and economic poverty. Both are equally undignifying and belittling.

So, what then are these deeper and higher purposes of democracy? In view to answer this question, Whitman refers us to two famous documents. The first of these is A. Lincoln’s Gettysburg speech. Whitman write, “Few probably are the minds, even in these Republican States that fully comprehend the aptness of that phrase, ‘THE GOVERNMENT OF THE PEOPLE, BY THE PEOPLE, FOR THE PEOPLE,’ which we inherit from the lips of Abraham Lincoln; a formula whose verbal shape is homely wit, but whose scope includes both the totality and all minutiae of the lesson.”⁷⁷ The second document is “John Stuart Mill’s essay *On Liberty*,” which is the place to look to understand “the distinctive points contrasting modern European and American political life with the old *Asiatic cultus*,” and which explains “the lessons of variety and freedom” with which Mill “begins his speculation.”⁷⁸ What an

⁷⁶ Ibid; 1001-2.

⁷⁷ Ibid; p.967.

⁷⁸ Ibid; 953.

imaginative leap on Whitman's Part, for he wedded Lincoln's insistence upon democracy as governance *of, by, and for* the people with Mill's insistence that the criterion for judging political regimes is their contribution to the mental and moral development of its people.⁷⁹ Whitman is proposing one of the most fundamental purposes of democracy and democratic government; he tells us about "the mission of government, henceforth, in civilized lands" and about "the ulterior object of political and all other government." These ultimate purposes are the deeper meaning of the phrase "by the people" and "for the people" respectively. So it is no exaggeration to claim that the two axial social aspirations that Habermas identified, "Self-determination and self-realization,"⁸⁰ have their root in Whitman's 1871 "Democratic Vistas."

According to Whitman, since democracy's insistence on government "by the people" is grounded in its moral conviction that "each individual person" is entitled to be "a complete subject of freedom," "the mission of government in civilized lands is not repression alone, and not authority alone, not even of law...but...to train communities through all their grades, beginning with individuals and ending there again, to rule themselves."⁸¹ On the other hand, democracy's insistence on government "for the people" translates into a dedication to the development or

⁷⁹ see John Stuart Mill, *Considerations on the Representative Government*, Chicago: Rognery, 1861/1962, p.35-36.

⁸⁰ Habermas, Jurgen; "Popular Sovereignty as Procedure," a lecture given in December 1988, trans. William Rehg, in Bohman, James and Rehg, William, eds., *Deliberative Democracy: Essays on Reason and Politics*, Cambridge, MA, and London: MIT Press, 1997, pp. 39, 41.

⁸¹ Whitman, *Ibid.* p.971.

actualization of their personal capacities - the very “grand leading principle” of “the absolute and essential importance of human development” in the Von Humboldt quotation Mill uses as his epigram to *On Liberty*. This is what Whitman refers as “the grand experiment of development - whose end, perhaps requiring several generations, may be the forming of a full-grown man or woman.”⁸² So, argues Whitman, “the ulterior object of political and all other government” is “not merely to rule, to repress disorder, etc., but to develop, to open up to cultivation, to encourage the possibilities of all beneficent and ...of that aspiration for independence, and the pride and self respect latent in all characters.”⁸³

Although it will be incorrect to style Dewey as simply a later version of Walt Whitman, there are enough similarities between the two, however. Like Whitman and Mill, Dewey understands democracy not merely as a set of institutions of governance but as a larger *way of life*.⁸⁴ According to Dewey, we must “get rid of the habit of thinking of democracy as something institutional and external and to acquire the habit of treating it as a way of personal life.”⁸⁵ Like Whitman, Dewey sees the democratic society as very much a work in progress, with its realization something to hope for in the future rather than as a *fait accompli*. They both share a common conviction that democratization is ultimately a self realization of the human spirit in history; both

⁸² Ibid, p.972.

⁸³ Ibid; 970-71.

⁸⁴ Robert B. Talisse, for example, is highly critical of this view of Dewey. For the detail arguments, see his *A Pragmatist Philosophy of Democracy*, New York: Routledge, 2007, among his many other works.

⁸⁵ Dewey, John; “creative Democracy - The Task Before Us” (1939), in Dewey, The Political Writings, ed. Debra Morris and Ian Shapiro, Indianapolis, IN, and Cambridge: Hackett Publishing Company, 1994, p.244.

depict the essence of the democratic way of life as cultural and spiritual rather than as merely economic and governmental.⁸⁶

John Dewey, in *Liberalism and Social Action*, argues that the “social control of economic forces” is necessary in the context of advanced industrial societies, but it is a necessity not in order to change the social goals traditionally associated with liberalism but rather to achieve them. These “enduring values,” he writes, “are liberty, the development of the inherent capacity of individuals made possible through liberty, and the central role of free intelligence in inquiry, discussion, and expression.”⁸⁷ The first two of these “enduring values” are Habermas’s self-rule and self-realization, the “ulterior” purpose of democracy Whitman cited in his own rendering of what government “by the people” and “for the people” meant. And Dewey’s endorsement of the third of these values resembles the argument of the second chapter of Mill’s *On Liberty*, which Whitman cited as an inspiration for his “Democratic Vistas.”

Do Whitman and Dewey privilege individual freedom over social justice? If one follows the line of reasoning by Rorty the answer is yes, for he claims that they “substituted social justice for individual freedom....”⁸⁸ This claim may be correct just in the sense that Whitman and Dewey thought that the promise of democracy was that

⁸⁶ For example, Rorty argues that Whitman and Dewey were not implicated in the Hegelian belief that an entelechy of reason in history provided cosmic impetus for democratizing: “they [i.e., Whitman and Dewey] rejected any idea of divine providence and any idea of immanent teleology.” Even if assuming that Rorty was incorrect, this belief of the 19th century democratic thinkers must be set aside. (another place?)

⁸⁷ Dewey, John; *Liberalism and Social Action*, reprinted in Michael Levy, ed., *Political Thought in America*, Chicago: Dorsey Press, 1988, 412.

⁸⁸ Rorty, Richard; *Achieving Our Country*, Cambridge, MA, and London: Harvard University Press, 1998, p.101.

all should and could be free - that all the members of a fully developed democratic society should be “full-grown” men and women, as Whitman put it. However, for that to happen, the distribution of material resources in the society had to permit it - had to be less unequal than in previous forms of society, where the serfs, plebes, or commoners essentially served more as fodder for the lives and their betters than as “separate and complete subjects for freedom.”⁸⁹ Thus, a demand for “social justice” is indeed an important part of their vision of a more democratic future. The point that remains to be reflected upon is whether there is any difference between Whitman-Dewey (W-D) and other rights-based social justice theorists with regard to the content and status of social justice.

What is the principal goal of democratization and why democracy? What difference, if any, is there between, say, the Rawlsian project and W&D version? John Rawls rejects the kind of reasoning found in W&D. For one, the conception of social justice in the W&D tradition was unnecessarily vague and inadequately demanding. Instead of settling for the rather general and indeterminate conception of social justice found in this older tradition such as “decent wages and working conditions and the end of racial prejudice” as referred to by Rorty, one can ascertain much more precise standards for social justice, argues Rawls. By taking the moral intuitions at the foundation of contemporary liberal democratic societies as one’s axiom and working out their implications for distributive principles, one can produce a “moral geometry” whose conclusion will provide a determinate conception of social

⁸⁹ Whitman, *Ibid*; p.971.

justice. When one performs this rational choice thought experiment, moreover, one can say with confidence that the demands of social justice are highly egalitarian – that what justice demands is that our constitutional provisions and social policies operate so as to maximize the absolute welfare of the least well-off members of society. Returning to the earlier, more indeterminate, and less demanding account of social justice found in people like W&D, therefore, would constitute, in Rawls’s view, a kind of moral backsliding.

His (Rawls’s) second basic objection to the W-D tradition is the central difficulty he seeks to surmount in his political liberalism.⁹⁰ The problem Rawls seeks to solve with his account of “political liberalism,” he would argue, is one that afflicts and ultimately morally invalidates the W-D version [and other related theories] of democratic hopes. The difficulty Rawls sees as common to such theories is this: if the highest goal of a society is to be “self-realization,” the society must de facto endorse a particular conception of the human good. We can orient our social enterprise around “mental and moral improvement” (Mill) or “the forming of a full-grown man and woman” (Whitman) only if we have and enforce a single determinate model of human perfection. In a morally and religiously pluralistic society, however, where citizens affirm multiple divergent conceptions of the good life, this must have the consequence of violating the norms of reciprocity at the heart of the equal protection of the laws and must also have the consequences of constraining the freedom of those who do not accept the officially endorsed account of human self-realization. In short,

⁹⁰See, Rawls, John., *Political Liberalism*, New York: Columbia University Press, 1993.

all W-D type accounts of democratic purposes are discriminatory and oppressive. To retain the liberal bona fides, therefore, Rawls would insist, one must reject such accounts; limit the common purposes and the moral foundations of liberal society to the principles of justice upon which one can agree despite the variance in one's conception of human fulfillment, and simply leave it to each of us freely to pursue happiness as one sees fit after one gets the distribution of social resources properly taken care of.

Despite their apparent difficulty and weightiness, these objections are not hard to respond to. To the complaint that their (W-D's) conception of social justice is too indeterminate and insufficiently stringent by egalitarian standards, there are these rejoinders: first, any fully determinate account of *absolute fairness* in the distribution of social and economic resources is delusionary, because it is unrealistic and/or untenable; besides, justice is not a subspecies of fairness to resources. Second, the moral assumptions necessary to sustain a rigorously egalitarian conception of social justice, such as the one offered by Rawls⁹¹ are at odds with the considered judgments of many, if not most, of the members of contemporary democratic practices and principles. Given the moral tragedies, complexities, and uncertainties endemic to the human condition, that condition admits of no "moral geometry" when it comes to

⁹¹Rawls, John., *A theory of Justice*, pp. 83/62: This is the standard found in Rawls's second principle of justice, his "difference principle," whose imperatives are "basic throughout...[his] general conception of justice." That general conception is that "all social values – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution...is to everyone's advantage"; and "to everyone's" is to mean "to the greatest benefit of the least advantaged."

arriving at principles of distributive justice. The various members of all societies, including democratic ones, differ in their natural talents, in the contingent circumstances in which life places them, in their levels of productive effort, in their willingness to delay or sacrifice gratification on behalf of future benefits or common purposes, and in the conceptions of the human good that shape their actions.

Upon examination, it turns that the Rawlsian identification of distributive justice with the greatest degree of equality consistent with collective rationality depends upon the assumption that nothing people do can provide them any moral warrant for claiming they have “earned” anything. This denial of all pre-institutional deserts, in turn, seems to depend on a “naturalistic” account of behavior incompatible with the standard notion of moral responsibility. And the abandonment of that notion serves not only, as Galston observes, to “sever [liberalism’s] bonds with the moral convictions of the working class,” but also to “flatly reject the conception of the person underlying our beliefs and practice.”⁹² So, the stringency of the content of their conception of social justice, which Rawlsian liberals cite as a sign of the superiority of their account to earlier liberal accounts, turns out instead to be a moral step backward in other respects.

Still more, Rawls’s charge that the political tradition represented by W-D is oppressive and violates liberal principles of legitimacy also seems unconvincing. This claim is based on the distinction Rawls seeks to make between “political” and

⁹²Galston, William., *Liberal purposes*, Cambridge: Cambridge University Press, 1991, p.61. These beliefs and practices include the conception of human freedom and dignity widely associated with the idea of human and civil rights and the conception of the accountability for one’s deeds incorporated in the doctrine of MensRea.

“comprehensive” models of liberalism. “Political” conceptions “remain on the surface” philosophically, resting only on moral assumptions regarding fair terms of social cooperation and eschewing any commitment to particular conceptions of the human good. “Comprehensive” conceptions, in contrast, endorse and depend upon some complete and particular account of the human good. Thus, the argument runs, “political” models of liberalism can deal even-handedly with all the citizens in pluralistic democratic societies, who govern their lives by different and incompatible moral and religious beliefs about the good life. In contrast, “comprehensive” models of liberalism cannot treat all citizens in such a pluralistic society with equal respect and will not allow them all the same freedom to pursue happiness as they see fit. The defect in this argument is that the contrast it rests on may make sense in abstract philosophical space but breaks down when applied to the real world. The fact is that no liberal theory – probably no public philosophy of any sort – can fulfill the neutrality condition of the abstract ideal-typical model of a “political” conception. None can be so teleologically teetotal. All are at least “minimally perfectionist,” (objective nature perfectionist ideal as opposed to human nature perfectionist ideal) as Galston puts it, and that certainly includes Rawls’s own favored model.⁹³

Certainly, in any case, the norms of self-realization found in Whitman’s and Dewey’s democratic idealism do not answer to Rawls’s characterization. WD envision all the members of the democratic societies they hope for as displaying all the capacities people require in order to be able to be full subjects of freedom and as

⁹³Ibid., p.177.

exhibiting those civic virtues necessary for democratic self-rule to succeed. After that, the members of society are turned loose – free and able to pursue their own versions of personal fulfillment. Whitman, for example, hopes for “the copious production of perfect characters among the people,” but that refers to the democratic civic virtues. Whitman certainly does not envision or celebrate the kind of “narrow theory of life” that Mill attributes to Calvinism or the alleged “Chinese ideal of making all people alike” that Mill specifically denounces in the very text Whitman cites as the inspiration for his “Democratic Vistas.”⁹⁴ Instead, although all citizens in the democratic future Whitman envision will share a “democratic character,” the lives they lead will be “rich, luxuriant, and varied;”⁹⁵ he anticipates and exults in the prospect of the open-ended and unimaginable individual diversity that Mill celebrates as “noble and beautiful.”⁹⁶ So, to construe this kind of democratic idealism as oppressive and inappropriate for a pluralistic society could seem plausible only to someone in the grip of a profoundly misleading kind of academic scholasticism.

To reiterate, therefore, Social Justice, for W-D, did not mean the greatest possible degree of social and economic equality. They presumed that some differences in social standing and economic achievement would be part the democratic future, even that such differences were “pre-institutionally” justifiable. As Rorty writes, “by ‘justice’ they all meant pretty much the same thing - decent wages

⁹⁴Mill, J.M., *On Liberty*, pp.75-84.

⁹⁵Whitman., *Ibid*, pp.982-83.

⁹⁶Mill, *Ibid.*, p. 76.

and working conditions, and the end of racial prejudice.”⁹⁷ For W-D, social justice did not mean maximum feasible equality of what Rawls calls the “social primary goods” of power and opportunities, income and wealth, and social status. It meant the achievement of civic equality and an end to economic exploitation, political oppression, and social exclusion. As for its status among political goods goes, both considered it as an essential virtue of social institutions. But they would not have considered it to be the “first virtue of social institutions,” if that were to mean its attainment was the highest purpose of democracy. That pride of place goes instead to the good of self-actualization along with the self rule necessary for it. “What does civilization itself rest upon?” Whitman asks rhetorically; “What object has it, with the religions, arts, schools, etc., but rich, luxuriant, personalism? To that, all bends, and it is because towards such result democracy alone...breaks up the limitless fallows of humankind, and plants the seed, and gives fair play, that its claims now precede the rest.”⁹⁸

Although cursory and cryptic, these accounts of the social hopes and moral preoccupations of Whitman and Dewey point towards another important (even, neglected?) liberal tradition in addition to those more commonly and dominantly accorded pride of place⁹⁹ within attempts to characterize the philosophical genius of

⁹⁷ Rorty., Ibid, p.59.

⁹⁸ Whitman., Ibid, p.982.

⁹⁹ By “those more commonly and dominantly accorded pride of place” I refer to both rights-based theories and Civic republicanism. This is not to say that the Whitman-Dewey route to democracy fails to uphold the believe in government based on consent, or in the kind of rights guaranteed by the first ten amendments to the US Constitution, or in public-spirited equal citizenship, or in the rule of law. They accept

American democratic politics. The ultimate political aspirations of W-D are that all democratic citizens should become enabled to rule themselves and to actualize their talents and capabilities to the fullest possible extent. Philosophically speaking, the inspiration for this orientation comes not so much from Locke's account of legitimate government, or from rights-based philosophies more generally, or from the dominant themes of civic republicanism. Instead, it takes its bearings more from 19th Century philosophies of historical progress such as those of J.S Mill and G.W. Hegel. And it takes as its ultimate social aspiration not the protection of life, liberty, and estate or the creation of civic communities modeled on Sparta, Florence, or Geneva; instead, it sees it as the mission of democratic politics to achieve freedom for everyone - to create a form of social life in which everyone becomes, to cite Whitman once again, "a separate and complete subject for freedom" and a "full-grown man and woman."

But, does this all mean that Whitman and Dewey can be disinterred fully intact and unmodified? Values may endure, but times do change; so, it would be unreasonable to expect that they need no revision to be serviceable in the altered circumstances. Accordingly, for instance, the residual influence of a Hegelian philosophy of history deserves critical scrutiny, since the dismaying evidence of the past century and many attempts in democratization undermine any belief in democracy as the inexorable wave of history. Moreover, conscious awareness is required with regard to the belief in providential guarantees and authorization, for it

all these core liberal tenets which Locke, Kant, and the republican tradition championed; however, their additional (principal?) and ambitious and extensive looking concerns lie mainly in understanding democracy not merely as a set of institutions of governance but as a larger *way of life*.

can be dangerous leading to self-arrogating claims of “manifest destiny” and exceptionalism. Divine intervention is not essential to the democratic faith of Whitman or Dewey about the possibility of creating a society where all people can run their own lives, participate in communal self-governance, and have the opportunity and resources to pursue happiness. Still more, we should also understand that creating a stable, free, self-governing society is a difficult, even a fragile achievement. Although this recognition may be discouraging, it need not be crippling to the democratic hopes championed by Whitman and Dewey. What it all means is that, those dedicated to the promise of democracy may have to give up the comforting delusion of guaranteed triumph; but the enduring values and goals that Whitman and Dewey champion can be fully grounded in and logically derived from the basic moral premises and legitimacy claims of democracy. Civil rights, civil liberties, and popular sovereignty retain their moral purchase for all those who retain Hegel’s hope that all shall be free even after we abandon his assurance that the self-actualizing rationality of history will bring this freedom about.

II: Economy and Democracy. As already indicated, the vast literature on democratization comes mainly from the disciplines of political science, economics, and sociology. Although full of ideas and insightful case studies, they provided little or no theoretical generalizations about the circumstances that lead a society to become and remain democratic; it also runs short of normative exploration on the matter. One possible reason is that many scholars of, say; comparative politics reject the possibility of the scientific study of politics. For example, Linz and

Stepan¹⁰⁰ argued that “the historicity of macro-political processes precludes the highly abstract generalizing of ahistorical social scientific models...applicable to all past times and any future cases, and O’Donnell and Schmitter¹⁰¹ note, “We did not have at the beginning, nor do we have at the end of this lengthy collective endeavour, a ‘theory’ to test or to apply to the case studies and thematic essays in these volumes.” Thus, many scholars in this area seem to follow Sklar’s suggestion that, since “political science is not moral philosophy, it does not prescribe the ends of political action;” “it is concerned with finding adequate means for achieving politically defined ends.”¹⁰²

So, in the face of the shortage of *normatively rich* literature in the ocean of abundant works to guide our research at present, it would be rational to begin by reiterating an already existing sound claim at work: the development and institutionalization of western democracy cannot be seen apart from the history and development of *Laissez-faire* capitalism, (as “economic rationality,” “market rationality” and as “societal disposition of power”),¹⁰³ (possessive) individualism,

¹⁰⁰ Linz JJ, Stepan A; *The Breakdown of Democratic Regimes*, Baltimore, MD: Johns Hopkins University press, 1978, p. XI.

¹⁰¹ O’Donnell G, Schmitter PC; *Transitions from Authoritarian Rule: Tentative Calculations about Uncertain Democracies*, Baltimore: Johns Hopkins University press, 1986, p.3.

¹⁰² Sklar, Richard I; “Towards a Theory of Developmental Democracy,” in Adrian Leftwich (ed.) *Democracy and Development*, Cambridge, England: Polity Press, 1996, p. 26.

¹⁰³ See, Weber, M; *General Economic History*, New York: Collier, 1961; *The Protestant Ethics and the Spirit of Capitalism*, New York: Charles Scribner’s Sons, 1958; Polanyi, K., *The great transformation: The political and Economic origins of Our Time*, Boston, MA: Beacon Press, 1957; Lacher, Hannes; *Beyond Globalization: Capitalism, Territoriality, and the International Relations of Modernity*, Routledge,

liberal conception of rights and freedoms, the birth of both the metaphysical and the religious self,¹⁰⁴ along with its secular and rational course and its quest for the Nation state. Unlike the fictitiously rampant conditionality driven electoral democracies¹⁰⁵ of the Global South, Western democracy is preceded and accompanied by powerful combinations of material and intellectual/spiritual capitals at work and; capitalist modernization and its constitutive elements are the materials and intellectual/spiritual bedrocks in which western democracy is deeply embedded. So, from the history of the modern west, we draw correlation between its democratic traditions and the existence of an empowering/enabling material security and existential security, among some others.

The literature on modernization and developmental state theory confirm this claim also. Both theories accept the link between capitalist development and democracy and that economic development precedes successful democratization. Indeed, Rueschemeyer, Stephens and Stephens have observed that in some analyses “democracy and capitalism are often seen as virtually identical.”¹⁰⁶ Modernization

London and New York, 2006, p.35.

¹⁰⁴ Altizer, Thomas JJ; *Decent Into Hell: The metaphysical Study of the Radical Reversal of the Christian Consciousness*, Philadelphia, Lippincott, 1970; Burt, E. A; *The metaphysical Foundation of Modern Physical Science*, Garden City, N.Y: Doubleday, 1954, Weber; *Ibid*, 1957.

¹⁰⁵ Fictitious cyclical elections are methods and in fights for office holding by the political elites, which cannot and should not be taken for a democratic empowerment by “the people”; it is a mechanism of securing economic dividend from donor based economy by contenders for various offices of spoil. People fight over political institutions because of the different allocations of resources that different institutions lead to.

¹⁰⁶ Rueschemeyer, Dietrich; Stephens, Evelyne Huber and Stephens, John D; *Capitalist Development and Democracy*, p. 1.

theory views change in societies as immanent and focuses on specific domestic causal sequences linking economic development to democratization, a view and focus that come under attack by scholars such Cumings, O'Donnell, Schmitter, among others.¹⁰⁷ Developmental state literature unmask the role played by the government and political systems in the economy. The literature contends that the active pursuit of economic policies has been an integral element of high growth economies as observed in East Asia, for instance.¹⁰⁸ As Shelly writes, "In addition to highlighting the adoption of strategic trade and industrial policies, authors of developmental state literature point out that this model of development contain certain undemocratic features such as political domination by one party combined with elements of authoritarian rule. Political legitimacy in this context derives from economic success, not from the 'consent of the people.'"¹⁰⁹ While Johnson regards the economic miracle

¹⁰⁷ Cumings, Bruce; 'The Origins and Development of the Northeast Asian Political Economy: Industrial Sectors, Product Cycles, and Political Consequences,' *International Organization*, 38, 1984; O'Donnell, G. and Schmitter, C; *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, 4th impression, Baltimore, London: The John Hopkins University Press, 1993.

¹⁰⁸ See, Johnson, Chalmers; *MITI and the Japanese Miracle: The Growth of Industrial Policy 1925-1975*, Stanford University Press, 1982; 'South Korean Democratization: the Role of Economic Development,' In James Cotton (ed.), *Korea Under Roh Tae Woo: Democratization, Northern Policy and Inter-Korean relations*, Sydney: Allen and Unwin, 1993, pp. 82-107; 'Political Institutions and economic performance: The Government-Business Relationship in Japan, South Korea and Taiwan,' in Frederic C Deyo (ed.) *The political Economy of New Asian Industrialism*, Ithaca, New York: Cornell University Press, 1987, pp.136-165; Wade, Robert; *Governing the market: Economic Theory and the Role of Government in East Asian Industrialization*, Princeton: Princeton University Press, 1990; Amsden, Alice H; *Asia's New Giant: South Korea and Late Industrialization*, New York: Oxford University Press, 1989.

¹⁰⁹ Shelly, Becky., *Democratic Development in East Asia*, London; New York: Routledge, 2005, p. 17.

of East Asia as a trade-off between “greater economic performance but less political participation,”¹¹⁰ Wade calls it “governed market theory” after the developmental state and development economics’ models.¹¹¹ Wade argues that the corporatist and authoritarian political arrangements in east Asia have provided the basis for market guidance.¹¹² But, although both theories accept that economic development precedes democracy, developmental state literature does not necessarily accept the *need* for democracy.¹¹³ Clearly, democracy is “no precondition for a capitalist market economy;”¹¹⁴ nor is the relation between capitalism and democracy necessarily a one way casual link effect. Nor is capitalist development destined to wind up in democracy automatically under all circumstances. Certainly, however, where there is no material/economic grounding, democracy remains an ideological fiction intended for subversive and destructive ends, an opium both for the masses and its alleged defenders.

Given these sets of claims, I argue that freedom of choice and the emphasis on

¹¹⁰ Johnson; ‘Political Institutions,’ p. 147.

¹¹¹ Wade, *Governing the Market*, p. 26.

¹¹² Ibid, p. 27.

¹¹³ One consequence of the 1997 Asian Financial Crisis was an increased interest among academics and Institutions such as the IMF in issues of good governance and democracy. Consequently, the developmental state model came under sustained criticism for features that have earlier drawn praise. Where previously developmental state policies and practices were praised for governing the market in a manner “suggesting they have created a more competitive form of capitalism” (Wade 1990: 7), they were now admonished for the failure to ensure transparency, responsibility, and democratic accountability. For the criticism, see Riordan Roett and Russell Crandell, ‘The Global Economic Crisis, Contagion and Institutions: New Realities in Latin America and Asia.,’ *International Political Science Review*, 20, 3, 1999, p. 278.

¹¹⁴ Bernholz, Peter; ‘Democracy and Capitalism: Are they compatible in the long run?’ *Journal of Evolutionary Economics*, 10, 2000, p. 7.

democratic values emerge and evolve as increasingly favorable material and existential conditions of life allow the desire for autonomy to take priority. As Marx reminded, the rise of industrial capitalism has in a fundamental sense changed the way in which the individual was perceived in relation to her or his self-identity, labor, and community as a whole¹¹⁵ and, from the historical point of view economic activities have contributed enormously to the ascendancy of liberal values and practices such as self-sufficiency and self ownership.¹¹⁶ Whether richer countries are more democratic is another question; countries tend to become more democratic and more open when they are getting well off in each successive transition in their economic wellbeing. Other things equal, “socioeconomic development tends to make people more secular and more tolerant” thereby making possible emphasis on and development of democratic values. “With socioeconomic development, people become materially more secure, intellectually more autonomous, and socially more independent”¹¹⁷ to make and live their choices. Next to disasters and wars, no other phenomenon affects people’s daily lives more massively and brings changes that are more immediately felt than socioeconomic development;¹¹⁸ it changes a society’s

¹¹⁵ See Marx, K., *Economic and Philosophical manuscripts of 1848*, NY: International Publishers, 1964.

¹¹⁶ See Tocqueville, Alex de., *Democracy in America*, NY: Vintage Books, 1945.

¹¹⁷ Inglehart, Ronald and Christian Welzel., *Modernization, cultural change, and democracy: the human development sequence*, New York: Cambridge University Press, 2005, p. 25.

¹¹⁸ See, Nolan Patrick and Gerhard Lenski; *Human Societies: An Introduction to Macro Sociology* (8th ed.), New York: McGraw-Hill, 1999; Carneiro, Robert; *Evolutionism in Cultural Anthropology*, Boulder, CO: Westview Press, 2003.

basis of material subsistence and its social fabric,¹¹⁹ thereby making possible and desirable the transition from subsistence-centered demands to freedom of choice centered demands. Material and economic constraints belittle the human spirit thereby limiting its activities to fight for daily survival. Socioeconomic development directly affects people's sense of existential security, determining whether physical survival is uncertain or can be taken for granted. And "throughout history, survival has been precarious and human choice has been restricted for most people"¹²⁰ thereby conditioning one's entire life strategy to be shaped by the Hobbesian norm of brutish struggle to stay barely alive. So, socioeconomic development is crucial because it impacts powerfully on people's existential conditions and their chances of survival.

There are different ways in which socioeconomic development "diminishes objective constraints on human autonomy, creativity, and choices."¹²¹ Reduction of despicable misery and poverty diminishes material constraints on human choice and nourishes a sense of existential security; "it tends to increase people's levels of education and give them greater access to information from various sources, including the mass media;"¹²² and "access to knowledge empower people by enhancing their cognitive development."¹²³ In short, "socioeconomic development

¹¹⁹ See, Sen, A; *Devolvement as Freedom*, New York: Knopf, 1999.

¹²⁰Inglehart and Welzel., *Modernization, cultural change*, p. 23.

¹²¹Ibid., p. 24.

¹²² See, lerner Daniel; *The Passing of Traditional Society: Modernizing the Middle East*, New York: Free Press, 1958; Inkeles, Alex; *Exploring Individual Modernity*, New York: Columbia press, 1983; Inkeles, Alex and David Smith, *Becoming Modern: Individual Changes in Six Developing Societies*, Cambridge, MA: Harvard University Press, 1974.

¹²³ See, Bell, Daniel; *The Coming of Post Industrial Society*, New York: basic books,

diminishes cognitive and informational constraints on human choices thereby fueling their sense of intellectual development;” Still more, “it increases specialization, social complexity, and diversifications of human interactions.”¹²⁴ This has liberating consequences: it frees people from ascriptive communal ties and closed social circles, bringing them to interact with others on a bargaining basis, making possible a shift from “mechanical solidarity” to “organic solidarity”¹²⁵ and from “community” to “association”.¹²⁶

According to Simmel, “there is an individualizing and liberating effect when people begin to develop ties that bridge social circles.”¹²⁷ Thus, “diversification of human interaction frees people from prefixed social roles and social ties, making them autonomous in defining their social roles themselves and in shaping their social ties to other people;”¹²⁸ or as U. Beck puts it, there is a shift from “communities of necessity” to “elective affinities” to others.¹²⁹ Thus, “socialization and socializing become a matter of choice” where “people are free to connect and disconnect with whoever they want and rigidly fixed roles for such categories as gender and class are

1973; Inglehart, Ronald; *Cultural Shift in Advanced Industrial Societies*, Princeton: Princeton University, 1990.

¹²⁴Inglehart and Welzel., *Modernization, cultural change*, p. 24.

¹²⁵ See, Durkheim, ‘Emile; *On Social Davison of Labor* (trans.), Frankfurt am Main: Suhrkamp, 1988/1893.

¹²⁶ See, Tonnies, Ferdinand; *Community and Association*, London: Routledge and Kegan Paul, 1955/1887.

¹²⁷ See, Simmel, George; *The Individual and Freedom* (Trans.), Berlin: Dunker & Humboldt, 1948/1908; Granovetter, Mark S; “The Strength of Weak Ties,” *American Journal of Sociology* 78: 1360-80, 1973.

¹²⁸Inglehart and Welzel., *Modernization, cultural change*, p. 24.

¹²⁹ Beck, Ulrich; “Loosing the Traditional: Individualization and ‘precarious’ Freedom,” In Ulrich Beck and Elisabeth, beck-Gernsheim (eds.), *Individualization*, London: Sage, 2002, pp. 1-22.

eroding, giving people more room to express themselves as individuals.”¹³⁰ Thus, material security, intellectual autonomy, and social independence relieves people from constraints to their choices and contribute immensely to rising self expression values, because it allows them to move beyond sheer survival and to focus on other goals. So, relative freedom from wants and their satisfaction is a prerequisite in exercising expression values; in the absence of existential security or under the regime of survival crisis, these values cease to be a priority and pushed to the periphery of concern. Thus, it would be no exaggeration to state that material/socioeconomic security has a lasting impact and effect on successful democratization and the success stories of western liberal democracies stand witness to this claim.

The argument here is not that there is a casual link between prosperity and democracy. Rather, it is to show that any society that is on the brink of existential and survival crisis is and cannot serve as a fertile ground for democratic ideals and values to flourish, on the one hand, and, that there exists a relation of correlation between prosperity and democracy on the other. This means that material and economic wellbeing plays an important role in shaping whether a society becomes democratic. This is what James Robinson suggests when he writes, “just as some countries started to become much more prosperous than others in the nineteenth century, some started to become much more democratic than others.” He adds, “Increasingly, these groups

¹³⁰Inglehart and Welzel., *Modernization, cultural change*, p. 24.

of countries are the same.”¹³¹ There is another side to the economy-democracy correlation also: for instance, how much feasible is democracy in an agrarian society? To paraphrase Robinson: ‘according to Bates¹³², Rodowsky¹³³ and Tilly,¹³⁴ democracy is a concession from authoritarian rulers necessary to raise taxation. The more elastic the tax base, the harder it is for authoritarian rulers to raise taxes without the consent of the citizens, and the greater the likelihood of concessions - thus democracy. Hence, Bates¹³⁵ points out that democracy is less likely in an agrarian society than it is in a society dominated by physical or human capital, because land is easier to tax.’¹³⁶ That the promise and opening up of the market is more conducive to

¹³¹ Robinson, James A; “Economic Development and Democracy,” *Annual Review of Poli Sci*, 2006, 9: 503. Interesting about this article is that it treats democracy as species of social/political revolution, rearticulating the Leninist theory of Revolution. To this effect, it outlines certain conditions for a democracy to occur or to be created. He writes, “...democracy will be created when (a) there is a threat of collective action; (b) concessions are insufficiently credible; and (c) the cost of repression is high relative to the cost (for the elite) of democracy.” Ibid, p. 508. According a model he uses, “democratizations are more likely to arise in a situation of economic or political crisis that is consistent with the observation (Therborn 1977) that democratizations often follow wars and consistent with the evidence of Haggard & Kaufman (1995), Przeworski et al, (2000), and Acemoglu et al (2005b). Of course, his model, as he himself admits, “encompasses Dhal’s theory of democratization, which is that incumbents will democratize when either (a) the cost of tolerating the opposition falls, so that they are prepared to enfranchise them, or (b) the costs of suppression become too high” (1971: pp. 15-16).

¹³² Bates R H; “The Economics of transition to democracy,” *PS: polit. Sci. Polit.* 24: 24-27, 1991.

¹³³ Rodowsky R; “Democracy, capital, skill and country size: effects of asset mobility and regime monopoly on the odds of democratic rule.” In the *Origins of Liberty*, ed. Drake, P W, McCubbins, M D, Princeton, NJ: Princeton University Press, pp. 165-98.

¹³⁴ Tilly C; *Popular Contention in Europe, 1650-2000*, New York: Cambridge, Harvard University Press, 2004.

¹³⁵ Bates R H; Ibid, p. 25.

¹³⁶ Robinson, Ibid; p. 519. “Moreover, he argues that authoritarian rulers will be more willing to abide by democracy if they fear it less. He connects this to their

democratic freedoms has been proven since the early days of capitalism, which again stands testimony to the claim: no prosperous economy, no functioning democracy. One can have the economy without the democracy (for instance, illiberal democracy); how long that will last is another issue. But, one cannot run a democracy where the economy and the material floor does not exist to stand afoot, for what counts in a democracy are loci of power, not simply a façade of popular rule such as elections. To paraphrase G. Warren Nutter, there exists a clear connection between democracy, property, and power. Power is needed if one is really to be free; individual power comes from property ownership. “Broadly dispersed and predominantly private” property regime supports democracy.¹³⁷ Condition of exclusion from ownership of property is inimical to virtue, individuality and autonomy, qualities indispensable for citizenship. Such persons or groups of persons lack the will of their own because they are forced to rotate around someone else’s economic axis. Since no dependent person is capable of fulfilling the responsibilities of democratic citizenship, people should own property so that they would have power over their lives thereby making possible their respective societies run democratic.

In other words, poverty and suffering is as inimical and detrimental to democracy as a concentration of wealth in few hands is. Democratic existence ought to come clean from these extreme excesses if democratic life forms were to flourish. Such condition of wealth concentration gives rise to the view that the ‘people who

economic power with respect to democracy.”

¹³⁷ Nutter, G. Warren., “Freedom in a Revolutionary Economy,” in Irving Kristol et al., *The American Revolution: Three Views*, NY: American Brands, Inc., 1975, p. 117.

own most should own the country and they ought to govern it.’ According to John Hill, J. P. Diggins reports that Henry Adams was disturbed by the thought “that the American constitutional system was powerless to prevent the purchase of influence and power by money,” and that “in the face of corporate wealth,” the constitution seemed useless.¹³⁸ Robert N. Bellah states, quotes Hill, that “in the age of robber barons, the unconstrained pursuit of wealth, while ignoring social justice, “was destroying the fabric of a democratic society.”¹³⁹ Accordingly, “...unless social justice was speedily granted,” warned other thinkers, “the oppressed might seek redress of their own through violent revolution.”¹⁴⁰ According to Charles E. Merriam, writes Hill, “concentrated wealth was destroying the economic basis of democracy and thus the masses are losing power: “The forms of power ... cannot long remain in conflict with the actual forces and facts, and as the organization of industry has become undemocratic, the organization of government must soon follow in the same direction.”¹⁴¹ Diggins, Bellah, and Merriam were not alone in this respect. For example, Herbert Croly advocated a “national democracy” which would include a social balance, “the amelioration of social conflict through national government

¹³⁸ Diggins, John quoted in Hill, John., *Democracy, Equality, and Justice: John Adams, Adam Smith, and Political Economy*, Lanham : Lexington Books, c2007, P. 187; Diggins, John P., *The Lost Souls of American Politics: Virtue, Self-Interest, and the Foundation of Liberalism*, Chicago: University of Chicago Press, 1984, p. 257.

¹³⁹ Hill, 187; Bellah, Robert N. et al., *Habits of the Heart: Individualism and Commitment in American Life*, NY: Harper and Row, 1985, pp.41-2.

¹⁴⁰ See Kasson, John F., *Civilizing the machine: Technology and Republican Values in America, 1776-1900*, NY: Penguin Books, 1976, pp.186-7; Takaki, Ronald., *Iron cages: Race and Culture in the 19th century America*, NY: Oxford University Press, 1990, p. 260.

¹⁴¹ Hill, 187; Merriam, Charles Edward., *A history of American Political Theories*, NY: Augustus M. Kelley, 1969/1903, p. 343.

policy.” Political leaders would have to be responsible to the electorate as a whole, not just to economic elites.¹⁴² Like wise, John Kenneth Galbraith was concerned about social imbalance evidenced by opulent private production leaving public services poverty-stricken.¹⁴³

According to Dahl, quotes Hill, “Through a highly successful case of ideological transfer, the Lockean defense of private property, which in the agrarian order made good sense morally and politically, was shifted over intact to corporate enterprise.” He sees this type of political-economic management affecting democracy in two ways: “First, the new order generated much greater differences than the old in political resources, skills, and incentives within the demos itself.” And second, the hierarchical nature of corporations means that most people spend most of their lives working in a despotic system, instead of a democracy.¹⁴⁴ Given such concerns, it is legitimate to raise further questions about whether a society be democratic when there is a great inequality in political resources and whether democracy is not affected when most people spend so much of their lives within authoritarian workplaces. Bellah fears that the role of citizens has been destroyed by the economic man thereby undermining the virtue of public good or public spirit. He writes, “The tension

¹⁴² Croly, Herbert., *The Promise of American Life*, New Brunswick, NJ: Transaction Publishers, 1993, pp. xxiii/xxxx

¹⁴³ Hill, 187; Galbraith, John Kenneth., *The Affluent Society*, NY: Mentor Books, 1958, pp.198/244.

¹⁴⁴ Hill, 188; Dhal, Robert A., “On Removing Certain Impediments to Democracy in the United States,” In Horwitz, Robert H. (e.), *The Moral foundation of the American republic*, 3rd ed., Charlottesville: University of Virginia Press, 1986, pp. 237-39; See also *A Preface to Economic Democracy*, Berkeley: University of California Press, 1985.

between private interest and public good is never completely resolved in any society. But in a free republic, it is the task of the citizen, whether ruler or ruled, to cultivate civic virtue in order to mitigate the tension and render it manageable.”¹⁴⁵ So, since individualism often expresses itself in the economic realm and because economic individualism replaces citizenship for many people, the very concept of democracy is vitiated.”¹⁴⁶ In short economic inequality is undemocratic for it deprives large numbers of citizens of equal political power, and if inequality is too extreme, it can lead to revolutionary attempts to replace a democratic system with a perfect utopian system. Besides, one can never be a free individual, even in a supposedly democratic polity, when one is subject to materialist conformity pressures. That is why the understanding of the conflict between what Thoreau terms “the illusion of political freedom and the reality of moral slavery to economic passions and interests”¹⁴⁷ serves a larger philosophical purpose.

So, whether the relation between economy and democracy is one of causation or correlation, the truth of the matter is that the quest for democratic values cannot be fulfilled unless people are owners of themselves and their lives in the first place. The enslaved are un-free and such condition of servitude is antithetical to democratic freedoms, no matter where. In Africa the quest for democracy is primarily a quest for self ownership, that is, a quest for material security and well being; it is a quest for

¹⁴⁵ Hill, 188; Bellah, Robert N., *Ibid.*, pp.270-71.

¹⁴⁶Hill, p. 188.

¹⁴⁷ Hill, 190; Diggins, John P., *The Lost Souls of American Politics: Virtue, Self-Interest and the foundations of Liberalism*, Chicago: Chicago University Press, 1984, pp.20/217.

the freedom of development. I argue that freedom of choice and the emphasis on democratic values emerge and evolve as increasingly favorable existential conditions allow the desire for autonomy to take priority. One does not have to be a millionaire to uphold and die for the values of democratic existence; but one cannot stand up for such values when one is trapped in a lifeless existence. Socioeconomic development and well being diminishes objective constraints on human autonomy, creativity, and choices and overcoming despicable misery and poverty diminishes material constraints on such choices thereby helping to nourish existential security; it diminishes material and cognitive constraints on human choices thereby fueling their sense of intellectual and moral development. So, relative freedom from wants and their satisfaction is a prerequisite to exercise the liberty of democratic values; in the absence of material and existential grounding or under the regime of survival crisis, these values cease to be a priority and would be pushed to the periphery of concern. Thus, it would be no exaggeration to state that material/socioeconomic security has a lasting impact and effect on successful democratization of societies and democratically anchored way of living are incompatible with despicable conditions of economic deprivation. The success stories of western liberal democracies stand witness to this claim.

But material/economic security is constitutive of the packages necessary for a successful democratization; it is not the only condition. The emergence, for instance, of “illiberal democracies” stands witness. As already indicated, economic success does not guarantee a democratic way of life; it only is a necessary presupposition.

Both the conception of rights and individualism historically antedated the arrival of western democracy; these shaped the evolution and ascent of western traditions of democracy, no less than *Laissez-faire* capitalism did. I shall turn to this reflective exploration in the next chapter.

III: Democracy and its justification/s. Why and how is rule by the people an appropriate way by which to live? In addition to the four justifications Hook provides in section III of his article,¹⁴⁸ here are additional ways to look at it. One possible justification for ‘people rule’ would be that there isn’t a feasible and desirable non-democratic alternative. To borrow from Dahl, “A hard-headed look at human experience, shows that among political societies that have actually existed or now exist, those that most nearly satisfy the criterion of the democratic idea are, taken all around, better than the rest.”¹⁴⁹ This justification rests on the view that democracy is lesser evil than the alternatives and ‘the burden of proof’¹⁵⁰ lies with the alternatives to show that there are sound grounds for rejecting ‘people rule’/democracy. When this argument is pushed a little further, we get the justification that democracy is the best defence against tyranny. Institutionalized or in persons, avoidance of and protection from harm is a desirable good and democracy is said to provide safeguards against undesirables such as tyrannical rule. So, whether democracies produce just

¹⁴⁸Hook, Sidney., “The Philosophical Presuppositions of Democracy,”*Ethics*, Vol.52,No.3 (apr., 1942), p. 280-96.

¹⁴⁹ Dahl, R.A; *Democracy and its Critiques*, New Haven: Yale University Press, 1989, p. 84.

¹⁵⁰ Cohen, C; *Democracy*, Athens GA: University of Georgia Press, 1971, p. 264.

governments or not, they at least tend to prevent serious injustices.¹⁵¹ The argument here is that, if power rests with the people, the cruel and the arbitrary use of authority will be averted, even if all this amounts to is ‘voters having the right, at periodic intervals, to remove from office governments that they have come to dislike.’¹⁵² Indeed, as W. H. Riker argues, all that we can expect from democracy is a popular veto by which it is “sometimes possible to restrain official tyranny.”¹⁵³ In short, the justification of democracy as being the best defence against tyranny could serve as sufficient defence for everyone who is not prepared to defend tyranny.

This aside, democracy also is held to have further desirable consequences. For example, W.N. Nelson argues that democracy is desirable due to the fact that it tends to produce good laws and policies or at least to prevent bad ones.¹⁵⁴ Dahl is more specific, claiming that democracy tends to provide a more extensive domain of personal freedoms than any other kind of regime can use. He argues that certain valuable rights including rights to free expressions, political organizations, opposition and fair and free elections are essential to the democratic process. Moreover, “these fundamental rights are unlikely to exist in isolation. The political culture required to support the democratic order...tends to emphasize the value of personal rights, freedoms and opportunities. Thus not only as an ideal but in actual practice, the

¹⁵¹ Nelson, W.N; *On Justifying Democracy*, London: Routledge and Kegan paul, 1980, p.129.

¹⁵² Miller, D; “Deliberative Democracy and Social Choice,” p. 57.

¹⁵³ Riker, W.H; *Liberalism Against Populism*; Illinois: Waveland Press, c1982, p. 244.

¹⁵⁴ Nelson; *Ibid.*, p. 96.

democratic process is surrounded by a penumbra of personal freedoms.”¹⁵⁵ His optimism seems tentative, though: if the view that democracy is said to tend to promote a broad range of human freedoms is not realized, democracy is still defensible through recourse to the desirability of safeguarding against tyranny. So, at the very least we can comfort ourselves with the knowledge that there are not any desirable or feasible alternatives.

But these broadly negative reasons given in support of democracy identify nothing of value in the idea of democracy itself. So, the question remains whether they amount to enough to justify democracy. In other words, if there is nothing else to recommend democracy other than the absence of desirable or feasible alternatives, it is reasonable to think and feel that one has not justified democracy at all. Indeed, such a justification would be based on the highly contingent prediction that a more desirable and feasible alternative will not be forthcoming. But this does not seem to be congruent with democracy being highly valued and there is nothing to recommend democracy as an ideal or a process in itself. There is no reference to the justice implicit in the democratic ideal. Consequently, it can be said that this notion does not justify democracy: it merely amounts a highly relative vindication. It is interesting to note that, while negative vindications of democracy are often thought to be sufficient, different democratic procedures have little choice but to stress their congruence with underlying values when asserting their superiority. As J.R. Pennock writes, “The democratic ideal is constantly being appealed to as a test for what is “really

¹⁵⁵ Dahl; *Ibid*; p. 89.

democratic.”¹⁵⁶

But, isn't the idea that democracy provides a safeguard against tyranny a compelling justification? The justifying force of this is determined by the extent to which tyranny is seen as a bad thing and the extent to which its avoidance is seen to be of value. If the cruel and arbitrary use of authority is seen to be a fundamental evil and democracy 'tends' to safeguard against that use, then one might be in a position to say that democracy is justified by the ideal of non-tyrannical rule. However, even if one were to concede this, it would not get her/him very far. So, the question would remain unanswered as to why tyranny is seen to be a bad thing if we keep sticking to this line of reasoning. Wouldn't further investigation along this trail help us uncover the values implicit in the assumption that tyranny is bad and, by implication, the deeper ideals that serve to justify democracy? Indeed, there must be something about tyranny to which we are deeply averse. This is not a matter of a simple distaste; rather, it is plausible to assume that our wish to avoid tyrannical rule is motivated by the belief that we should not be bypassed or oppressed, that despotism violates us in some way. There must then be something that we value which tyranny jeopardizes and democracy respects. It follows from this that the motivation to have that something of value respected ultimately provides the reason to endorse democracy and to reject tyranny. Now unless the idea of democracy has an arbitrary relation to the outcome of democratic procedure, it must also respect whatever it is that we hold to be of value. This in turn implies that, if our adherence to democracy is based on the

¹⁵⁶ Pennock, J.R.; *Democratic Political Theory*, Princeton: Princeton University press, 1979, p.159.

fact that the idea of democracy and the result of democratic procedures, which is non-tyranny, respect whatever it is that we hold to be of value, democracy may indeed be justified by its respect for the very same thing. So, rather than looking to what democracy is supposed to be safeguarding against, we should look at the values that those safeguards imply. The outcome of democratic methods must ultimately reflect an ideal and, unless the outcome is incidental, it should reflect the democratic ideal. That democracy safeguards against tyranny only tells half of the story to the neglect of the values implicit in the motivation to make such a safeguard. So, in order to complete the story we must therefore discover what values are implied by the rejection of tyranny, that is, what values justify that we be democratic instead.

Isn't unjustified coercion of individuals wrong? Of course it is this belief that is implied by the rejection of tyranny. The idea of the rule by the people could thus be said, as opposed to tyranny, to respect individuals as ends in themselves rather than mere means to the tyrannous few. Hence, Dahl's tentative optimism with regard to the propensity of democracy to extend the realm of personal freedom. Indeed, the political rights¹⁵⁷ identified by him as being essential to the democratic process can be seen to ensure that people are not treated as *mere means*.¹⁵⁸ It is the idea that

¹⁵⁷ According to Dahl (1971:6-7), "Democracy provides opportunities for (1) effective participation, (2) equality in voting, (3) gaining enlightened understanding, (4) exercising final control by the people over the agenda, and (5) inclusion of adults." The political institutional procedures that are necessary to pursue these goals are: "(1) elected officials, (2) free, fair and frequent elections, (3) freedom of expression, (4) alternative sources of information, (5) associational autonomy, and (6) inclusive citizenship."

¹⁵⁸ Dahl's resulting optimism about freedom being extended through the practice of democracy only makes sense as a justification, as opposed to a vindication, if the

people should be treated as ends and thus be free; that they should be self-governing, that every person must be respected as a source of claims and not be treated as a mere instrument, that drives and justifies democracy. So, democracy is recognition that no authority can be keeper of a man's conscience."¹⁵⁹

The essence of democracy is self-government or autonomy (when expressed as a moral ideal), if C. Cohen, following Kant, is correct. Autonomy and self government are interchangeable, for there is no relevant difference between the freedom and capacity to govern one's own life and pursue one's own ends in ones own ways (self-government) and the capacity to "reason self-consciously, to be self reflective and to be self determining" (autonomy).¹⁶⁰ According to Cohen, the principle of autonomy is clearly and fully embodied in democracy as in no other system of government. He writes, "community autonomy - the interpersonal correlate of autonomy in the life of the individual - is fully realized only when the community is democratically governed. Only under democracy do the members of the community at large develop their own rules governing joint affairs and impose these rules upon themselves... the autonomous character of democratic government is its most fundamental and perhaps most important feature."¹⁶¹ Similarly, Held shows that the concept of autonomy or self-government underlies the justification of (liberal)

promotion of such freedom is reflected in or forms part of the ideal of democracy. *Mere means* stands in contradiction to the concept of human dignity and respect. Treating humans with respect entails not using them simply as a means for achieving some further goal.

¹⁵⁹ Benn, S.I., and Peters, R.S., *Social Principles and the Democratic State*, London: George Allen and Unwin, 1963, p.268.

¹⁶⁰ Held, D; *Models of Democracy*, Cambridge: Polity Press, 1987, p..270.

¹⁶¹ Cohen; *Ibid*, pp.269-70.

democracy. He writes, “The specification of the condition of enactment of the principles of autonomy amounts to the specification of the conditions for the participation of citizens in decisions about issues which are important to them.”¹⁶²

Accordingly, the principle of autonomy requires that political society be democratically organized.

If the above lines of reasoning are correct, it looks that democracy can follow directly from the ideal of self government or autonomy: rule by the people is the natural expression of self government in society. But if self-government/autonomy were an absolute ideal, it is unclear as to whether any form of government could follow from it, let alone democracy. That is to say, “with government, even democracies, laws come to someone from outside. The individual citizens have to do things because they are the law, even if it is a law which they helped create... once people engage in a community and are bound by that community’s decisions, then to that extent they lose their autonomy.”¹⁶³ Given this, once again, we would only seem to be left with recourse to a somewhat negative defence of democracy, that it violates the ideal of self-government less than any feasible alternative. If this were true, we might still be able to argue that the justification of democracy does lie in the ideal of self-government. However, it is not at all obvious that it is, because the ideal of self government is dealt a ‘democratic’ blow given the tendency of democracies to endorse the principle that “where there cannot be universal agreement, matters should

¹⁶² Held; *Ibid*, p.227.

¹⁶³ Harrison, R; *Democracy*, London: Routledge, 1994, p.163.

be settled according to the will or wishes of the majority.”¹⁶⁴ This effectively means that the ideal of self-government will not be respected by democracy where there is a minority, since the autonomy of a minority will be compromised for the sake of the rule of the majority.

Still more, there is a sense in which the self-government of individual members of a majority is sacrificed through democracy, if Harrison is correct. He writes, “In a democracy it is true that the individual members of the majority do choose the result which in fact happens. But it does not happen just because they individually choose it. It only happens because a certain number of other people want it as well. Of course each person does have input into the decision procedure. But so in this sense, do the individual member of the minority.”¹⁶⁵ So, whether justified by an ideal of self-government or not, then, if all democracy amounts to is that everyone has an input into a decision process that has the effect it does because of the input of others, only a minimal notion of self government can be satisfied by democracy. But one might still maintain that democracy safeguards more autonomy than any other feasible alternative, especially if we admit that autonomy should not be taken an absolute ideal. That is to say, given that the realization of self-government as an absolute ideal can be seen to be incompatible with any form of government, democracy is still a good candidate for being the system that secures more autonomy than any other. Even though the realization of one’s self-governing choices is dependent on the choices of others, at least democracy has the effect that the self-

¹⁶⁴ Arblaster; Ibid, p.67,

¹⁶⁵ Harrison; Ibid, p.167.

governing choices of those comprising the majority are reflected in a decision. Moreover, it is said to safeguard the individual rights and freedoms cited earlier as essential to the democratic process. Such rights and freedoms are in turn essential to real choice. Democracy could thus be said to respect individual autonomy more than other systems since it secures the conditions of individual choice and, “more often than not”, it will allow an individual’s choices to be effective. If autonomy is a good, “democracy is a good thing, and its promotion of autonomy is why it is a good thing.”¹⁶⁶

But we are still faced with the problem of the compromising of the autonomy of a given minority. They would be unlikely to agree that democracy safeguards their autonomy or that it at least reflects their autonomous choices more than any other feasible alternative. This is especially true, for example, in the case of a society’s permanently disadvantaged groups whereby the majority will always tend to have the advantage. Members of such groups may find that their choices are never effective, that democracy gives them no opportunity to govern themselves. So, “from the point of view of” such groups...“democracy gives them no more control than an oligarchy would.”¹⁶⁷ The lesson is that whenever one is in such a minority, what one thinks ought to happen will not happen. To the extent that one’s living autonomously requires that one does what one believes s/he ought to do, democracy will bypass or violate her/his autonomy whenever one is in that minority. It will require that one abides by a majority decision that one believes to be wrong. If self-government is an

¹⁶⁶ Ibid; p.173.

¹⁶⁷ Ibid.

ideal essential to the justification of democracy, then, one may justly ask why democracy requires that one defers to a majority of which one is not a part of. The answer to this question will show that the justification of democracy does not lie solely in the ideal of self government.

In our discussion above, we have seen that democracy purports to respect the idea that people should be treated as ends in themselves rather than as means to the ends of a tyrannical few. Yet a conflict has been unearthed between the ideal of self-government and democracy. The ideal of self-government can potentially gain very little expression through democracy. However, this does not entail that democracy disrespects the ideal that people should be treated as ends in themselves. Rather, democracy requires that all people should be treated as ends in themselves, which in turn necessitates that we show an equality of respect to all other people. Harrison writes: “If all moral agents are to be equally respected, then I must give weight (or moral consideration) to everyone expressing their moral views. If they are doing it by voting, then I should give them these votes equal respect. If I give these votes equal respect, then the view I should respect as superior is the view supported by the majority. Every vote counts equally and that is the view with more votes.”¹⁶⁸ It is this consideration that requires that we compromise our autonomy. Democracy embodies the idea that “when binding decisions are made, the claims of each citizen as to the laws, rules, policies, etc. to be adopted must be counted as valid and equally valid.”¹⁶⁹ That all interests must be weighed *impartially* gives the reason to respect a majority

¹⁶⁸ Ibid; p.228.

¹⁶⁹ Dhal; Ibid, p.105.

view “quite independently of any view I myself have about the truth of the matter.”¹⁷⁰

According to Harrison, the conception of equality fundamental to the idea of democracy is a “kind of second order equality”: it doesn’t say that goods should be distributed equally; it doesn’t even directly recommend egalitarian practical procedures. But it does say that, when considering anything at all, equal respect should be given to all moral agents.¹⁷¹ Democracy is justified once one recognizes the idea of natural equality among humans, which means that “claims to rule cannot be based on natural superiority.” Without equality, there is no reason to believe that democracy is an appropriate ideal and/or method by which to rule. To borrow from Cohen, the central claim here is that “Only with liberty will democracy work, but only with equality is there reason to believe that it ought to work.”¹⁷² So, although the justification of democracy does lie in the ideal of self-government, the latter is regulated by the ideal of equality of respect for persons. In other words, the justification of democracy must lie in both the ideal of self-government and the ideal of equality of respect for persons.¹⁷³ If the ideal of self-government is regulated by the ideal of equality for persons, equality of respect will also protect self-government.

¹⁷⁰ Harrison; *Ibid*, p.228.

¹⁷¹ *Ibid*; p.229.

¹⁷² Cohen; *Ibid*, p.274.

¹⁷³ There are people who lack autonomy, for instance, for reasons related to permanent and profound mental impairments and it may be argued that the justification of democracy discussed here doesn’t cover such cases. In this regard, the notion of respect can be broadened so as to ensure that the interests of all members of the community are protected; on the other, at least, those who lack autonomy deserve protection on the basis of respect for those who care and love them. For an argument along these lines, see, McMahan, J; “Cognitive Disability, Misfortune, and Justice,” *Philosophy and Public Affairs*, Vol. 25, 1996.

This means, as Harrison argues, the equality of respect for persons gives us a reason to follow the majority view (sometimes at the expense of our autonomy), but it will also imply fundamental rights that should be secured to each person whatever the majority might say. Since equality of respect provides a reason as to why we should be democratic, “democracy should not be allowed to do anything that conflicts with such respect. We may therefore shield individuals with rights to prevent such depredations by the majority. This may be undemocratic; but it is as morally justified as democracy itself is.”¹⁷⁴

So, to windup our reflection, believing that democracy is justified means believing in the ideal of equality of respect for persons also. That ideal will both regulate and protect our autonomy. It follows from this that, at the very least, the conditions of self-government ought to be safeguarded for all, including those who find themselves in a minority. The practical implications of this cannot be ignored only because we are undertaking a theoretical journey here. For example, it is a necessary condition for the realization of both equality of respect for persons and self government that people ought to have a roof over their heads. The same can be said about basic freedoms to do with education, health care and mobility. To deny these, to borrow from T.W. Pogge, is to deny the fundamental role that basic social and economic needs actually play in a human life.¹⁷⁵ Provisions of Pogge’s “basic social and economic needs” would encourage that the penumbra of personal freedoms that Dahl lauds as surrounding the democratic process becomes an actuality for more than

¹⁷⁴ Harrison, *Ibid*, p.230.

¹⁷⁵ Pogge, T.W; *Realizing Rawls*, Ithaca: Cornell University press, 1989, p.133.

a very fortunate majority. In short, justification of democracy ultimately appeals to a value; the ideal of self-government tethered to the ideal of equality of respect for persons determines what we judge to be democratic. Without reference to these ideals, the concept of democracy is rather vacuous.

CHAPTER 2

The Liberal Tradition of Thought and Practice:

Reflections on some Foundational instances of WLD

In this chapter I will argue and show how liberalism tacitly espouses and privileges a particular way and view of life, namely, the individual and rights associated with it that incubated and nurtured western democracy. Both the classical (Hobbes, Locke, Rousseau, Paine, Jefferson) and contemporary political/moral philosophers alike have observed that the notion of individual rights and individual freedoms lie at the core of the western political tradition and¹⁷⁶ show how it nurtured

¹⁷⁶Shapiro, Ian; *The Evolution of Rights in Liberal Theory*, NY: Cambridge University Press, 1986, p. 5; (a) For detailed discussion on classical and medieval or the non-liberal conceptions of rights see Plato., *The Republic*, Indianapolis, IN: Hackett, 1974, Book 1,2,4,6,7 and *The Laws*, NY: Basic Book, 1980, Book 1,3,5,6,12; Aristotle., *The Politics*, London: Oxford University Press, 1946, Book 2,3,4,7 and *Nicomachean Ethics*, Indianapolis, IN: The Liberal Arts Press, 1962, Book 1,2,5; Cicero., *On the Commonwealth*, Indianapolis, IN: The Bobbs-Merrill Company, 1929, Book 1,3,6 and *On the Law*, Cambridge, MA: Harvard University Press, 1928, Book 1 and 2; Aquinas, Thomas., *The Political Ideas of St. Thomas Aquinas*, Dino Bigongiari (ed.), NY: Hafner Press, 1953, pp.96-104; Strauss, Leo., *Natural Rights and History*, Chicago: University of Chicago Press, 1953, pp. 120-164. Sigmund, Paul E., *Natural Law in Political Thought*, Lanham, MD: University of America Press, 1971, pp.33-34; Tuck, Richard., *Natural Rights Theories*, London: Cambridge University Press, 1979; Tierney, Brian., "Origins of Natural Rights Language," *History of Political Thought*4:3 (Winter) 1983, pp.429-441 and 10:4 (Winter) 1989, pp.615-646; Ullmann, Walter., *The Individual and Society in the Middle Ages*, Baltimore, MD: The John Hopkins University Press, 1966; Brett, Annabel S., *Liberty, Rights, and Nature*, London: Cambridge University Press, 1997, esp. pp. 123-164; Skinner, Quentin., *Liberty before Liberalism*, London: Cambridge University Press, 1998, among others. (b) For modern and contemporary discussion on liberal rights, see Hobbes, Thomas., *Leviathan*, London: J.M. Dent and Sons, 1914; *De Cive*, Oxford: Clarendon Press, 1983; Locke, John., *Two Treatises of Government*, NY: Cambridge University Press, 1963; *Essays On the Law of Nature*, Oxford: Clarendon, 1954; Mill, J.S., *On Liberty and Other Writings*, Stefan Collini (ed.), London: Cambridge University Press, 1989; Taylor, A.E., "Ethical Doctrine of

the course and contour of western democracy. So, the intention here is to show how some core values preceded and underlie the WLD and by implication, to show that such values are radically lacking in Africa.

I. **The Privileging of Rights:** to begin with, western democracy is held to be synonymous with a particular arrangement of rights in a liberal political system, implicitly or otherwise. In other words, the extent to which a system is democratic is measured at least in part by its record for protecting and promoting such rights. For instance, among others, R. Dahl develops (seven) institutional guarantees for his Polyarchy (democracy), guarantees that are nothing more than a set of rights founded upon Anglo-American traditions. It is these rights, according to him, that define a given political system as being *actually*, not *nominally*, democratic.¹⁷⁷ So, the

Hobbes,” in *Thomas Hobbes: Critical assessments*, Preston King (ed.), London: Routledge, 1993, Vol.2, pp.22-39; Warrender, Howard., *The Political Philosophy of Hobbes*, Oxford: Clarendon Press, 1957; Macpherson, B., *The Political Theory of Possessive Individualism*, Oxford: Clarendon Press, 1962; Shapiro, Ian., *The Evolution of Rights in Liberal Theory*, NY: Cambridge University Press, 1986; Grant, Ruth W., *John Locke’s Liberalism*, Chicago: University of Chicago Press, 1987; Manent, Pierre., *An Intellectual History of Liberalism*, Princeton, NJ: Princeton University Press, 1994; Simmons, John A., *The Lockean Theory of Rights*, Princeton, NJ: Princeton University Press, 1992; Hayek, F.A; *The Constitution of Liberty*, Chicago: University of Chicago Press, 1960; Martin, Rex., *Rawls and Rights*, Lawrence: University of Kansas Press, 1985; Robert Nozick, *Anarchy, State and Utopia* (NY: Basic Books, 1974); Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1977); Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), Sandel, Michael., *Liberalism and the Limits of Justice*, Cambridge: Cambridge University Press, 1998, Second ed.; Shue, Henry., *Basic Rights.*, Princeton, NJ: Princeton University Press, 1980; among others. .

¹⁷⁷Robert A. Dahl, *Democracy and its critiques* (Hew Haven, CT: Yale University Press, 1989, p. 221.

conception of rights lies at the core of western political tradition.¹⁷⁸ To borrow from A. P. d'Entreves, 'the entire tradition of western political thought is natural rights writ at large.'¹⁷⁹ As Ian Shapiro writes, the liberal concept of rights can be understood as "an ensemble of related doctrines, beliefs, and assumptions" about the nature of human beings, society, and government.¹⁸⁰

What is a right, to begin with? A brief presentation of the term and arguments for its justification along with a critical look at these grounds will be made here. Hugo Grotius saw it as "a moral quality annexed to the person;" it is a liberty which permits us to act justly and according to reason and a power which enables us to demand what is due us.¹⁸¹ While embracing this view, Hobbes added a negative element to it; namely, one's liberty to abstain from action, Locke didn't depart fundamentally from the meaning that Grotius and Hobbes had given to the term.¹⁸² Bentham regarded rights as a fictitious entity dependent on the legislature's will; it may be a privilege, a

¹⁷⁸The path of contemporary rights discourse has been pioneered by the works of authors such as Leo Strauss, *Natural Rights and History* (Chicago: University of Chicago press, 1953); C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford: Clarendon, 1962); D. D. Raphael, ed. *Political Theory and the Rights of Man* (Bloomington, IN: Indiana University Press, 1967); John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971); Robert Nozick, *Anarchy, State and Utopia* (NY: Basic Books, 1974); Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1977); Michael J. Sandel *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1998); Joseph Raz, *The Morality of Freedom* (Oxford: Clarendon Press, 1986), among others.

¹⁷⁹d'Entreves, A. P; *Natural Law*, NY: Harper Torchbok, 1965, p. 14.

¹⁸⁰Shapiro, Ian; *Ibid*, p. 5.

¹⁸¹Grotius, Hugo; *The Rights of War and Peace*, NY: M. W. Dent and Sons, 1901, pp. 3-6; quote from Richard Tuck, *Natural Rights Theories*, London: Cambridge University Press, p. 74.

¹⁸²Locke, John; *Two Treatises of Government*, NY: Cambridge University Press, 1963, pp. 309-318; 327-344; 446-453.

power, or a benefit from a discharge of a duty, but the request for its precise meaning cannot be met except by illustration in a relation to situations in which questions of rights arise.¹⁸³ Following Bentham, other thinkers tended to emphasize the nonfactual and non descriptive characters of concepts like rights. According to them (Austin, Hohfeld and Hart), statements containing such concepts do not state any facts...and thus they must be distinguished from statements made to ascertain the truth value of certain facts.¹⁸⁴

The oscillation between “right” as fiction and “right” as reality is very much a characteristic of political and legal discourse on rights. But, according to Alan R White, although a “right” does not denote any entity, physical or otherwise, this should not lead to the conclusion that “Since ‘A has a right’ does not state those facts in virtue of which it is true to say it, it, therefore, does not state a fact at all.”¹⁸⁵ The mistake committed by Hart and others is, argues White, “their equation of facts with something in the *physical world* (original italics)” For “facts are not, and do not have the characteristic of, any part of the world.” They are not themselves items, like objects, events, situations, or states of affairs, that “exist in time and space.” “A factual statement,” writes White “tells us how things are in the world, no more and no

¹⁸³Bentham, Jeremy; *An Introduction to the Principles of Morals and Legislation*, NY: Hafner Publishing Company, 1948, pp. 224-25.

¹⁸⁴Austin, J. L; *Lectures on Jurisprudence*, London: J. murray, 1881, pp. 609-700; Hohfeld, W, N; *Fundamental legal Conceptions*, New Haven, CT: Yale Univeristy Press, 1919, pp. 23-31; Hart, L. A; “The Ascription of Responsibility and Rights,” In *Logic and language*, ed. Antony Flew, Oxford: Basil Blackwell, 1952, pp. 145-166. Such statements are per formative, operative, or ascriptive at least in their primary functions and are in contradistinction to utterances of a non-legal kind.

¹⁸⁵White, Alan R; *Rights*, Oxford: Clarendon, 1984, p. 7.

less.”¹⁸⁶ In short, he argues that statements containing such terms like a right can be both non-denotative and fact-stating. White’s view seems to have been an implicit assumption underlying many of the arguments about human rights, for instance. On the one hand, few would deny that rights such as the right to free speech or the right from fear does not have a counterpart in the world and having it is not like having any particular object; on the other hand, we are often reluctant to say that sentences containing the notion of rights merely express an evaluative judgment or a moral prescription about what we should do and do not tell any truth about “something” we as human beings naturally or inherently possess. In legal usage, rights can hardly be conceived independently of legal rules which ascribe and give effect to them by imposing duties on those against whom they are claimed. This makes the concept of rights a seemingly artificial and imaginary product of the law. At the same time, however, the bearer of right¹⁸⁷ is supposed to *possess* it; it is hers or yours or mine in the sense of owning it as if it were a real thing. What the law does is simply pass judgments on, or in Hart’s words draw a conclusion about, whether to affirm or to deny, but never to create, what already belongs to the right bearer. So, rights such as the right to liberty describe neither a physical entity nor a psychological state, and having it is not equivalent to having an object or having an idea. It cannot be seen,

¹⁸⁶Ibid; pp, 9-10.

¹⁸⁷For a discussion of the subject and object of rights, see Husak, Douglas; “Why There Are No Human Rights” and Gewirth, “Why There Are Human Rights,” *Social Theory and Practice* 11:2 (Summer), 1984, pp. 125-141 and 235-248; Cranston, Maurice; “Human Rights, Real and supposed” and Raphael; “Human Rights, Old and New,” in *Political Theory and the Rights of man*, ed. D.D Raphael, Bloomington, IN: Indiana University Press, 1967, pp. 43-53 and 54-67.

felt, pictured, or otherwise represented; it does not exist in space-time; nonetheless, it is regarded as something which is true and self-evident, as something which is objectively discoverable in human nature. It is in virtue of the moral qualities inherent in human nature, considered also as true and self evident, that we are said to hold, claim, and exercise it; it in fact is one of our moral qualities.

J. P. Plamenatz defines “right” as a “power which a creature ought to possess, either because its exercise by her is itself good or else because it is a means to what is good, and in the exercise of which all rational beings ought to protect her.”¹⁸⁸ What is contestable here is the definition of “power”. Does it mean physical strength or mental capability; does it mean might or authority? A handicapped person or a comatose patient may not have the physical strength or mental capability of a ‘normal’ person, but she or he may certainly have rights; someone or some entity may have no right to do or affect something yet this someone or entity may possess might or authority. It is for this reason that H.J. McCloskey rejects the definition of right as power. For him all rights are *entitlements* that enable us to act as we choose or refrain from action or receive positive assistance where and when needed in accordance with certain rules and standards, and which, if denied, would provide grounds for making demands or claims on others. So, if he is correct, having the right to drive a car is not the same as having the power to do so, for one may be too ill to drive a car or too poor to buy one. Thus, “a right may exist and be possessed in the

¹⁸⁸Plamenatz, J. P; Consent, *Freedom and Political obligation*, NY: Oxford University Press, 1968, p. 82.

absence of the relevant capacity, rights are distinct from power.”¹⁸⁹ Neither is a right a claim against someone. A right is generally a right *to*, not *against*, except in specific cases. For example, some ones right to live is not primarily one against others, and “the actual existence of other human beings is irrelevant to whether rights may or may not be possessed.”¹⁹⁰ It is also true of the right to vote, for instance, which is not simply a claim against others but rather a right to act as one pleases within the definition of the law.

But, despite McCloskey’s objection, some insist that a right is a claim or a valid claim. This, for instance, is Joel Feinberg’s position. He points out that McCloskey is wrong in assuming that all claims are claims *against* rather than *to* and all rights are rights *to* rather than *against*. He sees no paradox in saying that rights are essentially held against others, whether against specific persons or against hundreds of millions of what Bentham calls “unassignable individuals.” Rights so conceived, according to Feinberg have two dimensions, as suggested by the prepositions “to” and “against,” and they seem to merge entitlements to do, have, omit, or be something with claims against others to act or refrain from acting in a certain ways.¹⁹¹ The idea of merging hints at a complex nature of a right, which, of course, was noted by Hohfeld. He distinguishes four different conceptions of a right as involved in legal reasoning and seeks to elucidate them in terms of their correlative and opposite concepts. A right, according to him, may in a given case be understood as a privilege,

¹⁸⁹McCloskey, H.J; “Rights,” *Philosophical Quarterly* 15:59: (April) 1965, p. 117.

¹⁹⁰Ibid; p. 119.

¹⁹¹Feinberg, Joel; “The Nature and Value of Rights,” *Journal of Value Inquiry*, 1970, p. 256.

a power, an immunity, or a right in the strictest sense, namely a claim, and the indiscriminate use of a right or a claim to cover all legal relations has led to a “confusion or blurring of ideas.” Thus different legal relations should be separately represented by different terms accurately expressing them rather than lumped together under a single protean word “right.”¹⁹² He defines the four terms as follows: “A right is one’s affirmative claim against another, and a privilege is one’s freedom from the right or claim of another. Similarly, a power is one’s affirmative “control” over a given legal relation as against another; whereas immunity is one’s freedom from the legal power or “control” of another as regards some legal relations.”¹⁹³ Despite its merit, this definition looks circular, characteristic of many synonymous definitions. Until one locates a right in the context of social relations that it purports to regulate and in the principles and theories which it presupposes and is embedded in, one cannot bring an end to such circularity.

II. Arguments for the Justification of Rights: There are some compelling justificatory arguments for rights. Among these, the intrinsic and moral worth of the individual *qua* person is the most defended idea on which rights are said to be grounded. This idea finds its forceful expression in the Kantian (and Mill’s) maxim that each and every individual be treated as an end rather than merely a means and has been well assimilated into and become a staple of the liberal tradition. According to this view, each human being is a moral person, irreplaceable, self-owning, and capable of free action. To respect her or his moral worth is nothing less than to

¹⁹²Hohfeld, W, N; Ibid, pp. 36-40.

¹⁹³Ibid; p.60.

respect those properties intrinsic to the value of one's very being. Whichever course of life one chooses for oneself is ultimately one's own decision; others ought not to interfere with one's freedom without legitimate reasons and ought to assist or provide for one in cases in which one lacks the ability or resources to exercise such freedom. The only justification for interference is to prevent harm to others. Rights, thus, are regarded as a fundamental guarantee, and a manifestation, of the individual's moral autonomy and dignity. It is this intrinsic moral worth of human beings that provides the ultimate basis for making free choices, being treated equally, claiming what is one's due, being entitled to have and enjoy certain things, or engaging in autonomous action.¹⁹⁴ According to some critiques, however, to ground rights on the intrinsic moral worth of the individual *qua* person is question-begging. More importantly, to assert on the basis of a vague notion such as dignity that individuals have fundamental moral rights, say, to autonomy or to equal respect and to regard these rights *as pre-social, pre-political* and preinstitutional is to invoke and commit a non sequitur and groundless first place principle. Grounding rights on such basis distracts us from arguing about what R. G. Frey identifies as "substantial moral issues"¹⁹⁵ such as claims of conscience that closely touches one's integrity and identity.

¹⁹⁴Hart, H.L.; "Are There Any Natural Rights?" *Philosophical Review* 64:2 (April), 1955, pp.175-191; Dworkin, Ronald; *Taking Rights Seriously*, Cambridge, MA: Harvard University Press, 1977, esp. pp. 266-278; Feinberg, Joel; "The Nature and Value of Rights," *Journal of Value Inquiry* 4 (1970), pp. 243-257; Wasserstorm, Richard; "Rights, Human Rights, and Racial Discrimination," *Journal of Philosophy* 61:20 (October 1964), pp. 628-641; Gewirth, Alan; *Ibid*, pp.119-147.

¹⁹⁵Frey, R. G; "Act-Utilitarianism, Cosequentialism, and Moral Rights," in *Utility and Rights*, R. G. Frey (ed.), Minneapolis, MN: University of Minnesota Press, 1984, p. 64.

A quasi-utilitarian or what Joseph Raz calls humanist argument for human well-being, constitutes another justification. By terming it ‘quasi-utilitarian’ one admits the following claims: first, act utilitarianism is at heart hostile to the idea of rights. The view as advanced by Mill, Hare and the like can and does accommodate the idea of rights and as such it can no longer be regarded as a strictly act utilitarian argument, at least on one level on which individual rights are judged not solely in virtue of the consequences they incur, but also in terms of their own logic and structure in moral thinking, of their relationship with other equally important moral concepts.¹⁹⁶ According to John C. Harsanyi, “The most important advantage that rule utilitarianism as an ethical theory has over act utilitarianism lies in its ability to give full recognition to the moral and social importance of individual *rights* and personal *obligations*. It is easy to verify that action-by-action maximization of social utility, as required by act utilitarianism, would *destroy* these rights and obligations. In contrast, rule utilitarianism can fully recognize the moral validity of these rights and obligations precisely because of its *commitment* to an overall moral strategy, independent of action-by-action social-utility maximization.”¹⁹⁷ Second, more or less there are scholars/thinkers who recognize the instrumental role that rights play in promoting human welfare¹⁹⁸ without professing a utilitarian position. Lying at the

¹⁹⁶See Mill, J.S; *Utilitarianism, On Liberty, and Considerations on Representative Government*, London: J.M. Dent and Sons, 1972; Hare, R.M, *Moral Thinking*, Oxford: Clarendon Press, 1982.

¹⁹⁷Harsanyi, John C., “Rule utilitarianism, rights, obligations and the theory of rational behavior,” <http://www.springerlink.com/content/r1t576553725q854/>

¹⁹⁸Raz, Joseph; “Rights-Based Moralities,” in *Theories of Rights*, Jeremy Waldron (ed.), London: Oxford University Press, 1984, pp. 182-200; Finnis, John, *Natural*

core of the mainstream rights theory, quasi-utilitarians' claim is an exclusive and institutionist concern with the individual and her or his inherent dignity. This is not only an impoverishment of moral discourse, but also a misconstrual of the ground on which rights can be founded. Rights are grounded not in such a formal, intuitive and presocial notion as dignity or freedom or equality, but in human well-being and in the interests, needs, and goods that are constitutive of it.¹⁹⁹ Unlike pure utilitarianism which considers the general welfare in undifferentiated terms, the idea of well-being here includes both the individual and the collective dimension. While the ultimate end of rights is to facilitate the moral, intellectual, and material development of the individual as a human person, and as a member of the human race, collective goods such as a *tolerant society* are values indispensable and intrinsic to such development. Thus conceived, rights are nothing more than a means of the advancement of humanity, individually and collectively. Here again, critics argue that it is indefensible to ground rights solely in the individual's interests, needs, or goods, even if such interests, goods, or needs are said to be of ultimate or intrinsic value to his or her well-being. For one thing, it is extremely difficult to determine the meaning of ultimate or intrinsic value; in addition, simply because something is in one's interest or need or for one's good does not necessarily give her or him a right, that is, justify holding some other person under a duty or obligation. Nor is it persuasive that the

Laws and Natural Rights, London: Oxford University Press, 1980.

¹⁹⁹Raz, Joseph., "On the Nature of Rights," *Mind* 93, 1984, pp.194-214; McCloskey, H.J., *American Philosophical Quarterly* 13, 1976, pp.1-17; Lyons, David., "Rights, Claimants, and Beneficiaries," *American Philosophical Quarterly*, 6:3 (July) 1969, pp.173-185.

interest, need, or good itself rather than what someone is interested in or in need of the benefits from provides either a sufficient or a necessary ground for her/his rights.²⁰⁰

Another justification is contractarian in nature, like Rawls in recent times. Although Rawls' concern is the idea of justice, not that of rights, he links the two ideas in such a way that a theory of rights can be reasonably constructed out of the two principles he has advanced for a just society.²⁰¹ According to him, what can justify the claim that 'X' has certain basic moral rights is neither the inherent quality/qualities of 'X'²⁰² nor some teleological argument for human flourishing. Rather, rights are created and held as a result of deliberation and agreement among individuals or groups of individuals in a hypothetical original position of equality, rationality and uncertainty, and they are the requirements of the principles of justice arrived through such deliberations and agreement. In other words, rights can be said to be grounded in a contract agreed to unanimously by all interested parties or their representatives in the hypothetical original position and in the principles of justice reached through such a contract which lay the foundation for and are built into the basic structure of a just society.²⁰³ The principles which are chosen behind a veil of ignorance in the initial situation can be deemed as a general right and they are arranged in a lexical order that requires the first to be fully satisfied before the second

²⁰⁰White, Alan R., *Ibid*, pp.100-106.

²⁰¹See, Martin, Rex., *Rawls and Rights*, Lawrence, KS: University Press, 1985.

²⁰²Of course, it seems clear that the assumption of such quality or qualities is present in constructing what Rawls terms as "the initial situations."

²⁰³Rawls, John., *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1971, (esp.) pp. 3-194.

can be considered. The 1st is a general right to “the most extensive total system of equal basic liberties compatible with a similar system of liberty for all,” and the 2nd, a general right to equality of opportunity and fair treatment in the social and economic sphere.²⁰⁴ From these two general rights flow a set of basic rights, be they civil, political, socio-economic, which are institutionalized and built into the basic structure of society; and these basic rights then provide groundings for secondary and non-basic rights which may arise under special circumstances.

Justifications such as Rawls’ also pose certain difficulties. For instance, Gewirth charges that it is circular in reasoning in the sense that a general equal right to liberty is concluded only by postulating a universal right to equality as its premise.²⁰⁵ Even more challenging is, insofar as the Rawlsian argument is viewed as giving justificatory answer to the grounds of rights as follows: in addition to the indeterminacy and arbitrariness of how much to know or not to know in the original position, which would have direct bearings on what is to be agreed upon subsequently, rational and self-interested individuals in such a position have no good reason to choose either his two principles or the lexical order in which they are to be satisfied. This is a conservative strategy that “maximizes the minimum pay-off” and rational choosers may look at the average, not just the minimum, and then “pick a set of principles which would lead to a high average...depending on “their taste for

²⁰⁴Rawls, John., A Theory of Justice, Cambridge, MA: Harvard University Press, 1971, p. 302.

²⁰⁵Gewirth, Alan R., Ibid, p.123.

gambling.”²⁰⁶ On the other hand, they would not necessarily choose the priority of liberty over equality in order to play safe in the face of future uncertainties. They may, for instance, prioritize absolute equality considering certain facts of life such as old age, infirmities, or sheer unluckiness, for this would insure that they be provided for when and if these situations arise.

So, given the limits and flaws indicated in each case, it looks correct to draw the conclusion that no single definition, theory, or formula of justification in itself can provide a conception of rights sufficient to capture the subtlety and complexity of this notion. Thus, a right may in a given case be defined as a power, a claim, or an entitlement; it may imply or entail a duty or obligation that one perform or refrain from certain acts; it may be grounded in individual dignity, well-being, or in rule, principle, policy, deed, antecedent behavior and characteristics of the right-holder. There are different kinds of rights and these differences are not differences in the concept of a right as they are related to the different areas in which the question of a right is raised; there are different contexts in which rights are asserted and different sources from which they are derived and these differences cannot be settled beforehand by conceptual analysis. All this suggests is that an adequate understanding of rights requires an assessment of the “various moral, legal, institutional, conventional, etc. relationships in the complex systems to which [right-holders] belong;”²⁰⁷ thus, a pluralistic understanding. And such rich and pluralistic view of

²⁰⁶Barry, Brian., “On Social Justice,” in *Concepts in Social and Political philosophy*, Richard Flathman (ed.), NY: MacMillan, 1973, pp.427-429.

²⁰⁷White, Alan R., *Ibid*, p.114.

rights and liberal assumptions and beliefs about the individual, society, and government existed long before western (liberal) democracy took root also.

I would like to wind up this section by borrowing a brief closing touch from the history of western philosophy. Hobbes's distinction between "private rights" and "public obligations" later become a weapon in the hands of liberal rights theorists to shield the individual from the power of the state; his postulation of human beings' natural state of freedom and equality, his conception of the individual as self interested and a rights-bearer, his negative definition of rights as the absence of restraint, his contractarian view of the relationship between the individual and the state, between individuals, etc., sets the preliminary stage for the emerging liberal arguments for individual rights. Locke helped usher in a conception of (political) rights that "formed the armature of modern liberal ideology,"²⁰⁸ a conception predicated on the assumption of the individual as ontologically distinct, private, autonomous, and self-interested. Such conceptions helped in setting a pattern of rights thinking that political thinkers in successive generations would appropriate critically. Though it would be unfair to Rawls' theory to read it simply as rights-based moral argument, it may not be inappropriate to see it as exhibiting certain essential characteristics of or being keenly informed by the conception of rights which is found prevalent in the writings of contemporary liberal thinkers.²⁰⁹ He makes many assumptions about rights in his *A Theory of Justice* and others. One key Lockean

²⁰⁸Shapiro, Ian., *Ibid*, p. 273.

²⁰⁹For a critique of the idea of rights-based morality, see Raz, Joseph., *Ibid*, pp.182-200.

based Rawlsian assumption, for instance, is that individuals are ontologically primary and self-interested. Such a conception of the individual *vis-à-vis* society seems to lead naturally to a conception of justice in which rights play a pivotal role; it is not that social cooperation is unimportant, but that it is only secondary to the interests and expectations of the self thus understood. Indeed, Rawlsian individuals are essentially self-interested and seek social cooperation primarily to advance their self interests.²¹⁰ Also, Kantian like concepts such as deliberative rationality, rational self determination, and autonomy make their way to the liberal discourse via J. Rawls and continue to inform and shape the debate on rights, a tradition and conception radically lacking in Africa and other nonwestern, non contractarian societies.

III. Possessive Individualism and the Cartesian Cogito: Lying at the center of the above conception of rights is a view of the individual as an ontologically irreducible, rational, and autonomous being in our moral and political universe. Individualism is an all-embracing way of living, acting, and thinking. The centrality of the individual to liberal rights, and to the liberal doctrine as a whole, is readily apparent in both classical and contemporary liberal thought. Primarily, liberalism is about the individual - about her nature, value, interests, and about her self-perceived relationship with others and with society at large. The liberal notion of rights and that set of values and beliefs which is often described under the rubric of individualism are so closely related that it cannot be exhausted in the expression “individual rights.”

²¹⁰Such description is found in Mulhall, Stephen and Swift, Adam., *Liberal and Communitarians*, London: Basil Blackwell, 1996, 2nd ed., p. xvi, where they treat Rawlsian liberalism as being situated between a libertarian view represented by Nozick and a communitarian view as represented by Sandel and others.

If Lukes is correct, the basic components of individualism go directly to the heart of liberalism.²¹¹

Like many concepts “individualism” is shrouded with competing and conflicting definitions and conceptions. For instance, some view it as a “vast complex of interdependent factors;”²¹² others suggest that it is a belief system;²¹³ still others consider it as a form of modern ideology.²¹⁴ According to K.W. Swart, in its 19th century usage,²¹⁵ individualism is used to designate at least three clusters of meaning: First, it conveys a sense of egalitarianism as manifested in the rights of man. This sense is closely linked to political liberalism and has its root in the French Revolution; second, it suggests the economically self-made man under the auspices of the doctrine of free market and laissez faire. Third, it was seen as a romantic sentiment which glorifies a cult of individuality and exalts such qualities as creativity

²¹¹Lukes, Steven., *Individualism*, Oxford: Blackwell, 1973, pp. 125-145.

²¹²Watt, Ian; *The rise of the Novel*, Berkley, CA: University of California Press, 1957, p. 60.

²¹³Shanahan, Daniel; *Toward the Genealogy of Individualism* (Amherst, MA: University of Massachusetts press, 1992, p. 20.

²¹⁴Dumont, Louis; *Essays on Individualism*, Chicago: University of Chicago Press, 1986, p. 62.

²¹⁵The term may have been coined in the 19th century, but its intellectual roots go much further back in time. Shanahan, Dumont and others remind us that the roots of individualistic cultures are deep. To borrow from Shanahan, if it can be said that the Greek period “represents the virtual emergence of the human-self concept,” the Christian era “represents the evolution of the self-concept into a vessel of moral and spiritual ...self-creation” (Shanahan, Daniel., *Towards a Genealogy of Individualism*, Amherst, MA: University of Mass. Press, 1992, pp. 13-34). See also Dumont, Louis., *Essays on Individualism*, Chicago: University of Chicago Press, 1986; Watt, Ian., *The Rise of the Novel*, Berkley, CA: University of California Press, 1957; Morris, Colin., *The Discovery of the Individual*, NY: Harper & Row, 1972. So, the idea of the individualism can be traced all the way back to the ancient world.

and self sacrifice.²¹⁶ Individualism is a way of relating that gives preponderant weight to the individual's consciousness as the arbiter of truth; the individual's values as the basis of morality; and, to the individual's interests and needs as the ultimate justification of social and political arrangements. Individualism with these features is a modern and western phenomenon. It even looks logically sound to argue that modern individualism historically antedated liberalism itself. Or, liberalism presupposes and is predicated on a particular conception of the individual itself. It wouldn't be wrong to argue then that there exists a causal link between individualism and liberalism. Accordingly, while individualism may be described as an *all embracing way of living*, acting, and thinking that sweeps and penetrates virtually all facets of modern life, liberalism is primarily a moral and political doctrine concerned with the relationship between the social and political order. This means that individualism provides the grounding both for the liberal notions of rights and for the liberal democratic *form of life*.

The claim here requires some qualification, though: (a) not all liberal theories fit the descriptions given above. For instance, 'communitarian' liberals, while emphasizing the significance of individual values and interests, oppose the idea of individualism in so far as it fosters atomism. (b) What kinds of individualism liberal theory is said to endorse is another gray area also. For example, endorsing moral individualism does not necessarily involve endorsing economic individualism or sharing the view of Rawls does not entail sharing the view of a Hayek or a Nozick.

²¹⁶swart, K.W., "Individualism in the Mid-19th Century," *Journal of the History of Ideas*, 23, 1963, p.79.

(c) Recognizing individual rights does not have to lead to a rejection of group or minority rights.²¹⁷

There are others who view individualism as a corrupting and dismembering force in society thereby making it synonymous with social atomism, political anarchism, and economic egoism. For instance, Tocqueville saw individualism as one of the most powerful forces likely to breed social isolation and threaten the fabric of modern life. It draws the individual away from public life into “a little circle of his own,” fosters a sense of loneliness, and encourages dependence and conformism in judgment. Comparing selfishness with individualism, Tocqueville noted that the former is “a passionate and exaggerated love of self” and “originates in blind instinct,” whereas the latter is “a mature and calm feeling,” proceeds erroneous judgment” and “disposes each member of the community to sever himself from the mass of his fellows.” He concludes, “Selfishness blights the germ of all virtue; individualism, at first, only saps the virtues of the public life; but in the long run it attacks and destroys all others and is at length absorbed in downright selfishness.”²¹⁸ This criticism of Tocqueville is echoed in Louis Blanc’s remark on individualism also: “the principle by individualism is that which, taking man out of society, makes him sole judge of what surrounds him and himself, giving him a heightened sense of his rights without showing him his duties, abandons him to his

²¹⁷See Kymlicka, Will., *Liberalism, Community, and Culture*, NY: Oxford University Press, 1989.

²¹⁸Tocqueville, Alex de., *Democracy in America*, NY: Vintage Books, 1955, Vol. 2, p. 104.

own powers, and, for the whole of government, *proclaims laissez faire*.²¹⁹ Like wise, J.S. Mill, while defending *individuality* as a main ingredient of social progress, believed that such a principle, according to which each is for himself and against the rest, is antithetical to the idea of social progress. And agreeing with Mill on the basic principle of individuality, Hobhouse set before him the task of renovating classical individualism which he believed to be closely associated with laissez faire theory. The result is “socialist individualism.” “The foundation of liberty,” Hobhouse claimed, “is the idea of growth.” To the extent that it is consistent with the end, liberty “becomes not a right of the individual as it is a necessity of society. It rests not on the claim of ‘A’ to be let alone by ‘B’, but on the duty of ‘B’ to treat ‘A’ as a rational being.”²²⁰

V: The philosophical individual: Modern individualism is a product of multiple forces: philosophical and religious; capitalism and changes in technology, politics, and demographics.²²¹ Here I would like to focus on a short review of the philosophical roots of modern liberal individualism.²²² In this context, the pride of place goes to the Cartesian creation of a *metaphysical self*, which is no less revolutionary and historic than that of the creation by the Reformation of the *religious self*. Rene Descartes’ total doubt served as a philosophical catalyst that undermined

²¹⁹Quoted in Lukes, Steven., *Ibid*, p.11.

²²⁰Hobhouse, L.T., *Liberalism*, NY: Oxford University Press, 1964, p.66.

²²¹See Hill, Christopher., *Reformation to Industrial Revolution*, London: widened and Nicolson, 1967; *The World Turned Upside Down*, Penguin Books, 1975.

²²²To the religious/spiritual premises of liberal individual, see Maritain, Jacques *Three Reformers*, London, Shed & Ward, 1947; Burkhart, Jacob; *The civilization of the renaissance in Italy*, London: G. G. Harrp, 1960; Skinner, Quentin; *The Foundation of Modern Political Thought*, NY: Cambridge University Press, 1978.

the old foundation of knowledge and, by extension, of all the social and political arrangements. The philosophical individualism ushered in by the *cogito* assigns the individual and his or her mind a privileged and first-order place in the entire universe. It infuses the individual with a strong and certain sense of self-sufficiency, autonomy, and uniqueness. As Watt observes, with the arrival of Cartesianism “the pursuit of truth is conceived of as a wholly individual matter, logically independent of the tradition of the past thought, and in deed as more likely to be arrived at by a departure from it.”²²³

To begin with, Cartesianism constitutes the corner stone of modern individualism; it has in the most fundamental sense determined the entire way in which we have come to think about ourselves qua individuals and to relate to the world around us since the dawn of the modern times.²²⁴ Though Descartes “did not write a politics” his thought “encapsulated in his cogito contains the seed from which the lineage of individualist liberal political theory has sprung,” writes William Bluhm.²²⁵ All begins with his philosophically arresting conclusion he arrived in his philosophical theorizing: “Cogito ergo sum; I think, therefore I am,” a certainty that overcomes and fixes his own radical doubt he started from. Cartesian doubt is not a

²²³Watt, Ian; *The rise of the Novel*, Berkley, CA: University of California Press, 1957, p. 60.

²²⁴For more appraisal of Descartes’ philosophy, see Weissman, David., “Introduction,” in *Discourse on the Method and meditations on First Philosophy*, David Weissman (ed.), New Haven, CT: Yale University Press, 1996, p. 111; Taylor, Charles., *Philosophical arguments*, Cambridge, MA: Harvard University Press, 1995, pp.1-19.

²²⁵Bluhm, William T., “Political Theory and Ethics,” in *Discourse on the Method and meditations on First Philosophy*, David Weissman (ed.), New Haven, CT: Yale University Press, 1996, p. 306.

doubt in the ordinary sense of being merely suspicious. It is a denial that anything has ever existed and a negation that reduces the entire creation to nothingness. It is a process of purging ourselves of inherited ideas and beliefs, which promises total freedom for the intellect. What it aims to create is a metaphysical state of nature, an Archimedean point of absolute certainty on which knowledge can stand. Given his methodic thinking, therefore, in the beginning, there is the mind, individuated and autonomous. It is from there that one proceeds to contemplate other things such as our idea of God. This Cartesian account of the mind has its own problems,²²⁶ which I will not go in detail, for my purpose is to briefly show the Cartesian foundation of liberal individualism in social and political life of the liberal tradition. So, despite its problems, Cartesianism has exerted a profound impact on the modern-liberal conception of the individual.

The kind of individualism ushered by the *cogito* assigns the individual mind a privileged and first-order place in the entire universe. This infuses the individual with a sense of self-sufficiency, autonomy, and uniqueness thereby making individual self

²²⁶For instance, the problem of “the Cartesian Circle” is one such a problem. To paraphrase Weissman, Descartes holds that the mind knows itself before it knows anything else, including the idea of God, but he also thinks that the mind’s self-knowledge rests on the metaphysical claim that God is not deceiving us, but rather is the guarantor of clear and distinct ideas, including that of the self (more in Weissman, David, “Introduction,” in *Discourse on the Method and meditations on First Philosophy*, David Weissman (ed.), New Haven, CT: Yale University Press, 1996, p.155); On the other hand Peter Markie argues that Descartes’ claim to certainty about one’s existence is not without ambiguity. The path from thought to existence is not an intuitive and self-evident truth as Descartes says it is, but involves a syllogistic inference which he repeatedly denies (see Markie, Peter., “The Cogito and Its Importance,” in Descartes, John Nottingham (ed.), Oxford: Clarendon, 1998, pp. 50-78.

perception and individual self-determination the defining features of individual identity. Ian Watt observes that with Cartesianism “the pursuit of truth is conceived as of as a wholly individual matter, logically independent of the tradition of past thought, and indeed as more likely to be arrived at by a departure from it.”²²⁷ When each individual is considered as an independent center of consciousness and each mind an arbiter of the truth, the ground work is laid for a society composed of distinct individual minds, each deciding independently on its own what is right and true. If there is a sociality at all, as Weissman points out, it exists merely as a formality, “one mediated by each thinker’s determination to do nothing that every other thinker could not do also.”²²⁸ Taylor offers a well articulated view from which to consider the close relationship between Cartesianism and individualism. According to him, the Cartesian self is characterized essentially by three distinct features: “The first is the picture of the subject as ideally disengaged... as free and rational to the extent that he has fully distinguished himself from the natural and social worlds, so that his identity is no longer to be defined in terms of what lies outside of him in these worlds. The second... is a punctual view of the self, ideally ready as free and rational to treat these worlds - and even some of the features of his own character - instrumentally, as subject to change and reorganizing in order the better to secure the welfare of himself and others. The third is the social consequence of the first two: an atomistic construal of society as constituted by or ultimately to be explained in terms of, individual

²²⁷Watt, Ian; *Ibid.*, p.13.

²²⁸Weissman, David., *Ibid.*, p.189.

purposes.²²⁹

The entrenched traditions of rights, individualism and laissez faire capitalism constitute Constitutional Liberalism, the liberal grounding of western democracy. Constitutional liberalism refers to the tradition that seeks to protect an individual's autonomy and dignity against coercion by the state, church or society; it developed as a defense of individual's rights to life, liberty, property, freedom of religion and speech. It is termed liberal because it draws on the philosophical strain that emphasizes individual liberty and constitutional because it rests on the tradition of the rule of law.²³⁰ So, constitutional liberalism or the liberal condition antedated western liberal democracy also.

Now, neither the conception of the individual as an ontologically irreducible and autonomous being in the moral and political universe, nor the interests and happiness of the individual as constituting the ultimate end of society, which entitles her to certain liberties and privileges that society as a whole has a duty to protect and promote, even at the cost of overall social welfare, are features of the hitherto lived African ways of life. Although individualism as an all-embracing way of living, acting, and thinking and as central to the liberal rights and to the liberal doctrine as a whole is readily available in both classical and contemporary liberal thought, that pattern of thinking and ways of living is not readily available in Africa. Primarily,

²²⁹Taylor, Charles., *Ibid*, p.7. Clearly t/his view is not meant to be an exhaustive analysis of the Cartesian self neither is it free from objections. For instance, see James, Susan., "Internal and External in the Work of Descartes," in *Philosophy in an Age of Pluralism*, James Tully (ed.), NY: Cambridge University press, 1994, p.7-19.

²³⁰See Zakaria, Fareed., "The Rise of Illiberal Democracy," *Foreign Affairs*, 76 (6), pp. 22-43.

liberalism is about the individual - about her nature, value, interests, and about her self-perceived relationship with others and with society at large. But it is this very conception that runs short, even radically absent in Africa. In the next chapter I will argue for the prevalence and sanctioning of different sets of values that prevail in Africa and show how mere transplantations and grafting of western democracy would not serve a far reaching emancipatory purpose in Africa. In short, none of the conditions that enabled the liberal tradition, including its democratic ways of life characterize the African modes and philosophies of life. Now, I will turn to the discussions and reflection on some such selected views and values.

CHAPTER 3

Ontological Reflection on the indigenous Africana values

In this chapter I will attempt to show some relevant features of African values and traditions prevailing and informing African lives at many levels, a modest summary of African world views and its social/political philosophy. African rooted terms and concepts like Ubuntu, spiritually holistic ontology, community of life and/or community society, etc will be discussed as succinctly and clearly as possible.²³¹ It will be argued and shown that the African ways of ordering life differs fundamentally from the west and this difference must be recognized in the first place, whatever project one intends to carry out in Africa. A legitimate question that might

²³¹See Mbiti, John; *African Religions and Philosophy*, London/Ibadan, Heinemann, 1969/1990; Sindima, H; "Community of Life," *The Ecumenical Review*, 41 (4) 1989, pp. 537-551; "Bondness, Moyo and Umunthu as the Elements of Achewa Spirituality: Organizing Logic and Principles of Life," *Ultimate Reality and meaning*, 14 (1), pp. 5-20; Senghor, S; *On African Socialism*, New York, NY: Preager Publishers, 1964; Dickson, K. A; *Theology in Africa*, Maryknoll, New York: Orbis Books, 1984; Jean, Clinton M; *Behind the Eurocentric Veils: The Search for African Realities*, Amherst: University of Massachusetts Press, c1991; Kamalu, Chukunyere; *Foundations of African Thought: a World View Founded in African heritage of religion, philosophy, science, and art*, London: Karnak House, 1990; Karp, Ivan & Masolo, D. A (eds.); *African Philosophy as a Cultural heritage*, Bloomington: Indiana University Press, c2000; Kimmerle, Heinz & Wimmer, F. M (eds.), *Philosophy and Democracy in Intercultural Perspective*, Amsterdam, Atlanta, GA, c1997; Kwame Safro (ed.); *Readings in African Philosophy: an Akan Collection*, London, MD.: University Press America, 1995; Maquet, J; *The Cultural Unity of Black Africa*, Trans. John, Rayfield, New York: Oxford University Press, 1972); Mazrui, A.; *The African, A Triple heritage*, BBC Publications, 1986; Mekkiti, I. A; "Persons and Community in Traditional African Thought" in Wright, R. A (ed.); *African Philosophy: An Introduction*, Lanham, MD: University Press of America, 1984, pp. 178-181; Desmond Tutu; *No Future Without Forgiveness*, New York, Doubleday, 1999...As most western philosophical and political terms and concepts are strange and alien to hundreds of millions of Africans, so will the discussion of these concepts/terms emerging from Africa to a western audience; therefore, both philosophical tolerance and openness are required from the reader.

arise is whether there is a unifying way or tradition in as vast and populous a continent as Africa. While there is a point to this doubt, evidences seem to indicate that there is and has always been a remarkable unity and shared ways of relating that underlie African diversity and multiplicity, a material adequate to undertake philosophical reflection. The primary aim of this chapter, therefore, is to show that the groundwork laid by Western liberal values such as rights and individualism for the emergence and development of Western liberal democracy are radically lacking in the African values and traditions. This in turn means that “democratization” cannot simply be a matter of designing the right constitution/institution or of having elites who are committed to democratic norms. Rather, it basically is about values and ways of living grounded on material and existential security: one cannot institute liberal democracy in the absence of those values which made it possible in the first place, because liberal norms stand in contradiction to the prevalence of dehumanizing existential circumstances that I referred to in chapter one.

Any project, including democratization, cannot be seen apart from peoples’ view about itself, its culture, and its world. The way they interpret their world shapes their understanding of that world and how they relate themselves with others. This means that an organizing framework underlies and accompanies the way people see, picture, interpret, and live their lives.²³² To substantiate this claim, I would focus on

²³²Needham, Joseph., *Science and civilization in China*, Cambridge [Eng.] University Press, 1954; *Situating the history of science : dialogues with Joseph Needham* / edited by S. Irfan Habib and Dhruv Raina, New Delhi ; New York : Oxford University Press, c1999; Dallmayr, Freed R., *Alternative Visions: Paths in Global Village*, Lanham, MD: Rowman & Littlefield, c1998.

Africa's holistic worldview (its Ubuntu) and its two main constitutive and derivative concepts: its community of life and its community-society, respectively.

Ontological peculiarity: the Philosophy, values and practice of Ubuntu:

Despite local and ethno-linguistic variations in wording and terming, Ubuntu has a common meaning in diverse African cultures and languages. There are different words and terms for Ubuntu in different parts of Africa and the plethora of its language families that connote the same meaning. They have and share “family resemblances” to borrow from Wittgenstein. At bottom, Ubuntu is the philosophical grounding of the African ways of life. According to Mogobe B. Ramose, ‘Ubuntu consists of two words: Ubu, which evokes the idea of general being and; Ntu, the concrete manifestation of Ubu.’ So, Ubu “is enfolded being before it manifests itself in the concrete form or mode of ex-istence of a particular entity. Ubu - as enfolded being - is always oriented towards unfoldment, that is, incessant continual concrete manifestation through particular forms and modes of being.”²³³ It is the foundation and edifice of the African ways of life, its philosophical grounding, so to speak. As a philosophical base, it underlies the discourse of all facets of life in Africa: religion, the law and justice, politics, society, development, and the environment, among others.

Simply put, Ubuntu describes the essence of being human through other human beings, a way of life that characterizes the holistically connected nature of community-society in Africa. At its core is the conception that ‘a person is a person

²³³Ramose, Mogobe B., *African Philosophy through Ubuntu*, Mond Books, Harare, 1999, p.50.

through another person,' which means that one cannot think of encroaching on the humanity and dignity of others. According to Ntate Koka, Ubuntu is "a universal concept that embraces all humanity within the circle of the human race. It is a philosophy that transcends ethnic and racial boundaries, religious affiliations, ideological and political limits."²³⁴ In the philosophy of Ubuntu, all human beings are united in their humanity. Ubuntu philosophy emphasizes the need to be human by being humane. And to be human is to affirm one's humanity by recognizing the humanity of others and, on that basis, establish respectful and polite relations with one another. Ubuntu affirms one's humanity in direct relation or reciprocity with the other fellow-human. It is the "principle of caring for each other's well-being... and a spirit of mutual support... (where)... each individual's humanity is ideally expressed through his or her relationship with others and theirs in turn through recognition of the individual's humanity."²³⁵ Interdependence, sensitivity towards others, respectful and dignified reciprocity, and caring for others are aspects of Ubuntu as a way of life.

B. Nussbaum conceptualizes Ubuntu as the "capacity in African culture to express companion, reciprocity, dignity, harmony and humanity in the interest of building and maintaining community with justice and mutual caring;"²³⁶ it expresses "our connectedness, our common humanity and the responsibility to each other that

²³⁴Koka, N., *Ubuntu/Botho: Receive for a New world order*, Johannesburg, 2001, p.11.

²³⁵Sindane, J and Lienberg, I, Reconstruction and the reciprocal other: The Philosophy and practice of the Ubuntu and democracy in African Society, *Polieia* 19(3): 31-46, 200, p.38.

²³⁶Nussbaum, B., "African Culture and Ubuntu: Reflections of a South African in America," *World Business Academy* 17(1), 2003, p.2.

deeply flows from our deeply felt connections.”²³⁷ Ubuntu brings to the fore images of supportiveness, cooperation, caring concern and justice anchored in compassion. Since Ubuntu calls upon people to “believe and feel that your pain is my pain, my wealth is your wealth, and your salvation is my salvation,”²³⁸ any possessive conduct, inhuman and undignifying practices are immoral and antithetical to community-society. Desmond Tutu characterizes a person with Ubuntu as one who is open and available to others, affirming of others, does not feel threatened that others are able and good; for she or he has a proper self-assurance that comes with knowing that he or she belongs to a greater whole and is diminished when others are humiliated, when others are tortured or treated as if they were less than who they are.²³⁹ Ubuntu and denial of one’s respect and unfreedom stand in contradistinction. Mandela writes, “I am not truly free if I am taking away someone else’s freedom, just as surely I am not truly free when my freedom is taken away from me.”²⁴⁰ In Ubuntu, human beings are invited to see themselves in relation to the others facing them. Hence: “I am because you are.”

Ubuntu describes the essence of being human through fellow human beings. All human beings are united in their humanity since they share the same basic needs, human potentials and the capacity to do good or evil. It contains elements of universality and inclusiveness in its scope and application. All humans are united in

²³⁷Nussbaum, B., *Ibid.*, p.2.

²³⁸Koster, J. D., “Managing Transformation,” in *Citizen Participation in Local Government*, Bekker (ed.), Pretoria: J.L. Van Schaik Publishers, pp.99-118.

²³⁹See Tutu, D., *No Future Without Forgiveness*, London: Rider, 1999.

²⁴⁰Mandela, N., *A Long Walk to Freedom: The Autobiography of Nelson Mandela*, NY: Little Brown and Company, 1994, p.554.

being part of the greater universe, part of one human family with its common and divergent features. Of course, this unity and oneness does not deny the diversity of the human family as well. Where such diversity is acknowledged, interdependent relations are seen as necessary. As the maxim goes, ‘you are somebody only through others; I am because we are; we are therefore I am.’ This privileges the community before the individual, but having a good community leads to the flourishing of good and responsible individuals also. As p’Bitek Okot reminds, “Man is not born free. At birth he is firmly tied to his mother through the umbilical cord. He is physically cut free from her. But this cutting free is not merely a biological act. It is symbolic and most significant... he is an individual, who through upbringing is prepared to play his full role as a member of society.... Man has a bundle of rights and privileges that society owes him. In African belief, even death does not free him. If he had been an important member of society while he lived, his ghost continues to be revered and fed: and he in turn is expected to guide and protect the living.... Should he die a shameful death, his haunting ghost has to be laid.”²⁴¹

Thus, Ubuntu has a universal appeal and transcends known boundaries such as ethnicity, race, sex, gender, religious affiliations as well as ideological and political limits. Taking another human being’s needs seriously, looking beyond one’s own self interest, caring, generosity, including supererogatory moral acts, etc. are natural extensions of exercising ubuntu as a way of life. Being concerned for the wellbeing of ‘others’ as one’s own and enlarging the circle of these concerns characterizes ubuntu

²⁴¹OKot, p’Bitek., *The Sociality of Self in African Philosophy*, Blackwell; Publishers, 1998, p.70-72; Diallo, Garba; *The Philosophical foundations African Democracy*, <http://www.hollerafrica.com/showArticle.php?artId=237&catId=1>

and the ethics and morality rooted in it. It emphasizes creative cooperation rather than adversarial competition, consultation rather than opposition, social bondedness rather than self-centeredness, sacred meaning rather than material consumption. Not to have and exercise ubuntu (love, forgiveness, generosity) is a moral deficiency, according to Desmond Tutu. He writes, "...when someone doesn't forgive, we say that person does not have ubuntu. That is to say he is not really human."²⁴² Ecologically, it promotes the view that humans are part of the natural harmony of the whole of nature, not its master; politically, it focuses on finding consensus within community. Political power is seen as a means to empower others, not as a vehicle of mere control, contrary to the imported and uprooting practices that pit Africans against each other at present. At the heart of this indigenous politics is a set of embedded and webbed relationships based upon mutual respect emphasizing both the community and the individual, so that in a very important sense the whole is equal to the part. Ubuntu is rich with values related to "inclusive wellbeing" both in thinking and living, in politics and ethics. It implies and informs the need for a more moral political order where we pay attention to our everyday conditions and also think clearly about where humanity had gone wrong to jettison morality in our political and public life. It means that human dignity and self-worth must be restored in politics and attention be given to the voices of victims against the moral silence and complicity enjoyed erroneously at present. Since everyone suffers to some degree from injustice, a truly caring society must extend compassion not only to its obvious victims but also to those who

²⁴²Waldmeir, Patti., *Anatomy of a Miracle*, London: Penguin Books, 1997, p.268. Tutu says the same of Ubuntu in his book *No Future Without Forgiveness*, pp.34-35.

in some ways are its beneficiaries. So, meaningful and purposeful politics, a shared conception of the Good, and fullness of opportunity can be derived from ubuntu for our days. Without some shared commitment to the search for the common good, the higher and the larger, democracy becomes formal and vulnerable to cynical manipulation; even degenerates into the idiocy of the lowest common denominator - the notion that every opinion is equally significant.

Spirituality and sacredness are constitutive of Ubuntu informed human lives. Spirituality here should not be confused with any rigid adherence to any code, ethical or religious. It refers to a state of being that transcends the material world and connects humans with something greater and larger than themselves - the “where am I from;” “what is the meaning of life and the purpose of existence” quest realm. According to Zohar and Marshall, “if we are to experience deep satisfaction in our social lives, we must be able to see society in a larger context of meaning and value, a context that transcends the concerns of materialism /consumerism and limiting self-interest. Our social vision must have a teleological dimension. That is, we must be able to answer questions like what is society for, what is its purpose and direction, in what dimension of underlying reality do we find its roots, its systems of value, its moral foundations? These are ultimately, spiritual questions. They have to do with how we understand, the ultimate meaning and sanction of our actions and projects. Such concerns were the motive force behind the founding of most religions, but spirituality itself is less organized than religion, less tied to any specific dogma or practice. A spiritual dimension in society need not be identified with any particular

organization or group.²⁴³ The sacred and the spiritual provide inspiration, guidance, and a sense of meaning and purpose that propel us and many political actors beyond the self-interest and the self-centeredness of the politics and consumption-as-usual world. So, when the spiritual diminishes and human morality hits the floor, the rule of law prevails as a standard natural norm and brute force rules.

In short, Ubuntu is a form of relational spirituality that connotes the basic connectedness of all human beings, which is different from systems that encourage retribution, adversarial and eliminative competition and selfishness; it entails community interdependence and the healing of the land; emphasizes forgiveness and conciliation as a method of restoring the moral harmony among peoples; promotes the view that people are made for togetherness, people are made for fellowship. We are (you and I) made for interdependency; ‘to whom am I going to be a neighbor, who is in need and whose need must I meet as a neighbor with this privilege and this responsibility? You and I are the ones who are to be judged for failing to be neighbor to those in need,’ to paraphrase from D. Tutu.

There is a legitimate concern whether ubuntu is free from dark sides such as tribalism, oppression, exclusion and whether it is forceless in the face of evil. As an ontological orientation and a worldview perspective, Ubuntu does not privilege any group of people over others nor is it a tribal ideology. It is a philosophy that stresses unity in diversity, consented consensus, etc. It does not espouse oppressive sameness or uncritical unanimity. A philosophy that stands for human equality in dignity,

²⁴³Zohar, Danah and Ian Marshall, *The Quantum Society*, New York: Morrow, 1994, pp. 33-34.

attentive justice and care, respect of persons for what they are cannot derail and stand against our common humanity, because it revolved around such a center in the first place. There are people and times when noble ideas and principles can equally be used for evil ends. Who suspected the precious ideas of the enlightenment would lend a justification for slavery and colonialism in history? So, in Africa, state socialists and extremist political parties used ubuntu's communitarian elements to execute and justify projects antithetical to the spirit of ubuntu itself. This is a case of an ideological abuse and misappropriation of the philosophy; it does not emanate from any bad nature inherent to ubuntu as such. Ubuntu is part of the great African tradition and it is necessary to make it fit to the needs of changing demands and times. Since the intellectual neglect and failure to modernize this tradition is constitutive of the current crisis looming large in Africa, no amount of dishonest, apish, and uncritical imitation of the liberal civilization deliver the needed remedy.

Now I will attempt to present and discuss Africa's community of life and Community-society conceptions as anchored in and grounded on the Ubuntu view of the world.

1. The Community of Life - Spiritual-centered ontology: In indigenous and unadulterated Africa, the whole universe is a unity and temple of life; the greatest thing in life is life itself, which manifests itself in everything and everywhere. The visible and the invisible are bonded to one another and commune with each other and with their source. Life is all and everything at once; everything intermingling with everything else. Life is not dichotomized into the sacred and the profane, the religious

and the secular, the material and the non material. The physical and the non physical are but two dimensions of one and the same creation, for “nature in the broadest sense is not an empty impersonal object or phenomenon;” it is filled with spiritual significance.²⁴⁴ Even natural objects and phenomena that appear to have no biological life are taken to symbolize or manifest the presence of life and creation. The invisible is understood or manifested by the visible, concrete phenomenon and objects around us. Africans ‘see’ the invisible when they look at, hear or feel the visible and tangible world. According to Kwesi Dickson, “... the various elements of the human environment are *meaningful* to the African because they point to something beyond themselves. Man is in concert with nature; not only is he subject to nature’s fierce wrath, but also he is sustained by nature’s bounty and kinship with the things that make up nature.”²⁴⁵ The physical and the spiritual therefore are coterminous concepts and the western distinction between the rational and the spiritual is untenable here. The African life is permeated with spirituality; it is no less real than the rational. To be successful or to obtain the sense of well-being one is dependent on a positive interrelationship between the spiritual world, the material world and all human beings. In African societies there are no persons who negate or totally abandon rituals, beliefs, and expressions of their ancestors, for to do so is to cut oneself from their roots, their kinship, and their context of security. This is what Mbiti suggests when he writes, “in traditional society there are no irreligious people. To be human is to belong to the whole community, and to do so involve participating in the beliefs,

²⁴⁴Mbiti, J., *Ibid.*, p.56.

²⁴⁵Dickson, K.A., *Theology in Africa*, Maryknoll, NY: Obris Books, 1984, p.161.

ceremonies, rituals, and festivals of that community... to be without religion amounts to a self-excommunication from the entire life of society.”²⁴⁶ Indeed, “life as a whole is religious” summarizes how spiritual centered is the African way life.²⁴⁷

Characteristic of the African world is the connectivity that runs at the core of what some Africanists call “community of life.”²⁴⁸ The universe as a community of life is a foundational principle and exclusive polarities don’t define the African way of life and thought, a condition that remains intact among the hundreds of millions of African despite its brush with failed and destructive modernity. The community of life is holistic. This means that Africans don’t view nature as separated from them and people are not seen outside of nature because it is firmly believed that nature is part of the web of life and part of themselves. Nature is life and nature and people are one. Since the destiny of nature is the destiny people, bondedness to life entails an inescapable obligation to respect nature.

Part of the community of life principle is the veneration extended to ancestors. The relationship between the living and the deceased is characterized by solidarity, reciprocity, and communication. The indivisible world and the ancestors who inhabit there exemplify the idea that life doesn’t end in death. “In Africa,” to borrow from

²⁴⁶Mbitit, J., *Ibid*, p.2

²⁴⁷See Ranger 1972 & 1976; Sundkler, 1987; W. de Craemer, Vansina and Fox, 1976; Kirsten Holst (ed.), *Religion, development and African Identity*, Uppsala, 1987; Gray, Black., *Christians and White missionaries*, London, 1990; Bediako, Kwame., *Christianity in Africa: The renewal of a non-western religion*, NY, 1995; Bediako, 1983, pp.81-121.

²⁴⁸See Sindima, H., “Community of Life” in *The Ecumenical Review*, 14 (4), pp. 537-51, 1989; “Bondness, Moyo and Umunthu as the Elements of Achewa Spirituality: Organizing Logic and Principles of Life,” in *Ultimate Reality and Meaning*, 14 (1), pp.5-20, 1991.

Mbiti, “death means the disappearance of a being whose ultimate reality is entirely relative to entities that existed before it and will exist after it: the lineage, the society, the world. Here lies *true reality*, not in the individual. The African is never wholly separated from these entities while he is alive, and she does not see her death as a total breach with them.”²⁴⁹ Since the departed are believed to continue to live, they are remembered at numerous events through the act of libation and prayers for blessing, guidance, and strength. And veneration is not a worship, since “respect for the departed does not amount to worshipping them; they show people’s belief that the departed up to four or five generations should not be forgotten.”²⁵⁰ Nor are the ancestors mere memories of the dead, for Africans feel the dynamic presence of their departed fellows. They are the links between the long past and an insignificant present; they provide meaning to the lives of the living because “they represent an exemplary past. As people bound in time and space, people seek to understand life within the temporal context. This is to say, people try to understand their present in the light of their past.”²⁵¹ This is the reason for the ancestral veneration existing among Africans. In Africa, the past is everything, which means that Africans are past-anchored peoples; they are peoples “with long past...”if Mbiti is correct. Everything is in the past and unfolds from the past. It “becomes the final store house, the point beyond which a phenomenon can’t go, the ultimate destiny of all things that

²⁴⁹Maquet, Jacque, *Africanity: The Culural Unity of black Africa*, John Rayfield (Trans.) NY: Oxford University Press, 1972, p.65.

²⁵⁰Mbiti, J., *African Religions and Philosophy*, London, Ibadan [etc.], Heinemann, 1969/1990, p.10.

²⁵¹Sindima, H., *Bondness*, p.10

may be caught up in the rhythm of motion.”²⁵² So, the concept of time is closely related to the concept of “life” after death and to the concept of the “hereafter” and the personality of humans. There is uniqueness to this view of time, which is easily misunderstood and denigrated. Since the African *lives time* and because the future is not yet lived, un-lived future cannot be part of her conception of time. Thus, an overarching past exists only because it was a lived time. In Africa, humans make time; they are not made by time. Time is not something already there, something to be filled with. So, the African does not live in time; s/he lives time.²⁵³

What one learns from this brief ontological reflection is both the difficulty and impossibility of attaining formal distinction between the sacred and the profane, the religious and the secular, the spiritual and the material realms of life in Africa. To borrow from Senghor, “... the African does not draw a line between himself and the object; he does not hold it at a distance, nor does he merely look at a distance, nor does merely look at it and analyze it...”²⁵⁴ It suggests the need for participation in and caring for total life and harmony with nature. The ontological priority here is not ‘controlling’ or dominating’ nature; rather, it means that the relation between the human and the natural realm is not based on relation of antagonism and subjugation. Nature neither presents a law to which humans must adapt themselves nor is an enemy whom human must fight. Nature shouldn’t be reduced to a means whence

²⁵²Mbiti, Ibid, p. 28.

²⁵³Kimmerle, H., “The Concept of Time as a Key-notion for New Ideas about Development,” In *Time and Development in the Thought of Sub-Saharan Africa*, Studies in Intercultural Philosophy, Vol. 8, Diange, S.B. and Kimmerle, H (eds.), 1997, p.21.

²⁵⁴Senghor, S., *On African Socialism*, New York: Preager Publishers, 1964, pp.72-73.

humans derive their means of substance, because humans do not live by bread alone; they “truly live and solely on the myths that are their spiritual nourishment.”²⁵⁵ The western procedure of reason, which is based on the assumption of humans as agents and thinkers external and superior to the natural world, stands in contradistinction to this ontology. Neither is history treated and understood as a process of the subjugation of nature as external to and the enemy of humans. Such formulations and views remain incompatible with African spiritually permeated ontology. Given such an ontological background, modern projects including the project of democratization are bound to fail unless such grounds are examined, understood, and appropriated critically in the realization of all viable and meaningful projects.

2. An Embedded Community Society – the social ontology in brief:

embedded in the “community of life” is the concept of community society. The African conceptions of persons and community cannot be separated from its holistic metaphysics. Both concepts arise out of the understanding of being bonded to natural life and the feeling of being in the network of life. Since people are common life, they belong to each other. There is no material tie with their fellow humans as distinct from the spiritual tie. Humans cannot be divided into self-actualization and self-alienation. As Nkrumah writes, “man is regarded in Africa as primarily a spiritual being, a being endowed originally with certain inward dignity, integrity, and value”²⁵⁶ and therefore complete human beings.²⁵⁷ S. Senghor complements this

²⁵⁵Ibid., p.74.

²⁵⁶Nkrumah, Kwame., *Consciencism*, NY: Monthly Review Press, 1970, p.69.

²⁵⁷The term “man” here stands for human kind in general, not each man/person as

when he writes “the Negro-African society is collectivist or more exactly communal because it is rather a communion of souls than an aggregate of individuals.”²⁵⁸

Society is a real tie of people, a bond founded on the unity of souls.

It is clear then that community is a central concept in the African world view; it constitutes “Africanness”²⁵⁹ or what Jacques Maquet calls “Africanity,”²⁶⁰ the point of reference in defining the social and political philosophy of Africa. Community refers to a thoroughly fused “we” where an organic relation exists between and among those who live together. It is not constituted out of but born from the oneness relating and cohering them together. In such a conception, commitment to a common destiny takes precedence over the pursuance of individual self interest. As Senghor puts, “Negro-African society puts more stress on the group than on the individual, more on solidarity than on the activity and needs of the individual, more on the communion of persons than on their autonomy. Ours is a community society.”²⁶¹

Jomo Kenyatta, the founding father of independent Kenya made similar observation when reflecting on his Kenyaian-Gikuyu society. “According to Gikuyu way of thinking” writes Kenyatta, “nobody is an isolated individual. Or rather, his uniqueness is a secondary fact about him; first and foremost, he is several people’s

understood in the Western/Kantian tradition. The Kantian “man” is one who reasons to one’s authority, one who has the courage to make use of his own reason autonomously. S/he is not socially unencumbered person.

²⁵⁸Senghor, S., *On African Socialism*, NY: Preager Publishers, 1964, p.49.

²⁵⁹Dickson, K.A., *Aspects Religion and Life in Africa*, Accra, Ghana Academy of Arts and Sciences, 1977, p.49.

²⁶⁰See Maquet, J., *Ibid.*

²⁶¹Senghor, S., *Ibid*, pp.93-94.

relative and several people's contemporary."²⁶² From their stand point, "individualism and self-seeking are ruled out... The personal pronoun 'I' was used very much rarely in public assemblies. The spirit of collectivism was (so) much ingrained in the minds of the people."²⁶³ The community is the locus of where/what the 'I' is and nothing happens to 'me' which does not happen to my community in the first place and what happens to me happens to my community also. From best to worst things that happen and affect me happen and affect the community; both my joy and sorrow are ours. Insult me and you insult my community; attack it and you are attacking me; conquer it and you dehumanize me. What ever you do to me, you do to my community and vice versa. Thus, "the whole of African society is a living network of relations almost like that between various parts of an organism. When one part of the body is sick the whole body is affected. When one member of the family is honored or successful, the whole group rejoices and shares in the glory... Ontologically, each member of the group is part of the honor."²⁶⁴ Given this conception of community, "... the reality of the communal world takes precedence over the reality of the individual life histories, whatever these may be."²⁶⁵

This emphasis on the ontological primacy of community means that it is in

²⁶²Kenyatta, Jomo., *Facing Mount Kenya*, NY: Vintage, 1965, p.297.

²⁶³*Ibid.*, p.180.

²⁶⁴Ruch, E.A and Anyanwu, K.C., *African Philosophy: an Introduction to the main Philosophical Trends in Contemporary Africa*, Rome Catholic Book Agency, 1984, p.143.

²⁶⁵Menkiti, I.A., "Persons and Community in Traditional African Thought," *African Philosophy, An Introduction*, A.R. Wright (ed.), p.171.

terms of other people that persons become conscious of their own being, choices, privileges, and responsibilities towards one another, mainly because “it is the community that defines the person as a person, not some isolated static quality such as rationality, will or memory.”²⁶⁶ Furthermore, the “the notion of personhood is acquired,”²⁶⁷ that is; it is “something to be achieved, and not given simply because one is born of human seed.”²⁶⁸ In other words, a human being is said to be a person when s/he has been imbedded into the community and who has placed in his or her heart the virtues and values that the community views as being essential to be a person. It is in being rooted in an going human community that the individual comes to see herself/himself as a full-fledged human person, one who knows her duties and meets his obligation to other persons and to the whole of life. If an individual fails to meet his duties or is ineffective at it or cannot do it for reason of immaturity, etc., s/he is not a person yet, since ‘personhood is something at which individuals could fail, at which they could be better or worse, competent or otherwise.’ Personhood is an achievement, it is not an entitlement. So, Africans are community-individuals so to speak, because “only in terms of other people does the individual become conscious of his own being...”²⁶⁹ S/he is an indispensable instance of the reality of the community-society.

From the standpoint of this social ontology, society consists of interdependent individuals. Premised on this, the African is reared, nurtured, and lives through this

²⁶⁶Ibid., p.174..

²⁶⁷Ibid.

²⁶⁸Ibid., p.173.

²⁶⁹Mbitit, J., Ibid, p.108.

life world. Accordingly, 'from their first contact with the world, the children of Africa receive response that is very different from that received by the children of Europe or North America. She has many homes in her village and she is never isolated since several persons are assimilated into one parental role. She owes her place in this network of rights and obligations, which is also a network of solidarity.' In Africa the conception of a human being as a "unique individual" is less important than the human being as a link in the chain of relations, in the chain of generations. The African sees herself more modestly as part of the great streams of life that transcends her own life.²⁷⁰ Mbiti's expression, 'I am because we are and since we are, because I am' stands in direct contrast to the western view of community as a "a collection of self interested persons, each with his private set of preferences, but all of whom get together nonetheless because they realize, each to each, that in association they can accomplish that which they are not able to accomplish otherwise."²⁷¹ Such instrumentalist-centered utilitarian conception is not constitutive of the conception of community in Africa so far. Having said this, however, one has to be cautious not to misread this conception of community society as an absence of human individuality. The individual does exist, but as a community individual. Such an individual, obviously different from the tradition of the west, reveals its own individuality and its own beingness through her community. As Senghor puts it, "the member of the community society" may claim "his autonomy to affirm himself as a being. But he feels, he thinks that he can develop his potential, his originality, only by society, in

²⁷⁰Paraphrased from Maquet, J., Ibid, pp. 55-67.

²⁷¹Menkiti, I.A., Ibid, p.179.

union with all other men.”²⁷² The community-individual is constituted by and constituting of a social world that is primarily communal. In the light of this, Enlightenment rooted attributes of free agency, freedom, and autonomy extended to the western individual are not sanctioned and glorified as a point of departure in theoretical analysis or social practice in the African social ontology.

Here, too, are some lessons to draw for our purpose: The idea that the African “cannot exist alone except corporately” does not seem to follow from the western view of human being as an individual who is free and self determining. Whereas individualism is cardinal to the western conception of persons, “the African abandons his personality to be identical with the other; dies to be reborn in the other... He lives a common life with the other; he lives in a symbiosis.”²⁷³ This ontology is at once both a liability and an opportunity. It might have delivered a complementing civilization had it been left alone to its own course, which it wasn’t. The most hideous thing we made out of this ontology goes to the liability side: As if Africa’s community society is not our “formation”, and our “cultivation,”²⁷⁴ our heritage and

²⁷²Senghor, S., *Ibid*, p. 94.

²⁷³*Ibid.*, pp.72-3.

²⁷⁴For instance, see Gadamer, Hans-Georg., *Truth and Method*, Trans. by Joel Weinsheimer and Donald G. Marshall, NY: Crossroad, 1989; Lyotard, Jean-Francois., *The Post Modern Condition: A report on Knowledge*, Trans. Geoff Bennington and Brian massumi, Minneapolis: University of Minnesota Press, 1984; Nandy, Ashi., “Cultural Frames for Social Transformation: A Credo,” in *Political Discourse: Explorations in the Indian and Western Political thought*, Parekh, Bhikhu and Pantham, Thomas (eds.), New Delhi: Sage, 1987; Banuri, Tariq., “Modernization and its discontents: A cultural perspective on the theories of Development,” in *Dominating Knowledge: Development, Culture and resistance*, Marglin, Apffel Fre’de’rique and Marglin, Stephen A (eds), Oxford:Claredon Press, 1990 among others.

our grounding; as if it is not our way in the world, we treated it as an easily disposable good, believing in the universals we imitated and mimicked without success whatsoever. The most that we gained from our ridiculous and dysfunctional wedding was “western consumption ...rather than western production; western taste... rather than western skills; the profit motive... without ethics, and capitalist greed rather than its disciplines.”²⁷⁵ As a result, Africa lost at least three options simultaneously: it “neither fully destroy the economy of the traditional society and replace it with western capitalism (as in Singapore), nor adapt and integrate with the local culture (as in Japan), nor leave... indigenous knowledge and practices free to develop in their own ways.”²⁷⁶

Not all hope is lost though and there exists an opportunity side to look for. There is no doubt that the colonial experience in Africa introduced ideas of individualism and egalitarianism from the metropolitan or colonizing centers (without significant success, though). It is also true that both colonialism and the struggle for ‘liberation’ from colonial oppression gave rise to new African States that crossed many boundaries and espoused principles such as ‘individual rights.’ Unfortunately, because the post colonial derive towards modernization failed at its core, both the values of communalism and individualism suffered. Since it did not succeed in rooting out and substituting the indigenous modes, both the community of life and the community-society conception, the values of embeddedness commands priority in the

²⁷⁵Mazrui, A., *The African, A Triple Heritage*, BBC Publications, 1986, p.14.

²⁷⁶Mammo, Tirfe., *The paradox of African Poverty: The Role of Indigenous Knowledge, Traditional Practices And Local Institutions - The case of Ethiopia*, The Red Sea press, 1999, p.8.

African life, both urban and rural. Values such as solidarity, cooperation, caring, friendship, reciprocity, respect, genuine concern for fellow humans, social well being, mutual trust/help, associations, sympathy, compassion and generosity continue to shape the moral landscape and practices of Africans and are generally held to be of more importance than the values associated with possessive individualism and rights.²⁷⁷ From such values flow sense of responsibility of individuals to their community and obligations to one's society. Among others, Simone Weil argues for the philosophical value of prioritizing one's obligation to community and the importance of "self-denial" as unconditional.²⁷⁸ And in a moral universe and frame work where such values prevail and characterize such as in Africa, for example, solely rights-based claims serve a disruptive and destructive role. Writing in line with Weil's line of affectionate reasoning, Gyekye reminds us that, "neglect of , or inadequate attention to, the status of responsibilities and obligations on one hand, and the obsessional emphasis on, and privileging of, rights on the other hand, could lead to the fragmentation of social values and, consequently, of social relationships and integrity of society itself. Responsibility, like rights, must therefore be taken seriously.²⁷⁹ Since humanity has come of age and went through traumatic experiences for millenniums now, lessons must carefully be learned and further errors should be

²⁷⁷see Gyekye, Kwame., *Tradition and Modernity: Philosophical Reflections on the African Experience*, Oxford: Oxford University Press, 1997, particularly, pp.62/67.

²⁷⁸See Bell, Richard H., *Simon Weil: The way of Justice as Compassion*, Lanham, MD: Row-man and Littlefield Publishers, 1998, especially chapters 3 through seven; See Weil, Simone., *Selected Essays: 1934 -1943*, Rees, Richard (Trans.), Oxford: Oxford University Press, 1962.

²⁷⁹Gyekye, Kwame., *Ibid*, p.67.

avoided, if and when necessary.

As shown and argued in this chapter, the worldviews and values that shaped the African ways for millennia stand in direct contrast to that of the west. Among others, neither the metaphysical self of Descartes nor the free, self determining and autonomous self define Africa. Africa has always been a society of interdependent persons where both individualism and rights are immensely lacking or just slowly and painfully emerging. Despite the many interruptions and impositions Africa went through, it still is a predominantly a community-society of interdependent human beings and this has radical implications for the “democratization” of Africa. Almost all modernization projects failed to bear the right fruit in Africa²⁸⁰ and we must learn our lessons carefully and critically before the current democracy euphoria lands us on unchartered territories or even in hostile takeovers. For instance, one dominant characterization of modernity is its insidious separation of the social and the natural spheres of existence, to borrow from B. Latour.²⁸¹ This attempt ‘to create two ontological zones - the zone of human life and culture and the arena of the non-human and the natural’ hasn’t been achieved in Africa. Community society is embedded in the chain of the community of life and its umbilical cord hasn’t been severed yet. Part of the remedy lies in reaching back to Africa’s un-severed

²⁸⁰Danabo, Pelle; “*Why projects of modernity failed in Africa? Reflections on human and philosophical foundations,*” unpublished MA Thesis submitted to the Department of Philosophy, University of Kansas, July, 2001.

²⁸¹See Latour, B., *We Have Never Been Modern*, Trans. C. Porter, London, Prentice Hall/Cambridge, MA: Harvard University Press; *Politics of nature: How to Bring the Science into Democracy*, Cambridge, MA: Harvard University Press, 2004; “To modernize or Ecologise? That is the Question”, in B. Braun and N. Castree (eds.), *Remaking Reality: Nature at the Millennium*, London: Routledge, 1998.

connection between the human and the natural and to its pre-colonial past so as to critically appropriate values that could help us democratize Africa in its own potentials and terms without depriving it the best of values from the western experiences.

In general, from this succinct review of Africana Philosophy, it would be correct and fair to draw the idea that one cannot democratize by indiscriminately ignoring one's life-world, formation, ways and cultivations. Equally it is not enough to acknowledge and worship ones history and tradition without critical examination when one talks about projects like democratization. One's world, one's philosophy of life must be taken seriously with the care it deserves and the critical reflection it cannot escape. In the absence of such critically-cautious intervention, neither the force to export nor the will and euphoria to import democracy will bring about the transformation needed to reclaim Africa as a totality. Africa's spiritualistic ontology stands in contrast to the world view that shaped the now dominant brand of western democracy; its social ontology clearly stands in contrast to the sociological/philosophical foundations that nurtured western democracy. The indiscriminate annihilation, cleansing and genocide Africa went through didn't lead to strong nation states; in the contrary, it leads to a total human loss and tortured and tormented spatial arrangements. Given this picture, Africa cannot bear the burden and consequences of another wholesale and fashionable mindless project. This does not lead to the conclusion that Africa cannot democratize; on the contrary, it suggests the critical need to transcend the traps of both "traditionalist-antiquarianism" and

“abstract-liberal universalism.”²⁸² Thus, perhaps it is time for Africans to revisit Ubuntu critically as a model for a home grown democratic model.

²⁸²See Serequeberhan, Tsenay., *The Hermeneutics of African Philosophy*, NY: Routledge, 1994; Kebede, Messay., *Survival and Modernization, Ethiopia's Enigmatic Present: A Philosophical Discourse*, Lawrenceville, NJ: Red Sea Press, c1999.

CHAPTER 4

PanAfrican Grounding of Africana Democracy

I. Nationhood and Democracy: the history of western democracy and the relation it has with the history of western nation states and vice versa deserves some reflection in the context of the work at hand. Western democracy is deeply intermingled and embedded with the question of and aspirations for a nation state; it cannot be seen apart from the total modernization project, reminder that “liberty presupposes national homogeneity,”²⁸³ although liberty preceded democracy. One expression of this modernization drive is its success in the making of nation-states. An important question that comes to one’s mind would then be whether nation-states resulted from democratic engagements or whether democracy antedated by the birth and development of nation states? Although there is no easy answer to this question, I argue that, reflection on the history of established democracies and nation states shows the privileged dominance of the power of the sword over the power of pen/words. I will make a brief presentation of this link and would try to show the *groundings* for the possibility of an Africana democracy in this chapter.

In his now classic work, Barrington Moore, Jr. shows that modernization of the first industrial powers ended up as democracies. But, like Feyerabend and Mann after him, he maintains the view that in all the paths to modernization, there has been a great deal of injustice. He cites how peasant societies in particular have been

²⁸³See Mill, J.S., *Considerations Representative Government*, NY: New York Liberal Arts Press, 1958/1861.

demolished or exploited in every modernizing society.²⁸⁴ Whereas Moore reminds the economic side of the dark side befallen on peasants, Paul Feyerabend articulates the epistemological and scientific dimension of the project when he writes, “the rise of modern science coincided with the suppression of non-western tribes by western invaders.”²⁸⁵ Mann links modernization and the rise of western liberal democracy with genocidal cleansing. In his book, *The Dark Side of Democracy: Explaining Ethnic Cleansing*,” he makes a number of hypotheses, the first of which is that “Murderous cleansing is modern because it is the dark side of democracy.... Democracy has always carried with it the possibility that the majority might tyrannize minorities, and this possibility carries more ominous consequences in certain types of multiethnic environments.”²⁸⁶ This thesis contains two core concepts: modernity and democracy. He comments, ‘although not unknown in previous history, ethnic cleansing is modern; and such cleansing is a hazard of the edge of democracy since amid multiethnicity the ideal of rule by the people began to entwine the *demos* with the *ethnos*, generating organic conceptions of the nation and the state that encouraged the cleansing of the minorities.’ “In their past, cleansing and democratization proceeded hand in hand. Liberal democracies were built on the top of ethnic cleansing...murderous cleansing has been moving across the world as it has

²⁸⁴See Moore, Jr., Barrington; *Social Origins of Dictatorship and Democracy. Lord and Peasant in the Making of the Modern World* (Boston: Beacon Press, 1966.

²⁸⁵Feyerabend, Paul, K; *Against Method: Outline of an Anarchist Theory of Knowledge*, London: NLB; Atlantic Highlands: Humanities Press, 1075/76; 1993 printing.

²⁸⁶Mann, Michael; *The Dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge University Press, NY, 2005, p.2. So, Western democracy was antedated and accompanied by the “dark sides of democracy,” if Michael Mann is correct.

modernized and democratized.²⁸⁷ Mann is not alone in making such a claim given his paraphrasing of A. Wimmer, who argues, “modernity is structured by ethnic and nationalist principles because the institutions of citizenship, democracy, and welfare are tied to ethnic and national forms of exclusion.”²⁸⁸ Thus, the modern project that ignited western democracy entailed national exclusion and there exist both causative and correlative relations between democratization and the cleansing of “the other”, if Mann and Wimmer were correct.

According to G. Chailand, from the Renaissance to the Enlightenment, the notion of divine right gave way to those of national sovereignty; the ‘source of all sovereignty,’ declared the revolutionaries of 1789 France, “is essentially the nation.”²⁸⁹ Whether the conception of the nation is contractual or organic, the central idea was that the right to self-determination belongs to the nation. So, by the time ‘wars of national unification’ engulfed 19th century Europe there was a consensus that the rightful destiny of every nation was to establish its own state.²⁹⁰ So, as Bohannan and Curtin succinctly put it, “Europeans begin with the nation which then wanted to become an independent state.”²⁹¹ If this claim stands contest²⁹², it clearly is different

²⁸⁷Mann, Michael., *Ibid.*, p.3-4.

²⁸⁸See, Wimmer, A., *Nationalist Exclusion and Ethnic Conflict: Shadows of Modernity*, Cambridge: Cambridge University Press, 2002.

²⁸⁹Chailand, G; *Minority Peoples in the Age of Nation States*, London: Pluto Press, 1989, pp. 19-20.

²⁹⁰See Cohen, H; *The Idea of Nationalism*, NY, Macmillan, 1944.

²⁹¹Bohannan, Paul and Philip Cutin, *Africa and Africans, Prospect Heights, IL: Waveland Press*, 1995, p. 240.

²⁹²Contrary to this view that a nation exists *a priori* and must – or should – eventually be constituted in a state, according to Liah Greenfeld, most historical processes have been considerably more complex and frequently even gone in the opposite direction.

from the African path/experience. Most contemporary African states were born from anti-colonial struggles, not from struggles for a national statehood. Whereas Europeans went from the nation to the state, African “wanted independence for the units so that they could become nations;”²⁹³ from a colonial state to a search for a nation, where national statehood remains a dream that has not been fulfilled for so many yet. Although important and unavoidable, it should be borne in mind that the important issue at stake is the need for state/nation building, not the theoretical concern whether it is the state or the nation that is the vehicle in the process.

For our purpose, “a nation is a population that purportedly has a right to state of its own.”²⁹⁴ This definition of the term “nation” derives from Max Weber’s definition that “a nation is a community of sentiment which would adequately

“Nations” do not just exist, rather they emerge like many other social phenomena in a difficult and inconsistent process – or simply do not. And in most countries, the existence of a state preceded that of a nation, even in the classic examples of European nation-states like France and England. For merely practical reasons, it was not rare for a state apparatus to create, intentionally or rather incidentally, a nation corresponding to itself: the old monarchies were hardly ever based on ethnic or national borders but, instead, on religious or charismatic legitimation mechanisms and compulsion. They adopted their later form through conquest or marriage with other ruling houses and not through any defined right of self-determination of the nations, which did not yet exist. So, state induced nation building is an important method in the overall project of nation building. See, Greenfeld, Liah., *Nationalism: Five Roads to Modernity*. Cambridge 1992; Atwood, J. Brian., 1994: “*Nation Building and Crisis Prevention in the Post-Cold War World*,” in *Brown Journal of World Affairs*, year 2/1 (Winter), p. 11-17, 1994; Eriksen, Thomas Hylland., *A Future-Oriented, Non-Ethnic Nationalism? – Mauritius as an Exemplary Case*, in: *Ethnos*, year 58, p. 197-221, 1993; Hippler, Jochen., “Ethnicity, State, and Nation-Building–Experiences, Policies and Conceptualization,” 2002.(www.jochen-hippler.de/Aufsätze/Nation-Building/nation-building.html).

²⁹³Bohannon, Paul and Philip Cutin, *Ibid.*, p. 240.

²⁹⁴Roeder, Philip G., *Where Nation-States Come From: Institutional Change in the Age of Nationalism*, Princeton: Princeton University Press, 2007, p. 3.

manifest itself in the state of its own; hence a nation is a community which normally tends to produce a state of its own.”²⁹⁵ In other words, “*Nations* are the cultural systems and modes of ethnic identification that bind groups of people together. They embody the collective signs and symbols with which people of the same nation identify, invest cultural meaning in, and invoke at key sociopolitical moments.”²⁹⁶ In his now celebrated book, Benedict Anderson describes nations as “imagined communities,”²⁹⁷ which among others means that, the cultural artifacts of nations essentially act to ensure that, while individuals will never meet all of those who share their national identity, it is possible to imagine a community of fellow citizens experiencing nationhood in a similar way. According to scholars like Hobsbawm and others²⁹⁸ who studied the emergence of nationalism in the modern world, a nation is “a social entity only in so far as it relates to [a] certain kind of modern territorial state,

²⁹⁵ Gerth, H.H and C.Wright Mills., *From Max Weber: Essays in Sociology*. NY: Oxford University Press, 1958, p.176.

²⁹⁶ Whitehead, Mark et al., *The Nature of the State: Excavating the Political Ecologies of the Modern State*, Oxford University Press, 2007, p. 10.

²⁹⁷ See Anderson, B., *Imagined Communities: Reflections on the Origin of and Spread of nationalism.*, London, Verso, 1983/revised ed., 1991.

²⁹⁸ See Anderson, B., *Imagined Communities: Reflections on the Origin of and Spread of nationalism.*, London, Verso, 1983; Gellner, Ernest., *Nationalism*, NY: New York University Press, 1997; *Nations and Nationalism*, Oxford: Blackwell, 1983; Hobsbawm, Eric., *Nations and Nationalism since 1780*, Cambridge and New York: Cambridge University Press, 1990; Renan, Ernest., “What is a Nation,” in Geoff Eley and Ronald Grigor Suny (eds.), *Becoming National: A Reader*, NY and Oxford: Oxford University Press, 1996, pp.41-55; Smith, Anthony., “Ethnic Cores and Dominant Ethnies,” in Eric P. Kaufmann (ed.), *Rethinking Ethnicity: Majority Groups and Dominant Minorities*, London and New York: Routledge, 2004, pp.17-30; *National Identity*, London: Penguin, 1991; *The Ethnic Origins of Nations*, Malden, MA: Blackwell, 1986.

the ‘nation state;’”²⁹⁹ in other words, nations can only be fulfilled in their own states.” The relationship between ethnic homogeneity and political liberty was recognized by J. S. Mill, who believed that the former is necessary for the later.³⁰⁰ States, on the other hand, are understood as “demarcated political entities, with bureaucratic systems of administration, rules of law and sovereign powers.” They “represent the *real-politick* of a given country, its official political system...”³⁰¹ The cultural myths, foundation legends, and imaginary geography of nationalism are often used to undergird state authority. States often make reference to key national motifs, historical events, and cultural values in order to support their own legitimacy and policy decisions. Thus, a territorial jurisdiction (the state) and a political community (the nation), constitute the “Nation State.”

II. African States are Nation States? given this conception of a ‘nation’ where would African states be placed? Or, are they unfit for “nationhood”? One cannot answer this without some kind of reflection on the injustices and afflictions rooted in colonialism and its legacies. Colonization is a project of dehumanization pursued rationally: (1) it sanctioned ontological gradation that confers humanity and superiority to some while squarely denying the humanity and equality of the other; for instance, racial divisions and apartheid, separate, segregated, and unequal residential townships. (2) It instituted spatial balkanization and/or imbricated and

²⁹⁹Hobsbawm, Eric., *Nations and Nationalism since 1780*, Cambridge and New York: Cambridge University Press, 1990;

³⁰⁰See Mill, J.S., *Considerations of Representative Government*, NY: New York Liberal Arts Press, 1958/1861.

³⁰¹Whitehead, Mark et al., *Ibid.*, p. 9-10.

multiple spaces. The current political map of Africa and the various entrapped voices crying for unity because they were unjustly separated or those who struggle for just separation because they were forcefully united against their wills and their ethnic and cultural groups confirm this. (3) Colonialism resulted in human affliction enmass that goes beyond ordinary human suffering and poverty. The structural violence, loss of natural human environment, personal/psycho-social crumbling and destruction are its existentially and empirically observable and sanctioned consequences.

The states carved out by the Europeans were created with no or accidental regard to human roots/relations and systematically destroyed or supplanted local traditions. Artificial boundaries and imbricated peoples are constitutive of partitioned and “decolonized” Africa. Although simplistic it seems to say that ‘the boundaries separating African States were... arbitrarily drawn, separated peoples, linguistic entities, and cultural and political communities that formed natural and homogeneous wholes before colonization,³⁰² it is the most damaging and lasting seal in the

³⁰²This view is said to be simplistic because there are competing geneses to African boundaries or/and to state that current African boundaries are merely a product of colonial arbitrariness is to ignore their multiple genesis. Mbembe writes, “It is clear that the boundaries inherited from colonization were not defined by Africans themselves... this doesn’t necessarily mean that they were arbitrary. To a large extent, every boundary depends on a convention. With the exception of flagrant cases of arbitrary division, some of the boundaries drawn by colonization are based on natural limits - oceans, rivers, or mountain ranges, for example. Others are the result of diplomatic negotiation or treaties of cession, annexation, or exchange among the imperial powers. Others take the old kingdoms into account. Still others are neither more or less than imagined lines, as in the case of boundaries separating the countries along the borders of the Sahara (Mali, Niger, Algeria) or the Kalahari desert. All these boundaries marked geographical territories that were then associated with names, some of which were changed when independence was won... The decisive factor, however, was the internal boundaries the colonial enterprise defined within

project's history. "Before colonization" writes Mbembe "Africans' attachment to the territory and to the land was certainly relative. In some cases, political entities were delimited not by boundaries in the classical sense of the term, rather by an imbrication of multiple spaces constantly joined, disjoined, and recombined through wars, conquests, and the mobility of goods and persons...pre-colonial territoriality is an itinerant territoriality"³⁰³ where "various centers of power might have authority over a single place, which might itself fall under the control of another place that was nearby, distant, or even imaginary."³⁰⁴ As Lonsdale,³⁰⁵ Adel and Aron³⁰⁶ contend, "Before the conquest, they represented spaces of encounter, negotiation, and opportunity for Europeans and Africans." According to Ali Mazrui, "balkanization is a breeding-ground for political violence," he reminds us that, "It was...in Africa that Europe practiced the art of partition at its most elaborate. Where Europe attempted to unify those who were different, it sowed the seeds of future separatism... Where Europe divided, it left behind latent passions for reunifications..."³⁰⁷ By any standard, the partition is a work of malicious and ominous craftsmanship that underlies and

each country..." Mbembe, *Ibid*, p.57-59.

³⁰³Mbembe, Achille., *Ibid*, pp.56-57; see, Kopytoff, Igor (ed.), *The African Frontier: The Reproduction of Traditional African Societies*, Bloomington: Indiana University Press, 1987

³⁰⁴Mbembe, *Ibid.*, p.57.

³⁰⁵See, Lonsdale, Jonathon., "The European Scramble and Conquest in African History," in Oliver, Roland and Sanderson, G.N. (eds.), *The Cambridge History of Africa*, vol.6, 1985.

³⁰⁶Adelman, J., and Aron, S., "From Borderlands to Borders: Empires, Nation-States, and the Peoples in between North American History," *American Historical Review* 104, No. 3 (June): pp. 814-41, 1999.

³⁰⁷Mazrui, Ali A., "Thoughts in Assassination in Africa," In Prosser, Michael H. (ed.), *International Communication Among Nations and Peoples*, New York: Harper and Row Publishers, Inc., 1973, p.183.

explains why a number of African states are engulfed in destabilizing confrontations and adversarial conflicts and wars that make them fragile, chaotic, and ‘failing’.

With the precision and mathematical indifference inherent in Colonial cartography, colonial boundaries divided peoples sharing common ethnicity, language, cultures... and forced them to “settle” in different, even hostile bordering states. Such artificial constructs created borders that separated homogenous cultural and linguistic groups and mechanically merged groups on the basis of access to privileged natural resources. The configuration of pre colonial traditional empires and kingdoms in Africa had nothing or little to do with the colonial borders imposed after the Berlin Conference, for indigenous African allegiances followed kinship, ethnic, linguistic, and cultural affiliations. This claim can be confirmed by checking against authoritative maps of Africa where there were no “national” boundaries and divisions before the 1891.³⁰⁸ As Denis Wood reminds us, “maps are windows onto the societies

³⁰⁸The 1891 Map being referred to here is An American made map which consists of all the present post-colonial states of Africa. America “reinvented” Africa radically, to use Mazrui’s expression. There is enough reason to believe that the modern map of Africa that one reads in text books and finds in the Headquarters of International as well as Continental organizations is the gift of America to Africa. For further readings, see Norwich, J. Oscar., *Norwich’s maps of Africa : an illustrated and annotated carto-bibliography* (2nd ed. / rev. and edited by Jeffrey C. Stone); Norwich, Vt. : Terra Nova Press, 1997; Bassett, Thomas J. and Yvette Scheven; *Maps of Africa to 1900 : a checklist of maps in atlases and geographical journals in the collections of the University of Illinois, Urbana-Champaign*, [Urbana, IL]: The Board of Trustees of the University of Illinois : Distributed by [University of Illinois at Urbana-Champaign], The Graduate School of Library and Information Science, c2000; Betz, Richard L., *The mapping of Africa : a cartobibliography of printed maps of the African continent to 1700*, ’t Goy-Houten, The Netherlands : Hes & de Graaf, c2007; McIlwaine, John., *Maps and mapping of Africa : a resource guide* with a foreword by Jeffrey C. Stone, London ; New Providence [NJ] : Hans Zell Publishers, 1997; see also, Bassett, T. and P. Porter; “From the Best Authorities: The Kong Mountains in

that shaped them as much as they are windows onto the world itself,”³⁰⁹ although cartographic-epistemology (map making in this case) is infested with a contradiction from the outset: “a claim to represent objectively a world they can only subjectively present, a claim made to win acceptance for a view of the world whose utility lies precisely in its partiality.”³¹⁰

Colonial division and colonial cartography largely and actively erased the then existing social and cultural formations in the making of a new map and the way was cleared for the projection and subsequent establishment of a colonially sanctioned orders and borders. It succeeded in creating the *other* out of the *owner*; served as a “...reinscription, enclosure and heirarchization of space as analogue for the acquisition, management and reinforcement of colonial power.”³¹¹ The cartographic knife that mutilated Africa into its current boundaries is driven purely by the principle of *land acquisition* (or the “height-of-land principles”) thereby negating the cultural, ethnic, and linguistic connections between and among the populations.

the Cartography of West Africa,” *Journal of African History*, 32: 367-413; “Cartography and Empire Building in Nineteenth Century West Africa,” *Geographical Review* 84 (3): 316-335, 1994.

³⁰⁹Wood, Denis., “The Power of Maps;” *Scientific American*, May 1993: p. 91. See also Wood’s, *The Power of Maps*; Guilford Press, 1992; Hall, Stephens S., *Mapping The Next Millennium: The Discovery of New Geographies*, Random House, 1992; McIlwane, J; *Maps and Mapping of Africa: A Resource Guide*, East Grinstead, UK: Hans Zell Publishers, 1997; Monmonier, M., *How to Lie With Maps*, Chicago: University of Chicago Press, 1991.

³¹⁰Ibid., p. 93.

³¹¹Huggan, Graham., “Decolonizing the Map: Post-Colonialism, Post-Structuralism and the Cartographic Connection,” *Ariel* 20.4, 113-31, 1989, p. 117, see also Belyea, B., Images of Power: Derrida/Foucault/Harley., *Cartographica* 29 (2): 1-9, 1992; Harley, J. B., *Maps, Knowledge, and Power, in the Iconography of Landscape* ed. D. Cosgrove and S. Daniels, pp. 277-305, Cambridge: Cambridge University Press, 1988; Deconstructing the Map, *Cartographica* (26 (2): 1-20.

Such physical compartmentalization resulted in antagonistic and hostile neighborhoods with overlapping populations separated and displaced across artificial boundaries. Thus, colonial cartography made a bleeding continent of endless refugees out of Africa and its current crises were rationally planned and planted at the dawn of the partition. It created a continent of boundless wounds, therefore. A system based on a functional relationship between mechanical settlement and expropriation leaves millions and millions of Africans in a position in which the task of physical survival determines everything else³¹² with all its attendant consequences. Although reasons for current African conflicts cannot solely be explained in terms of colonial divisions alone, its most heinous and senseless wars, ethno/genocides that occurred and continue at present go back to this colonial spatial mechanics. From the Biafra war in Nigeria to the Rwanda and the Darfur Genocide and many so called “civil wars“ and “border wars” in between, were/are massive negative realizations of political time bombs planted just about Berlin’s partition of Africa. It is evident from these that most African States are not nation-states.

III. The cause/s of Africa’s balkanization: Europe’s hunger and lust for resources. This resulted in a *political framing of nature as a national/imperial property*. In other words, colonial partition is a political framing of nature as a national/imperial resource. Nature, in the form of geographical landscapes and geomorphologic forms, conditioned the geopolitical context for imperial partition and

³¹²If the concentration camps are the ultimate essence of modernity, so is colonial-capitalist partition which succeeded in creating millions of suffering wonderers in Africa. Isn’t every refugee-camp itself a concentration camp?

colonization of Africa. Since then, territorial expansion and the enclosure of ‘good nature’³¹³ continues to drive the boundary and territorial feuds and open wars between and among African states of today. Colonial partition is an act and method of mobilization for both space and resources that crafted and created pieces of disproportionate and unequally balkanized African states. Therefore, the territorilization of the natural lurks behind Europe’s detrimental project and still remains one of the most difficult hurdles fueling multiple conflicts reigning in Africa today. The following conflict over water is a case in point.

The conflict surrounding the Nile Basin shows what is meant by the ‘political framing of nature as a national/imperial resource.’ To reiterate the obvious, Egypt depends on the River Nile for much of its water needs. The head waters of the Nile pass through and supply many African states before it eventually reaches Egypt. This of course makes Egypt exceptionally vulnerable to attempts by other riparian states to capture water from the Nile through irrigation schemes and dam-building projects. From the late 1970s onwards, the supply of water has been the top geopolitical priority of the Egyptian state - even more important than its political relations with the state of Israel.³¹⁴ Egypt’s concerns with water supply issues stem from the fact

³¹³For more on the relationship between nature and the formation and expansion of states, see Mackinder, H., “The Geographical Pivot of History,” *Geographical Journal* 23, 421-37, 1904; “The Territorial Growth of State,” *Scottish Geographical Magazine*, 12, 1896, p. 35-61; Harvey, D., *The New Imperialism*, Oxford: Oxford University Press, 2003a; *Spaces of Hope*, Edinburgh: Edinburgh University Press, 2000; *Justice, nature and geography of Difference*, Oxford: Blackwell, 1996.

³¹⁴In deed, the key focus of Egypt’s foreign policies and international relations strategies now appears to be Sudan and Ethiopia, two states with influence over the flow and utilization of the Nile water. For more detail on the geopolitical significance

that without water the state would simply stop functioning. Although water supply has obviously been an issue in the Nile basin ever since its settlements by a large number of people, it is the colonial and post colonial carving up of the basin into individual states that is the key to understanding contemporary conflicts in the region. Post colonial states of the Basin continue to use territorial strategies to control facets of nature that are *aterritorial* in essence. Despite the dam-building projects undertaken by the Egyptian state, the River Nile is not the exclusive property of any of the states, including Egypt. The Nile continues to flow through other states and across other territorial borders in the region. Thus, in contradistinction to the argument that the persistent leakage of nature across sovereign territorial boundaries in places like the Nile basin makes discussions of the state meaningless,³¹⁵ it is the historical legacy and continued desire of modern post colonial states to territorially frame nature that is generating the conflict in the region.

Accordingly, the Nile River, like most international rivers or water courses, came under a regime of international principles that territorially frame the river as a national resource, which in turn gave birth to the escalation of life threatening conflicts in the region. The same remains true in other areas of the globe where the

of water supply and review of water resources management conflicts in the Nile basin, see Klare, M., *Resource Wars: The New Landscapes of Global Conflict*, NY: Henry Holy, 2002; Elhance, A.P., *Hydro-Politics in the Third World: Conflict and Co-operation in the International River Basins*, Washington, DC: United States Institute of Peace Press, 1999.

³¹⁵See, Kuehls, T., *Beyond Sovereign Territory: The Space of Ecopolitics*, Minneapolis, Minn.: University of Minnesota Press, 1996; Young, O. R., *International Governance: Protecting the Environment in a Stateless Society*, London: Cornell University Press, 1994.

right to a river basin is contested. One such principle is referred to as “the Absolute Sovereignty/Territory principle (or “The Harmon Doctrine”³¹⁶). It states that a state has the right to use the river that lies within its territory without any limitation whatsoever, regardless of the effects of its utilization on other states. Accordingly, territorial sovereignty is “the sovereignty applied to a specific country or basin, the right to make decision with regard to this country or basin, without having to consult other countries and their citizens.”³¹⁷ This principle is advantageous to the upstream countries, in that they maintain the right to utilize the water source in any way that they deem it necessary. In short, the Absolute Sovereignty/Territory principle gives the upstream riparian the right to all water resources originating in its territory. The Absolute Integrity Principle, on the other hand, states that “a river which flows through the territory of several states or nations is their common property...Neither nation can do any act which will deprive the other/s of the benefits of those rights and advantages. The inherent right of a nation to protect itself and its territory would justify the one lower down the stream in preventing by force the one further up from turning the river out of its course, or in consuming so much water for purposes of its

³¹⁶This is named after J. Harmon, Attorney General to the USA, who argued and defended in 1890’s that the US could do what it pleased with the Rio Grande River irrespective of the down stream consequences to the neighboring Mexico. See Kliot, N., *Water resources and conflict in the Middle East*, NY: Routledge: London, 1994. P.5.

³¹⁷Quoted in Scheumann, W. and Schiffler, M. (eds.), *Water in the Middle East: potential for conflicts and prospects for Cooperation*, Springer: Berlin; New York, c1998, p. 15. Also see Klare, Michael., *Resource Wars: the New landscape of global conflict*, Metropolitan Books: New York, 2001 for compelling arguments.

own as to deprive the former of its benefits....”³¹⁸This principle favors the downstream riparian states, because a downstream state typically takes the position that the natural course of the flow of the river must be respected and preserved. It gives rise to the conflict between *prior right* and existing *use* of a river. The lower riparian might claim that its prior use of the water along the lower course of a river endows it with *historical rights* that must be respected by the upstream riparian states/s. In short, Absolute Integrity Principle gives the down stream riparian the right to an unaltered flow. In either case it is easy to observe how the attempt to nationalize nature lurks behind the conflict surrounding international rivers like the Nile. Even more, contiguous petroleum reserves and other strategic energy supplies are driving warfare from the Red Sea, through Darfur, to the Great Lakes of Central Africa, where private military companies operate alongside petroleum contractors and “humanitarian” agencies thereby causing less reported genocides and structural violence almost everywhere in Africa.³¹⁹

³¹⁸Henry Farnham quoted in Scheumann, W. and Schiffler, M. (eds.), *Ibid*, p.5.

³¹⁹For instance, see Snow, Keith Harmon., “Darfurism, Uganda and the U.S. War in Africa: The Spectre of Continental Genocide,” *Dissident Voice*, November 24th, 2007 or see at <http://www.dissidentvoice.org/2007/11/darfurism-uganda-and-the-us-war-in-africa/>; Keith Harmon Snow and David Barouski., “Behind the Numbers: Untold Suffering in the Congo,” Thursday, 30 March 2006; <http://www.towardfreedom.com/home/content/view/787/>; also at <http://www.zmag.org/content/showarticle.cfm?ItemID=9832> ; www.allthingspass.com ; Zalik, Anna and Michael Watts, “Imperial Oil: Petroleum Politics in the Nigerian Delta and the New Scramble for Africa,” *Socialist Review*, April 2006 or online at <http://www.socialistreview.org.uk/article.php?articlenumber=9712> ; Sprocket., “High-Tech Genocide,” *Earth First! Journal*, August 2005; <http://www.earthfirstjournal.org/article.php?id=238> For instance, see Hunt, Bryan., AFRICOM, http://www.moonofalabama.org/2007/02/understanding_a_1.html

The lesson to be drawn from the case given is that such a spatial crisis fuels and reinforces various types of related predicaments in Africa.³²⁰ African states of today suffer from both political and spatial legitimacy where both political consent and territorial legitimacy are in short supply. There are countries drumming for wars because of territorial claims; there are large nations whose dreams of forging statehood were frustrated; and there are states that are dismally failing from the center, handing over the fate of their subject-citizens to the private armies of the war lords (thereby hastening the privatization of the state in Africa³²¹), the international NGO's, or even to the brute luxury only known and enjoyable in the state of nature alone. Given this dismal history, in Africa, *spatial justice* is no less important than all other kinds known and claimed so far. Furthermore, the compartmentalization of space or spatial mutilation of Africa and the infusion of values alien to Africa went together. These weakened the indigenous values without any dependable value alternative. To borrow from F. Fanon, traditional community is described as society lacking values, the enemy of values, it is the absolute epitome of evil. It is a corrosive element, destroying all that has to do with beauty and morality; it is the depository of flagitious powers, the unconscious and irretrievable instrument of blind forces. Its

³²⁰Obviously, Africa is a conflict ridden country. Yet it would be a mistake and an exaggeration, however, to categorically declare that all such conflicts have their immediate point of origin in border disputes resulting from colonial incursions. For further discussion, see under Mbembe's "Cultural and Symbolic Territorialities," *Ibid.*, pp. 61-64.

³²¹Mbembe, Achille., "At the Edge of the World: Boundaries, Territoriality, and Sovereignty in Africa, in Beissinger, Mark R. and Young, Crawford (eds.), *Beyond State Crisis? Post Colonial Africa and Post-Soviet Eurasia in Comparative Perspective*, Woodrow Wilson Center Press, Washington, D.C, 2002, pp.53-80.

customs and traditions were taken as a proof for and the very sign of the poverty of spirit and their constitutional depravity. The result: (a) a deep sense of cultural and psychological alienation, self hatred, self-rejection, and a futile and tragic attempt on the part of the colonized to regain their humanity through the apish imitation of the white people;³²² (b) it helped the proliferation of primordial political ideologies and centers of kin attachments and loyalties.

This again has further implication for many projects. If the view that ideologically mediated civic integration is a pre/condition for a democratic ways³²³ is correct, partitioned and “decolonized” Africa has a poor record in this respect. Civic integration means that the people's preferences for identities have changed from an ethnic or sub-ethnic loyalty to a higher and greater civic, national or patriotic one, be it imagined or real. Without transcending (or submerging) the multiplicity of ethnic identities populating Africa with a civic-citizenry identity or with a larger civic-value identity (or somehow separating the two), a successful transformation of Africa wouldn't be easily tenable, whether in peace making or democratization or other spheres undertaking lasting projects. In “de-colonized” Africa, no civic integration successfully took place and, at present, African societies and states lack ideologically mediated civic unity beyond “ethnic morality.” Both ethnicity and primordiality

³²²For detailed analysis, see Fanon, F., *The Wretched of the earth*, NY: Grove Press, 1963; *The Wretched of the Earth*, 1st ed., Philcox, Richard (Trans.) with commentary by Jean-Paul Sartre and Homi K. Bhabha, New York : Grove Press: Distributed by Publishers Group West, c2004.

³²³Gottlieb, G. 1993. *Nation Against State: A New Approach to Ethnic Conflict and the Decline of Sovereignty*. New York: Council of Foreign Relations Press, 1993, pp. 43-44; McGarry, J. & B. O'Leary (eds.) *The Politics of Ethnic Conflict Regulation*. London: Routledge, 1993, p. 16ff).

characterize different African societies and states today. Although, an ethnic identity and ethnic membership transcends the range of face-to-face relationships³²⁴ like clans and tribes, it falls short of being a civic or national community, unless the ethnic/nation succeeds in forging identity with the state - thus, a nation state. The latter is rooted in geographic space, integrating laws and institutions, citizenship and shared values, which is not the case in Africa yet.

IV. Ethnos and Demos? This has a critical implication for democracy: the “demos” of democracy shift from what the Greeks meant by the word to “ethnos”- an ethnic group or ethno-hegemony, Ethnocracy³²⁵ or/and ethno-democracy.³²⁶ Where the nation-state is forged, the link between the “demos” and the “people” is taken as a

³²⁴Anderson, B; *Imagined Communities: Reflections on the Origins and Spread of Nationalism*. London: Verso, 1983, p. 14; Horowitz, D. L; *Ethnic Groups in Conflict*. Berkeley: University of California Press, 1985, p. 53.

³²⁵Ethnocracy is a regime that promotes an ethnic agenda. Oren Yiftachel, for instance, insists that serious democratic deviations make an ethnonational regime non-democratic; he equates democratic defects with non-democracy. For the elaborate arguments, see Yiftachel, Oren., *Ethnocracy: Land and Identity Politics in Israel/Palestine*, Philadelphia: University of Pennsylvania Press, 2006; “Centralized Power and Divided Space: ‘Fractured Regions’ in the Israeli ‘Ethnocracy,’” *GeoJournal* 53, 283-93, 2001; Yiftachel, Oren and Asad Ghanem., “Understanding ‘Ethnocratic’ Regimes: The politics of Seizing Contested Territories,” *Political Geography* 23 (6) (August), 647-76, 2004a; “Towards a Theory of Ethnocratic Regimes: Learning from the Judaization of Israel/Palestine,” in Eric P. Kaufmann (ed.) *Rethinking Ethnicity: Majority Groups and Dominant minorities*, London and New York: Routledge, pp. 179-97, 2004b.

³²⁶According to Sammy Smooha, ‘Ethno-democracy is a regime where the state and all its institutions belong exclusively to the dominant ethnic group.’ The existence of such a regime is not a deviation from democratic norms; rather, it stands in contradiction to such norms. See Smooha, Sammy., “Types of Democracy and Modes of Conflict Management in Ethnically Divided Societies,” *Nations and Nationalism* 8 (4), pp.423-31, 2002; Smooha, Sammy and Theodor Hanf., “The Diverse Mode of Conflict-Regulation in Deeply Divided Societies,” *International Journal of Comparative Sociology*, 33(1-2), pp. 26-47, 1992.

given. Where such transformation and identification doesn't exist and where various ethnic groups remain packed *along side one another* without *being together* in arbitrarily devised artificial boundaries, (in the above quoted Mazrui's sense of the statement), the "people" of democracy become the ethnos of different ethnic groups, people adhering to their primordial loyalties thereby vying against each other in a power struggle for dominance, space, and survival. Such competition lead to the formation of ethnic hegemonies, ethnocracies, and ethnic despotism which in turn pave the ground for civil wars, ethno and genocides in parts of Africa . Where there are no binding common-civic-societal values and where the repressive and oppressive structure of the central state is the only "unifying" force, 'rule by the people' turns insular. Thus, what John Lonsdale terms as "moral ethnicity" (practice, conviction, and attitude that makes "one a good member of a local community")³²⁷ became inevitable thereby precluding the flourishing of wider civic responsibility; deeply embedded and duty-bound personal ties and relations take an absolute precedence over the concept and practice of the rule of law. Richard Joseph's "prebandalism" ('competing' for existing state offices and utilizing them for the personal benefit of office-holders as well as that of their reference and support group)³²⁸ becomes a morally sanctioning and binding norm rather than an exception. The failure in

³²⁷Lonsdale, John; "Moral Ethnicity and political Tribalism," in Preben Kaarsholm and Jan Hultin (eds.), *Invention and boundaries: Historical and Anthropological Approaches to the Study of Ethnicity and Nationalism*, Denmark: Institute for development Studies, Roskild University; 1994, pp. 131-50.

³²⁸Joseph, Richard; "Class, State, and Prebendal Politics in Nigeria," in Peter Lewis (ed.) *Africa: Dilemmas of Development and Change*, Westview Press, Boulder: CO, 1988, pp. 44-63.

nation/state making or the inability to forge an inclusive multiethnic/multicultural state gave rise to clientelism (patron-client politics, state patronage, and consequently, “the politicization of ethnicity”). “Citizenship” is conceived in ethnic and territorial terms, and a person’s enjoyment of some existing or imagined rights depends on her/his appurtenance to her/his ethnic group loyalty and locality. Thus, practices such as use of formal public institutions for personal or clientele gains are the standards; concepts like “impersonal but equal citizenship,” individual rights, rule of law; majoritarian rule and minority rights, accountability, transparency, etc. fly in the face of the values and practices presupposed and implied by Westerners conception of democracy. For instance, liberal citizenship “holds that rights inhere in individuals, exist prior to community, and are guaranteed with minimal obligation to the community;” whereas, under the regime of moral ethnicity rights are “acquired through practices that upholds obligations to the community.”³²⁹ Or, for instance, the mere application of an egalitarian principle such as “one person one vote” might give rise to “demographic hegemony,” “demographic prominence” or “demographic advantage”³³⁰ respectively and may result in the domination of an ethnic group with the largest voting population over others or even in ethnic cleansing

³²⁹Ndegwa, Stephen; “Citizenship and Ethnicity: An Examination of Two Transition Moments in Kenyan Politics,” *American Political Science review* 91 (3): 599-616, 1997.

³³⁰See, Central Intelligence Agency, World fact Book, <http://www.cia.gov/cia/publications/factbook/>; Freedom House, Annual Survey of political Rights and Liberties; Dowty, Allan., *The Jewish State: A Century Later*, Berkeley: University of California Press, 2000 (Table 7, 212).

and ethno/genocides at worst.³³¹

In cultures where primordial loyalties are serving as safety nets and social insurances; in societies where both nation and state building didn't happen in the modern western sense of the term or where accommodative and inclusive politics remain an expensive political good, corrupt-looking condemnable practices such as "Clientelism", "moral ethnicity", "political tribalism", "prebandalism,"³³² corruption, etc. are options available for people having no shared national-societal goals and visions, people who happened to come together by external forces or repressive authorities from some geopolitical center of power. So, where society is not nationalized and the state is not socialized and, where there is no common societal national value uniting people living in territorially shared space *along one another*, the first step in establishing a democratic regime should commence with the development of national society and a socialized state. D. A. Rustow reminds us that societal-communal solidarity must precede the acceptance of political conflict, the institutionalization of rules governing political conflict, and the habituation of political struggle.³³³

Both nation and state building remain crucial in this regard and

³³¹See, Mann, Michael; *The dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge University Press, NY, 2005; Roeder, Philip G., *Where Nation States Come From: Institutional Change in the Age of Nationalism*, Princeton: Princeton University Press, 2007.

³³²See Linsdale, John 1994: 131-50; Joseph, Richard 1998: 44-63; Ndegwa, Stephen 1997: 599-616.

³³³See D. A. Rustow; "How does a Democracy come into Existence?" in *The Practice of Comparative Politics: A Reader*, ed. Paul G. Lewis and David C. Potter, Bristol, UK: The Open University Press, 1973, pp. 120-30.

democratization in Africa has this challenge to meet and overcome, since the relation between political stability and ethnic homogeneity cannot easily be ignored.³³⁴ In their work on pluralistic societies, for example, Alvin Rabushka and K.A. Shepsle have noted that these societies are often polarized because political elites rationally appeal to the interests of their constituency, a conclusion that seems to have been confirmed by numerous ethnic conflicts all over.³³⁵ (Although ethnic homogeneity is an ideal condition for political stability, it does not follow that multi-ethnicity is an insurmountable barrier to political stability either,³³⁶ since the political will to include and accommodate ‘others’ is a democratic and human possibility as well).

Accordingly, nations whose statehood dreams were frustrated and whose just claims remained unanswered need to be redressed; disproportionate, unjust, and ungovernable spatial and territorial possessions handed down from the carving and curbing of the partition era need to be revisited in ways contributing to the shaping of peaceful, just, and friendly societies in Africa. The issue of the so called “failing” centers should be seen in the light of the logic of the compartmentalization itself.

³³⁴Mill, S.J; *Considerations of Representative Government*, NY: New York Liberal Arts Press, 1958/1861; Almond, Gabriel, “Comparative Political Systems,” *Journal of Politics* 18, pp. 391-409, 1956.

³³⁵See Rabushka, Alvin and Shepsle, K.A., *Politics in Plural Societies: A Theory of Democratic Instability*, Columbus, OH: Charles A. Merrill Publishing Company, 1972.

³³⁶See, Lijphart, Arend., *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*, Berkeley: University of California Press, 1968; *Democracy in Plural Societies*, New Haven, CT: Yale University Press, 1977/1997; *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries*, New Haven, CT: Yale University Press, 1984; “The Puzzle of Indian Democracy: A consociational Interpretation,” *American Political Science Review* 90(2) (June), pp. 258-68.

Peoples who were forced to come to live along one another without any integrating common ideology or identity building value/s, who don't share an integrated society or where there is no social integration and where a functioning state apparatus is absent, cannot be blamed for falling apart; it should be seen as a miracle if such peoples remain living 'together' along each other in an artificial space created for them.

V. Towards United Africa: So, peoples political and psychological thirst for statehood cannot and shouldn't be stopped in the name of territorial unity and integrity of the post-colonial states, for an imposed and illegitimate sovereignty doesn't deserve recognition and respect in the first place; moreover, it is international law as written and sanctioned by the very colonial powers that gives precedence to state sovereignty over peoples' quest for their political and spatial rights and freedoms. Unity is the most powerful asset Africans have; it must, however, be centered around on reasoned choices of the people concerned and not merely around on an already imposed geophysical and spatial criteria. If territorial unity and integrity violates peoples right to their lives, the enjoyment of their cherished values and shared cultures, their rights to freedom of movement, their desire to live together with their kin brothers and sisters from the other side of the geopolitical divide and, if resources are valued over peoples rightful demands, there is no reason to sanction any legitimately and morally contested statuesque. There should be no trade off between territorial integrity of countries and the inviolable rights of peoples dreaming and

seeking freedoms. Territorial integrity and sovereignty of states shouldn't be given precedence over the injustice and national oppression of peoples seeking the legitimate reaffirmation of their pride and dignity as human beings. Thus, Ethnic/national demands and grievances resulting from an actual or perceived national oppression and one's preferred or imagined national identity should be acknowledged and addressed properly.

No people go to war nor would they refuse to a peaceful coexistence where there is no actual exclusion or visible sense of neglect. So, quenching the thirst for freedom from oppression is a legitimate right people are owed because they are subjugated and excluded. This is neither a destabilizing nor a radical proposal. It is a reminder that it should always be the consented will and desire of the people to live together that should determine the validity and force of sovereignty and territorial integrity, not the obsession with territorial unity and integrity nor the mere adherence to and enforcement of international law. It should be human interest in general and the interests of the nationally oppressed and the excluded in particular that should define the legitimacy of powers to be. It should be human interest, not national interest that be given the pride of place when addressing national afflictions and grievances inherited from the history of cumulated injustices. Governments and international communities should look for consent among peoples to live together as criterion in tackling the dilemma present in the quest for national self-determination on one hand and territorial unity and integrity of countries on the other. It is immoral and unsustainable to purchase "territorial unity and integrity" at expense of the

legitimate quest for self-determination and national freedoms. Morally, politically, and constitutionally sound arrangements in addressing the excluded elite's demand for inclusion in the exercise of power and the excluded peoples quest for equally sharing the benefits and burdens of living in a common state would maximize the sense of living together with respect and understanding with each other. Accordingly, imposition of authority³³⁷ should no longer serve to justify claims for sovereignty and the fear of erosion of territorial sovereignty should not preclude the possibility of restructuring of spaces,³³⁸ if this is the best alternative to conditions of undignified national life as perceived by those who feel and live the burden of affliction and indignity. Besides, control of and access to what Thomas W. Pogge terms as "International Borrowing Privileges" (IBP) and "International Resource Privileges" (IRP)³³⁹ shouldn't be ignored in the process of righting the wrongs. There are peoples all over Africa (and in many parts of the globe) that find themselves under unlivable brutal conditions because of such privileges, people who were made strangers and aliens in their own lands.

It is possible to imagine counter arguments against the need to privilege the

³³⁷See, Kratoch, Friedrich., "Of Systems, Boundaries, and Territory: An Inquiry into the Formation of the State System," *World Politics* 39, No. 1 (Oct.), pp. 27-52, 1986; Clapham, Christopher., "Sovereignty and the Third World State," *Political Studies* 47, No. 3: 522-37, 1999.

³³⁸See, Evans, Peter., "The Eclipse of the State? Reflections on Stateness in the Era of Globalization," *World Politics* 50, No. 3: 62-87, 1997.

³³⁹The IBP "includes the power to impose internationally valid legal obligations upon the country at large;" whereas, IRP "includes the power to effect legally valid transfers of ownership rights in such resources." For the details, see, Pogge, Thomas W., "Understanding Human Rights," in Cudd, Ann *Introduction to Social and Political Philosophy*, Thomson Custom Publishing, 2002, pp.217-231.

rights and dignity of the oppressed over national/territorial integrity, however. For instance, if belonging to the nation is to be determined according to criteria like language, ethnic origin or religion rather than on the basis of neutrally inclusive civil values/principles, it can easily have serious problematic consequences. For instance, there is a danger that ethnicizing the political discourse in the context of latent conflicts and social mobilization will lower the threshold for violence and trigger vicious conflicts which are ethnically structured. Still more, such a context transforms the nation-building process: instead of striving for or achieving the integration of society as a whole, the alternative then arises to conduct nation-building either as a repressive project of hegemony by one ethnic group over others or bring about a situation of competition between different nation-building projects conducted by the various ethnic groups. Both lead to the intensification of conflicts and the risk of these being waged in a violent manner at present or in the future.³⁴⁰ Although with merit, this argument ignores the mere empirical fact that Africa is ethnicity objectified as a way of life, whose negative implications and amplifications are

³⁴⁰see Hippler, Jochen; *Nation-building : a key concept for peaceful conflict transformation?*/edited by Jochen Hippler; translated by Barry Stone, London; Ann Arbor, MI: Pluto; Bonn: In association with the Development and Peace Foundation, 2005; *The democratization of disempowerment : the problem of democracy in the Third World*/edited by Jochen Hippler, London; East Haven, CT: Pluto Press with Transnational Institute, 1995; Atwood, J. Brian, 1994: "Nation Building and Crisis Prevention in the Post-Cold War World," in: *Brown Journal of World Affairs*, year 2/1 (Winter), p. 11-17; Eriksen, Thomas Hylland, 1993: "A Future-Oriented, Non-Ethnic Nationalism? – Mauritius as an Exemplary Case," in *Ethnos*, year 58, p. 197-221; Greenfeld, Liah; *Nationalism: Five Roads to Modernity*. Cambridge 1992; Lipset, Seymour Martin, 1963: *The First New Nation: The United States in Historical and Comparative Perspective*, London, 1963; Rivkin, Arnold; *Nation-Building in Africa: Problems and Prospects*. New Brunswick 1969.

largely post colonial creations and results from ethno-despotic-hegemonism and elite competitions for power and wealth. African States are cohabited by ethnic groups existing along one another with competing and conflicting stories and backgrounds and therefore ethnicity is a fact one should live with and ethnicization of politics is a mode of doing politics in Africa so far. And more, it is not ethnicity per se that is a problem; rather, it is the state's failure at integrating society hitherto, the prevalence of politics that privileges some cultures, resources and resource spaces thereby practicing ethnic exclusion and oppression under the guise of national unity and territorial integrity over the rights of peoples and ethnic groups³⁴¹ that goes to the heart of the issue. Further more, violence exists not because there are ethnic groups in a country/society but because there exists exclusion and injustice practiced by some over/against others. The danger therefore is not the emergence and existence of identity politics; rather, it is the exercise of repressive project of hegemony and the imposition of authority by self proclaimed guardians of the sovereignty and territorial integrity of the state, those centers of power and authority interested in resources than people living in those areas of privileged resource. Still more, the recognition of "ethnic politics" means that there are no neutrally inclusive civil values/principles to this end in the first place, that almost all states failed in this respect in Africa. The politics of force and resource hunting as a condition of unity and integrity is

³⁴¹Many instances can be cited from history: the former Soviet Empire; the former Indian Sub Continent, the former Republic of Yugoslavia, The Kurds strangled between Iraq and Turkey and more. When it comes to Africa, almost every post colonial African state sits on an active national political volcano and is engaged (directly or indirectly, hidden or in public) in massive suppressive, even genocidal exercise.

antithetical to the creations of unifying neutral civic norms. So, rather than ignoring the facts on the ground and arguing in support of no existing values, one has to reckon with the given facts and engage in the creation of those socio-ideological values necessary for coexistence such as inclusive and accommodative politics, civic citizenship, conscious development of solidarity and common humanity, when possible. That is what it means to seriously engage in state/nation building in Africa. Social/political integration and ideological legitimating are steps in the right direction.

To reiterate, nation and state building means the stipulation, creation, and agreement on a common citizenship, which opens up democratic potential. The long standing debate between those who support solutions based on the recognition of the equal rights for individuals³⁴² and those based on the recognition of the group rights³⁴³ have a paradigmatic impact on the nation/state building in Africa; there isn't

³⁴²See Barry, Brian., *Culture and Equality: An Egalitarian Critique of Multiculturalism*, Cambridge, MA: Harvard University Press, 2001; Horowitz, Donald L., *Ethnic Groups in Conflict*, Berkeley: University of California Press, 1985; Offe, Claus., "Homogeneity and Constitutional Democracy: Copying with Identity Conflicts through Group Rights," *Journal of Political Philosophy* 6(2), pp.113-41, 1998; "Political Liberalism and Group Rights and the Politics of Fear and Trust," *Hagar* 3(1), pp. 5-17, 2002; Snyder, Jack., *From Voting to Violence: Democratization and Nationalist Conflict*, NY: W.W. Norton, 2000.

³⁴³Lijphart, Arend., See, Lijphart, Arend., *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*, Berkeley: University of California Press, 1968; *Democracy in Plural Societies*, New Haven, CT: Yale University Press, 1977/1997; *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-one Countries*, New Haven, CT: Yale University Press, 1984; "The Puzzle of Indian Democracy: A consociational Interpretation," *American Political Science Review* 90(2) (June), pp. 258-68; Gagnon, Alain-G and Tully, James (eds.), *Multinational Democracies*, Cambridge and New York: Cambridge University Press, 2001; Keating and McGarry, *Minority Nationalism and Changing the International Order*, Oxford:

easy way out. According to J. Hippler, nation/state building means engaging in the creation and sustenance of a unifying, persuasive ideology that integrates society and developing a functional state apparatus. These would allow mechanically and loosely linked communities to become a common society, thereby heralding the possibility of the formation of a common society with its own self-awareness. State-building is a key aspect in this process, which means partly that the state needs loyal personnel that do not identify themselves primarily with individual social, ethnic or religious communities but, rather, with the state and the actual or the imagined “nation” in question. Among some options, multinational citizenship and Liberal Constitutional citizenship are alternatives to be considered in Africa, when compared to different sources and centers of loyalty formations. Whether civic individual equality or group equality matters should be seen in the light and context of the African community life and its future dreams and hopes. An arrangement that ideologically and practically allows all its members first to become citizens instead of invisible and dehumanized subjects of the politics of exclusion and pure force in power is in order. In this sense, nation-building takes on a democratic potential because belonging to the nation is defined by common citizenship as a community criterion. However, it should be understood that the process of constituting a nation and building a state mean that conflicts previously lying dormant in the society and which had little chance of being articulated by virtue of the politics of exclusion can effectively be intensified. This is

Oxford University Press, 2001b; Kymlicka, Will., *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford: Clarendon Press, 1995; Tamir, Yael., *Liberal Nationalism*, Princeton: Princeton University Press, 1993.

all the more true if the determination of who actually belongs to the “nation” has not been settled or is disputed, especially in multi-ethnic or multi-religious societies like Africa.³⁴⁴

In principle, finding a solution that guarantees the existence and integrity of the post colonial state and its sovereignty is desirable and attractive. Righting the wrongs within existing states is an open possibility. But, because the post-colonial state’s sovereignty is grounded on violations and negations of the rights and freedoms of millions of peoples made invisible, one cannot stick to this as the only binding paradigm. Keeping on the table the possibility and likelihood of striking a balance between state sovereignty and freedoms and rights of the peoples involved, one has to acknowledge that, since Africa’s burdens are too heavy and deep rooted, the solutions too could be very taxing, even shocking as well. More important, the mere establishment of a democratic order/regime in deeply divided societies should not be taken as a solution to those entrenched problems. One vice of democracy is that it intensifies the already existing divisions and conflicts.³⁴⁵ Wise and controlled social and ethical engineering is needed, therefore. For instance, there are solutions that

³⁴⁴See, Hippler, Jochen, 2002: Ethnicity, State, and Nation-Building – Experiences, Policies and Conceptualization, Manuscript, 2002, (www.jochen-hippler.de/Aufsatz/Nation-Building/nation-building.html). Question such as ‘does Nation-Building make sense when Nation-States generally are being weakened and undercut by global forces or how do we explain the new trend to Nation Building at exactly this time of weakening of Nation states?’ Cannot be ignored and serious reflection is needed urgently.

³⁴⁵See, Mann, Michael; *The dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge University Press, NY, 2005; Roeder, Philip G., *Where Nation States Come From: Institutional Change in the Age of Nationalism*, Princeton: Princeton University Press, 2007.

require state dissolution and/or deterritorialization of some of the existing states; others need delocalization of boundaries; still others, creation of new states on some common or imagined criteria - language, religion, geographic-regions, shared resources, etc. Of course, state/nation building in an already existing state belongs to this therapy menu.

Among others, proliferations of political movements aimed at self-determination and ‘democratization’³⁴⁶ have unleashed forces which may be incompatible with the survival of the current state system in Africa.^{347, 348} There are a number of nations with frustrated statehood dreams; many fighting against the existing state³⁴⁹ because there exists ethnic hegemony of one or the other under the

³⁴⁶Ibid

³⁴⁷Of value in this respect are Roeder’s “*Nation State Project*” and “*Segmented State*.” The former refers to a claim that “a specific population... should be self-governing within a sovereign state of its own. Unlike other constitutional claimant,... claimants pressing nation-state projects ultimately seek not simply to change the government or the regime within an existing state but to change the very human and geographic boundaries of the state itself. Unlike other autonomy claims, which much scholarship argues are *either* territorial *or*, communal claims, nation state projects are simultaneously territorial *and* communal. Nation state projects assert that a community of people has a right to state of its own within a specific territorial domain that allegedly belongs to that people as a homeland.” Roeder, Philip G., *Where Nation States Come From: Institutional Change in the Age of Nationalism*, Princeton: Princeton University Press, 2007, p. 12.

³⁴⁸“A segmented state... divides its territory and population further among separate jurisdictions and gives the population that purportedly is indigenous to each jurisdiction a distinct political status... institutions create a *common-state* that is common to the whole territory and population and separate *segment-states* for the separate territories and populations. Segmented states are not simply territorial jurisdictions within a federal state; they also contain juristically separate communities of people who purportedly have special claim to jurisdiction as a home land.... Only states have given birth to new nation states.” Roeder, Philip G., Ibid, pp. 12-13.

³⁴⁹I borrowed some of the expressions used here from Keating. See, Keating, Michael., “So Many Nations, So Few States: Territory and Nationalism in the Global

guise of state hegemony under centralized/decentralized governments. Therefore, the first step should be addressing the legitimate questions and grievances, that is, the remedy should start by appropriately and aggressively redressing Ali Mazrui's observation quoted above.³⁵⁰ This means that peoples and nations sharing same/similar ethnic, linguistic, and cultural...backgrounds and who were divided and forced to live under two or more different neighboring post partition African states should be given the right and the opportunity to unite and live together as nation states with their own national flags and anthems as sovereign states in their own right. This presupposes, however, restructuring spaces or the redrawing of the map of Africa approximately along shared ethnic/linguistic/cultural geo-territorial lines. If the partition schema established artificial frontiers with no respect of any linguistic, ethnic, history, and the natural-social-human environment; and, if the borders were just traced according to the advances of each European army inside Africa, then *caring and compassionate justice*³⁵¹ compels us to begin the needed corrections from

Order," in Alain-G. Gagnon and James Tully (eds.), *Multinational Democracies*, Cambridge and New York: Cambridge University Press, pp.39-64; 2001a; *Nations against the State: The New Politics of Nationalism in Quebec, Catalonia and Scotland*, Houndmills, Basingstoke, Hampshire and New York: Palgrave Macmillan, 2001b.

³⁵⁰To reiterate it, according to Ali Mazrui, "balkanization is a breeding-ground for political violence," and he reminds us that, "It was...in Africa that Europe practiced the art of partition at its most elaborate. Where Europe attempted to unify those who were different, it sowed the seeds of future separatism... Where Europe divided, it left behind latent passions for reunifications..."

³⁵¹Caring and compassionate justice, to borrow from S. Weil, is one that attends to the cry of persons: it loves, caring, restoring, healing, and transforming. It is an exercise of unbounded love in settling questions of justice. It goes beyond the limits of fairness and equal opportunity and is not paralyzed neither by the anger of those who feel intergenerational burdens nor by the sense of resentment felt by those benefited

here. How/what would, say, a Spaniard feel if s/he finds that part of Spain had been put under France in one national State and another part of Spain with Portugal in another State? Why is the territorial unity and integrity of, say, Turkey or Iraq more important than the rights of the Kurdish people to come together and constitute a nation-state of their own? Why should the Genocide in the Sudan perpetrated in the name of the unity of the Republic when parties to the conflict want independence from the colonizing center and would like to join their fellow Africans across borders and fictitious divisions? Why should the Somalis be divided between Kenya, Ethiopia, Somalia, and the tiny Republic of Djibouti and continue to suffer in the name of the territorial unity and integrity of those other countries? Why should unwilling and unconsenting peoples be forced to live along one another as enemies and victims of each other and that of the central state? Since the boundaries and borders inherited from the partition were not fitted to any life enhancing and empowering ways of doing an all-encompassing business of life (political, social ...) in 'post colonial' construction of Africa, the logic of this option entails that, first, contested and conflict ridden spaces must be redrawn, restructured, reconstituted, and redefined according to the linguistic, ethnic, cultural and religious overlapping and/or divisions or on the basis of any other preferred and imagined criteria. Since such correction is intended to correct the ills the African peoples went through, the reshaping must be done in consultation with the beneficiaries of the stipulated remedies, step by step. Once this is done, those groups of peoples with similar shared

from their undeserving position in life.

backgrounds might decide to come under one sovereign state of their aspirations and choices or form a union on any of the available or any other creative political arrangements.

Second, since there could emerge as many hundreds, even thousands of such rearranged communities and redrawn spaces as possible, they should in return willfully be regrouped and come under higher and greater socio-political arrangements. Once the necessary and compelling lessons are drawn normatively from the individual-group rights considerations and in the light of the need for civic peace, political stability, caring justice, and an all-inclusive development, selected strategies can be employed to effect nation/state building in Africa on a new foundation. Although a regime that combines the egalitarian principles of constitutional democracy with innovative structures of group representations looks an ideal approach, choosing an appropriate and flexible group rights regime should be given priority. Adopting one or a combination of methods appropriate in a context such as centralized power sharing (for instance, consociationalism³⁵²) or

³⁵²“**Consociationalism** is a form of government involving guaranteed group representation, and is often suggested for managing conflict in deeply divided societies... The goals of consociationalism are governmental stability, the survival of the power-sharing arrangements, the survival of democracy and the avoidance of violence. Lijphart identifies four key characteristics of consociational democracies: (1) **Grand coalition** - Elites of each pillar come together to rule in the interests of society because they recognise the dangers of non-cooperation; (2) **Mutual veto** - Consensus among the groups is required to confirm the majority rule. Mutuality means that the minority is unlikely to successfully block the majority. If one group blocks another on some matter, the latter are likely to block the former in return; (3) **Proportionality** - Representation is based on population. If one pillar accounts for 30% of the overall society, then they occupy 30% of the positions on the police force, in civil service, and in other national and civic segments of society; and (4) **Segmental autonomy** -

decentralized power-division (for example, federalism, autonomy, cantonization) or any combination of these methods is both possible and desirable. So, it is not impossible to think of the possibility and likelihood of regime of substantive and substantial group rights coupled with equal individual rights serving as a foundation for further realignments and reorganizations of African peoples and new African states of their choices.

Hence, as long as people define themselves *primarily* as members of a particular ethnic group or nation, and as long as the primary identity and loyalty lies with the ethnicity or the nation or an ethno-religious group, it is this interest that must be met in the first place. Frustrated dreams and just demands of the oppressed should be addressed in ways and methods they see fit for themselves. Next, however, being small and divided don't serve the dreams of freedom in Africa and because a unity based on consent and sense of fraternity will do more good, the nations and groups whose primary demands were satisfied, should be invited to reflect on and presented with the values and benefits of living together under larger, moral, just, and lawful

Creates a sense of individuality and allows for different culturally-based community laws." <http://www.answers.com/consociationalism> For more detailed readings, see, Lijphart, Arend., "Constitutional design for divided Societies," *Journal of Democracy* 15(2), 2004, pp. 96-109; *Democracy in Plural Societies: A Comparative Exploration*, New Haven, CT: Yale University Press, 1977; John McGarry and Brendan O'Leary., "Introduction: The macro-political regulation of ethnic conflict", in John McGarry and Brendan O'Leary (eds.) *The Politics of Ethnic Conflict Regulation: Case Studies of Protracted Ethnic Conflicts*, London: Routledge, 1993, pp. 1- 40; M.C.P.M. van Schendelen., "The Views of Arend Lijphart and Collected Criticisms," *Acta Politica* 19(1), 1984, pp. 19-49; Horowitz, Donald., *Ethnic Groups in Conflict*, Berkeley, CA: University of California Press, 1985.

arrangements. Since the core concept here is redressing both the spatial and political/moral injustices committed on African peoples, both inherited and practiced at present, it matters little whether large federations or unions or states, or small self governing communities are chosen in so far the decision is not imposed and enforced upon the people who made the choice. Hegemonies founded on ethnic exclusion, sex and/or gender oppression, religiously sanctioned subjugation, resource control, cultural oppression, and material deprivation should have no place and future in Africa.

As mentioned above, however, neither the first nor the second option necessarily precludes the possibility and likelihood of correcting wrongs within any existing post colonial arrangement, the only point being giving a lasting remedy to contested claims. In other words, the knowledge and redrawing of existing maps shouldn't necessarily lead to the breaking up of the existing states. This is premised on the assumption that just and fair arrangements are always possible for humans. Differences would not necessarily lead to disintegration provided rational political and moral choices are made available and agreed by contesting and contending parties. The alternative then would be to address and redress the just demands of peoples rights for their freedoms by avoiding both ethnic hegemony and ethnic despotism on one hand and instituting consensually and constitutionally agreed upon principles of power sharing, accommodation and inclusion of the excluded "others", on the other. To this effect, roots of historic grievances that bred animosity and hatred among peoples should be identified and redressed openly by methods currently

available or creatively imagined. The point here is the prioritization of the sovereignty and unity of peoples on the basis of their choices and decisions and then inventing/reinventing new state and territorial sovereignty or renewing and reaffirming the sovereignty of the existing state and its territory.

Third, in Africa, redressing and correcting historically rooted injustices constitutes a significant path forward in the lives of the African peoples. The project shouldn't stop at the completion of the two interrelated steps, however. Reclaiming dignity and humanity in Africa demands going beyond the restructuring and redrawing the map of Africa anew on ethnic/regional...basis. It demands a much more act of transcendence. Since Africans are burdened, afflicted and targeted peoples as a whole, reflecting on and looking into their future is no less important than correcting and redressing its past evils. Whether redrawing Africa on ethno-cultural lines or forming an ethno-federalisms on these results or of regions or whether principles of multicultural/multiethnic solutions were forged to meet the challenges from the past, deeply afflicted, wounded, abused and raped peoples like Africans should not stop too early in their struggle from reclaiming their total dignity and humanity. And that presupposes Africans unflinching unity and oneness as burden bearers of in the history of modern world. Africans were subjugated and dehumanized together no matter what their localities, regions, ethnicities, religions, level of resistances, and gallantry. Africans were browbeaten and raped as Africans; sold and shipped away as Africans; colonized and degraded as Africans; indebted and went through the shock therapies as Africans, infested and infected with all sorts of

man made and natural diseases and disasters as Africans. So, a burdened and targeted race of humans cannot and shouldn't get arrested only because they could/would reclaim their freedom from their fellow oppressors. That is a necessary step; it is not and cannot be the culmination of Africans struggle for humanly deserved freedom. Africa/Africans were enslaved; yes, but we still are not out from the darkness yet. This sordid truth means that Africans should look beyond the province of rights to the kingdom of caring justice.

So, an exit strategy to escape from the oppressive structures and bad neighborhoods of the conventional states should be compensated and superseded by a reasoned and consensually consented will of peoples to live together under a spatially larger and morally higher just political order. In my view an inclusive Pan African Federal State³⁵³ and Pan-African Common identity should be the goal of the project. As long as people define themselves *primarily* as members of a particular ethnic group or nation, and as long as the primary identity and loyalty lies with the ethnicity or the nation or an ethno-religious group, regional or environmental...federations,

³⁵³A United African federal union (United Africa) can be constituted from various alternate federal arrangements of all possibilities also, a federal union of competing norms of federal arrangements, for instance. These may include ethno- cultural and linguistic federalisms (a federalism founded on shared history, common language, etc.), environmental federalisms centering around African Peoples sharing common resources like rivers or port services or others like the Nile Basin federation or the Niger river basin federation or the Great Lakes region federation, etc. The possibility and probability of regional unions or federal States is another sound way to go based on founding principles and choices of peoples concerned. , etc. is conceivable also. Even the superposition of different complementary arrangements where nation states, environmental federations, regional unions and others co-function depending on the reasoned and deliberated choices made by those concerned cannot be excluded. In Africa, therefore, suggesting the possibility, even feasibility of a second level federal structure does not constitute stretching the issue to the point of irrelevance.

etc., Pan African identity level remains subordinate or missing and a transcendent African polity cannot be materialized. Inversely, so long as the creation of Pan-African identity and polity remain stuck and as far as releasing of nations and peoples from their traditional national oppressions under the post-colonial arrangements is taken as end in itself, Africa's multiple burdens would remain intact. Africans need both greater space and greater freedoms to materialize their hopes and dreams so frustrated and unachieved in their history so far. It is by creating a united Africa as a common home (a common country), an African common identity, and an African common humanity that Africans should think of prevailing in the emerging and brutally uncaring world. Both PanAfrican space and PanAfrican humanity need to be released from the shackles of the centuries. Whereas the first step requires the creation of nationally and federally socialized personnel and institutions and nationalized/federalized state formation, the second demands the creation of an united African society and a Pan African state. So, one important goal of African democracy ought to be the creation of a knowledge based Pan-African democratic statehood on an a PanAfrican common space and a PanAfrican shared identity. Promoting new representations of identity and territory that transcends the racial, ethnic, linguistic, religious, regional identities, etc. is an imaginatively rich philosophical possibility.

V. Oneness and difference: to what extent is this proposal is different from the constitutive act AU? To make it clear from the outset, the argument here for PanAfrican unity is neither original³⁵⁴ nor purely speculative. Africa is the home of

³⁵⁴See, Nkrumah, K., *Consciencism: Philosophy and Ideology for Decolonization*,

burdened billions that served as the Guinea pig of the modern ages. It is both burdened and targeted beyond a reasonable doubt.³⁵⁵ It has been dehumanized by slavery; browbeaten by colonialism, mutilated and compartmentalized into fictitious boundaries; betrayed by the concerted logic of subverted decolonization; destroyed by

NY: Monthly Review Press, 1970; Senghor, A., *On African Socialism*, NY: Preager Press, 1964; Fanon, F., *The Wretched of the Earth*, NY: Groves Press, 1963; Cabral, A., *Unity and Struggle*, London: Heinemann, 1980; *Revolution in Guinea - An African Peoples Struggle*, London: Stage I, 1961; Okadigbo, Chuba., *Conscience in African Political Philosophy: Nkrumah's Critique*, Enugu, Nigeria: Fourth Dimensions Publishers, 1985. For a critical analysis of this tradition, see Serequeberhan, Tsenay., *The Hermeneutics of African Philosophy*, NY: Routledge, 1994.

³⁵⁵For instance see, Moret, Leuren., "Depleted Uranium Contamination," <http://www.consciousmedianetwork.com/members/lmoret.htm>; "HIV = AIDS: Fact or Fraud?", <http://video.google.com/videoplay?docid=-830231400057553023&q=HIV+%3D+AIDS&total=6261&start=0&num=10&so=0&type=search&plindex=0>; Day, Lorraine., "Cancer, AIDS and Vaccines," <http://video.google.com/videoplay?docid=1251899533507877406&q=Cancer%2C+AIDS+and+Vaccines&total=51&start=0&num=10&so=0&type=search&plindex=8> "AIDS, Inc.," <http://www.consciousmedianetwork.com/movie/aids.htm>; "Vaccination - The Hidden Truth", <http://www.dark-truth.org/okt19-2006-2.html>; "AIDS Hoax-Ten reasons HIV is not the cause of AIDS", <http://www.dark-truth.org/okt20-2006-10.html>; "The Other Side of AIDS," <http://video.google.com/videoplay?docid=-266890172132861595&q=The+Other+side+of+AIDS&total=147&start=0&num=10&so=0&type=search&plindex=0>; "Nutricide - Criminalizing Natural Health, Vitamins, and Herbs," <http://video.google.com/videoplay?docid=-5266884912495233634>; MOJO WIRE Title: Broydo, Leora., "A Seedy Business", <http://www.motherjones.com/news-Wire/broydo.html> Date: April 7, 1998; THIRD WORLD RESURGENCE #92, "New Patent Aims to Prevent Farmers From Saving Seed," by Chakravarthi Raghavan EARTH ISLAND JOURNAL Title: "Terminator Seeds Threaten an End to Farming," Fall 1998, by Hope Shand and Pat Mooney; THE ECOLOGIST, "Monsanto: A Checkered History" and Sept./Oct. 1998, Vol. 28, No. 5, by Brian Tokar, The Pesticide Action Network, "Revolving Doors: Monsanto and the Regulators," Jennifer Ferrara (www.panna.org/panna) newsletter Global Pesticide Campaigner Vol. 8, No 2. "Terminator Technology' Prevents Farmers from Saving Seeds," June 1998; Blake, Roy., "Genetic Bullets, Ethnically Specific Bioweapons," *Washington Free Press*, Jan./ Feb. 2000; Bishop, Greg., "Ethnic Weapons for Ethnic Cleansing," *Konformist*, March 2000 (also at www.konformist.com); Author Lederman, Robert; "The Human Genome Project and Eugenics," *North Coast Xpress*, Fall 2000.

the mindless and indiscriminate mimicry of “modernization” (both capitalist and socialist); indebted to death; traumatized and incensed by various economic and politics shock therapies, internal conflicts, diseases, famine and hunger; and is frozen by the economic and political conditionality regime imposed by global powers and its institutions of enforcement. Africa is a place where peace, development, justice, human dignity, and socio-political stability remain ideal goods in the future. More still, it is the only region in the world where foreign development paradigms exclusively dominate its development and democratization projects as if these aren’t about values and exist independently from such value choices in the first place. Against these backgrounds, nothing seems more urgent and more compelling than forging a PanAfrican unity and identity. Since nothing is more uniting than shared suffering and collective afflictions, browbeaten and targeted peoples like Africans need a just and strong unity to survive in the 21st century and beyond. Otherwise, procrastination would tighten its strangulation in the face of an imminent re-colonization.³⁵⁶

³⁵⁶Aggressive and coldhearted globalization is meant to accomplish draining and dumping or, even worse, re-colonizing. See, Robidoux, Michelle., “NEPAD: Repackaging Colonialism in Africa,” *Left Turn*, July/August, 2002; Ismi, Asad., "Ravaging Africa," *Briarpatch*, Vol. 32, No. 1, Excerpted from The CCPA Monitor, October 2002; Gebre Egziabher, Tewolde Berhan., "How (not) to Feed Africa," *New Internationalist*, Jan/Feb 2003. Africa weighs heavily in China's plans for the future and **the political implications of an economically emerging Africa in close alliance with China are disconcerting in the U.S. policy circles**. China's engagement in Africa may soon challenge the longstanding American perception that 'there is no there there,' and encourage serious, interest-driven U.S. engagement with Africa for the first time in history. For instance, see Hunt, Bryan., AFRICOM, http://www.moonofalabama.org/2007/02/understanding_a_1.html ; Snow, Keith Harmon., “Darfurism, Uganda and the U.S. War in Africa: The Spectre of

More still, if the history of Africa is a history of its “inventions”³⁵⁷ and “reinventions”³⁵⁸, then forging a united Africa should be taken for a new and higher

Continental Genocide,” *Dissident Voice*, November 24th, 2007 or see at <http://www.dissidentvoice.org/2007/11/darfurism-uganda-and-the-us-war-in-africa/>; Zalik, Anna and Michael Watts, “Imperial Oil: Petroleum Politics in the Nigerian Delta and the New Scramble for Africa,” *Socialist Review*, April 2006 or online at <http://www.socialistreview.org.uk/article.php?articlenumber=9712> ; Sprocket., “High-Tech Genocide,” *Earth First! Journal*, August 2005; <http://www.earthfirstjournal.org/article.php?id=238> ; Keith Harmon Snow and David Barouski., “Behind the Numbers: Untold Suffering in the Congo,” Thursday, 30 March 2006; <http://www.towardfreedom.com/home/content/view/787/>; also, <http://www.zmag.org/content/showarticle.cfm?ItemID=9832> ; www.allthingspass.com The implication of all this is that Africa finds itself the major set piece for the grand game; Elliot, Larry., "Africa betrayed: the aid workers' verdict :G8 rescue plan labeled 'recycled peanuts,'" *The Guardian*, June 28, 2002; Hartung, William D. and Bridget Moix, *Deadly Legacy: U.S. Arms to Africa and the Congo War*, (Report), World Policy Institute, New York, 2000; Blum, William, *Killing Hope: U.S. Military and CIA Interventions since World War II*, Maine, Common Courage, 1995; Ray, Ellen., "U.S. Military and Corporate Recolonization of the Congo," *Covert Action Quarterly*, Spring/Summer 2000; Ray, Ellen and Bill Schaap, "NATO and Beyond: The Wars of the Future," *Covert Action Quarterly*, Winter 1999; Naiman, Robert and Neil Watkins, "A Survey of IMF Structural Adjustment in Africa: Growth, Social Spending and Debt Relief," Center for Economic and Policy Research (CEPR), April 1999; Structural Adjustment Participatory Review International Network (SAPRIN), "The Policy Roots of Economic Crisis and Poverty: A Multi-Country Participatory Assessment of Structural Adjustment", April 2002; Feinberg, Richard et al .,eds., "Between Two Worlds: The World Bank's Next Decade," New Brunswick, NJ, Transaction Books, 1986., Bello, Walden, "The Role of the World Bank in U.S. Foreign Policy," *Covert Action Quarterly*, Winter 1991-92., Bello, Walden Shea Cunningham, and Bill Rau, "IMF/World Bank: Devastation by Design," *Covert Action Quarterly*, Winter 1993-94; Ismi, Asad., "Plunder with a Human Face: The World Bank, *Z Magazine*, February 1998.

³⁵⁷ See, Mudimbe, V.Y., *The invention of Africa : gnosis, philosophy, and the order of knowledge*, Bloomington : Indiana University Press, c1988; *The idea of Africa*, Bloomington: Indiana University Press; London: J. Currey, c1994.

³⁵⁸ See, Mazrui, Ali A. and Tidy, Michael., *Nationalism and new states in Africa from about 1935 to the present*, Nairobi; Portsmouth, NH : Heinemann, 1984; *The Africans : a triple heritage*, 1st American ed., Boston : Little, Brown, c1986; Bemath, Abdul Samed (ed.), *The Mazruiana collection : a comprehensive annotated bibliography of the published works of Ali A. Mazrui, 1962-1997*, Trenton, NJ :

form and level of creating Africa anew. V.Y Mudimbe's main thesis in both *The Invention of Africa* and *The Idea of Africa* is that Africa is an invention, just as Edward Said's thesis in both *Orientalism* and *Culture and Imperialism* is about the invention of the Orient.³⁵⁹ Whereas Mudimbe speaks of African, Muslim, and European heritage in this invention theory, Ali Mazrui identifies them as the indigenous, the Arabic, and the Western heritage. Mazrui goes further and argues that "Africa has been re-invented in different stages. The first stage saw North Africa as part of the Mediterranean world; the second stage concerned Africa's interaction with Semitic peoples; the third was stimulated by the birth of Islam and its expansion both north and south of Sahara; the fourth came with the impact of European capitalist penetration and subsequent colonization; and the final phase was its globalization."³⁶⁰ Given the chain of problems Africa finds itself since the imperial/colonial path of its interaction with West/Europe, both the "invention" and "reinvention" referred to remain a negative realization in its long history and encounters with 'others'. So, the creation of a united Africa as another yet a conscious invention on Africa's part means that the negative sides to the European heritage need to be filtered out and disinfected. Once this is acknowledged and done, the creation of United Africa on the basis of critical appropriations of these traditions would constitute a pinnacle of such

Africa World Press, Inc., 1998.

³⁵⁹See, Said, Edward W., *Orientalism*, New York : Vintage Books, 1979, c1978; *Culture and imperialism*, 1st ed., New York : Knopf : Distributed by Random House, 1993.

³⁶⁰Mazrui, Ali A., "Project MUSE: The Reinvention of Africa: Edward Said, V.Y. Mudimbe, and Beyond," *RESEARCH IN AFRICAN LITERATURES*, Vol.36, No. 3 (Fall 2005),

inventive and creative act. To unite Africa is, therefore, to appropriate the best of African values as a foundation³⁶¹ and to negate and overcome Africa's balkanization as a negative outcome of its long interactive history. Reading the Standard Maps by Norwich, Bassett, and Betz,³⁶² will easily establish the authenticity of this claim, because there was no map of Africa with 50 plus pieces into which it was dissected before the 1891.

So, to bring an end to displaced millions, to mobilize the African masses and its resources for an emancipatory development of Africans, colonial boundaries that were sanctioned and endorsed by both the UN (the United Nations), OAU (The Organization of African Unity), and AU (The African Union) need to be revisited and rectified. It is as important to look ahead into a united Africa as a united sovereign state as it is to address the legitimate questions and aspirations of nationally

³⁶¹In chapter 5, I explicitly outline and give an argument for PanAfrican unity based on the best of values from various resources and tradition, including its own - ubuntu.

³⁶²As claimed above, there is enough reason to believe that the modern map of Africa that one reads in text books and finds in the Headquarters of International as well as Continental organizations is the gift of America to Africa after 1890. For further readings, see Norwich, I Oscar., *Norwich's maps of Africa : an illustrated and annotated carto-bibliography* (2nd ed. / rev. and edited by Jeffrey C. Stone); Norwich, Vt. : Terra Nova Press, 1997; Bassett, Thomas J. and Yvette Scheven; *Maps of Africa to 1900: a checklist of maps in atlases and geographical journals in the collections of the University of Illinois, Urbana-Champaign*, [Urbana, IL]: The Board of Trustees of the University of Illinois: Distributed by [University of Illinois at Urbana-Champaign], The Graduate School of Library and Information Science, c2000; Betz, Richard L., *The mapping of Africa: a cartobibliography of printed maps of the African continent to 1700*, 't Goy-Houten, The Netherlands : Hes & de Graaf, c2007; McIlwaine, John., *Maps and mapping of Africa : a resource guide* with a foreword by Jeffrey C. Stone, London ; New Providence [NJ] : Hans Zell Publishers, 1997; see also, Bassett, T. and P. Porter; "From the Best Authorities: The Kong Mountains in the Cartography of West Africa," *Journal of African History*, 32: 367-413; "Cartography and Empire Building in Nineteenth Century West Africa," *Geographical Review* 84 (3): 316-335, 1994.

oppressed peoples. Rather than stopping at or limited to nation-state making and building within the bounds of mutilated post-colonial African states; rather than pushing too far in redrawing new borders (if even this is the right and legitimate approach to begin with) in view to address the group rights of displaced peoples dispersed across mechanically partitioned African state boundaries, it would be more empowering and liberating to the peoples and future of Africa to move towards a united Africa as a sovereign state and a common national home. PanAfrican Nationalism was present at the dawn of the “decolonization” era; fifty years on, however, there are promising practical grounds and lesson to draw upon rather than mere hypothetical reasons to argue for and materialize the dreams of the leader-fathers of the anti-colonial struggles of Africans.³⁶³ Thus, in the absence of a democratic reclaiming of a United Africa as a single Sovereign State for Africans, there can not be a successful development and democratization drive in Africa, for an Africana democracy means nothing other than the realization in history of the unity and fraternity of the African peoples in a United Africa. To this effect, both United Africa and Pan-African values ought to become the normative foundations of development, peace and democracy in Africa. This means that principles of *Westphalian territoriality* like the *inviolability of frontiers* and *noninterference in internal affairs* enshrined in the founding charters of the UN, the OAU and the AU³⁶⁴

³⁶³ See, for instance, Nkrumah, Kwame; *Consciencism: Philosophy and Ideology for decolonization*, New York: Monthly Review Press, 1970; Senghor, S; *On African Socialism*, New York, NY: Preager Publishers, 1964.

³⁶⁴ See, Charter of The Organization of African Unity (OAU)., Addis Ababa, Ethiopia, 25th day of May, 1963, also available online at

must give way to different principles of interdependent-empowerment.

One may wonder why/how this proposal is different from the AU and its Constitutive Act and whether redundant conceptual reiteration is not involved here. This doubt needs dispelling and cannot be put to rest unless an appropriate response is provided. Basically, AU is OAU, “an old wine in a new bottle,” except for dividing time intervals. Philosophically, there does not exist any fundamental difference between the two. Let us see why. From the start, the AU is infested with the conceptual/philosophical division between “Africa of States” and “United States of Africa,” which goes back to the birth of OAU itself. Except for its unflinching support and efforts to the independence of African countries from the colonial rule (consistent with its promise under Article II (d)), OAU was an utter failure and AU was a continuation of these dismal failures in a completely changed global/continental contexts. For instance: Article II (a) of the OAU promises to “promote the unity and solidarity of the African States;” Article II (b) promises to “achieve a better life for the peoples of Africa;” Article II (e) promises that the organization shall respect and stand for the implementation of the “Universal Declaration of human Rights,” etc. OAU deceased without realizing any of these and other related articles of faith. Contrary to the spirit of Article II (a), Africa is dipped deep in an endless series of conflict adding “a conflict ridden continent” to its ‘good’

<http://www.uneca.org/itca/ariportal/oaucharter.htm> ; Constitutive Act of the African Union, Lomé, Togo, this 11th day of July, 2000, also available on line at http://www.au2002.gov.za/docs/key_oau/au_act.htm .

name.³⁶⁵ According to the World Bank Report 2000, Africa got poorer and poorer compared to the time of the inception of the OAU in 1963 thereby adding “the hopeless continent” by *The Economist* to its name. This shows that Article II (b) was thrown out through the window for almost four decades of the Organization's lifeless history. Even worse goes for Article II (e): given all the senseless wars, conflicts, poverty, famine, ethnocide and genocides, Africa experienced the most shocking human rights violations under the OAU.

That the AU is ‘an old wine in a new bottle’ can be seen from its constitutive act. Like Article 3 (3) of the OAU Charter, Article 4 (b) of the AU Constitutive Act, affirms colonial demarcations. The AU adopts the principles of territorial sovereignty, non interference³⁶⁶, and inviolability of colonial boundaries.³⁶⁷ Why the current political map of Africa remains a sacred cow and the AU worships this cow is a puzzle when most of Africa’s demarcated borders have in of themselves become the basis of many African conflicts and wars. The AU today, just like its deceased

³⁶⁵Mubmbe makes a classic exposure to such conflicts lulling over Africa. See, Mubmbe, A., “At the Edge of the World: Boundaries, Territoriality, and the Sovereignty in Africa,” in Beissinger, Mark R. and Young, Crawford., *Beyond State Crisis? Post Colonial Africa and Post Soviet Eurasia in Comparative Perspective*, Washington, D.C: Woodrow Wilson Center Press, 2002, pp.53-80.

³⁶⁶To its credit, the AU Constitutive Act does have a principle that allows intervention in grave circumstances, such as war crimes, genocide and crimes against humanity. Unfortunately, it has neither clear guideline on the modalities for intervention nor an enforcement mechanism to give its decisions binding force. Both the Darfur and the Somalia crisis are cases to this point.

³⁶⁷See, Mbuyinga, E., *Pan Africanism or Neo-Colonialism?: the bankruptcy of the OAU*, translated by Michael Pallis, London: Zed Press, 1982; Naldi, G.J., *The Organization of African Unity: an analysis of Its role*. NY: Mansell, 2000.

forerunner organization promises to defend domestic sovereignty and nonintervention as the main principles guiding intra African relations; it promises to continue consisting of a pack of failing entities. It lacks the political, economic, and military muscle to safeguard and enforce the collective interests of the African peoples. In short, both Organizations sanctified and solidified the balkanization of Africa and all the drawbacks associated with it.

The institutional failure stated above has its failure in philosophical and ideological mapping also. The balkanization of Africa is being sanctioned and reinforced by the lack or ignorance of a unifying and driving ideological principle. It is both an institutional and ideological failure. The OAU lacked a clear ideology capable of providing the collective empowerment of the Africans peoples, an ideological strategy that would guarantee and enhance their hope, power and prestige in the post colonial era. Call it an “Africa-centeredness” or “Pan-Africanism” or “Consciencism” or “Afro-centricity”, or “Africana”, etc. a project of total emancipation, liberation, and unity cannot be accomplished without such ideological mapping. Yet, in both OAU then and AU now there exists a vacuum in this respect, even against the call of some founding fathers of the OAU.³⁶⁸ There should be an

³⁶⁸This ideological vacuum cannot be seen apart from the two ideological factions that underlined the founding of the OAU (which the AU itself is deeply infected with): The Casablanca Group (CG) and the Monrovia Group (MG). The MG shared a concept of African unity that was intent on retaining the colonial demarcations and the newly won political independence. Its intentions were to create an alliance of African States rather than a “United States of Africa.” The CG, on the other hand, sought to transcend the balkanized political systems created on the continent through colonialism by ceding fundamental aspects of sovereignty for an immediate United Africa with a common currency, foreign policy, defense structure and economic

ideological map that recognizes ‘all African peoples as being of one nation resulting from a shared historically born burdened identity (or, a shared historical experiences), targeted peoples, and an indivisible future destiny.’³⁶⁹ Otherwise, a union cannot be effective without a unity of purpose or an ideologically motivated sense of direction. An independent, united, and empowered Africa is not an option but a necessity.

The argument for a united Africa is an economic opportunity also since it means an economic unity at economies of scale magnitude. This is more urgent in a fast globalizing world where the AU finds itself now. Back in 1968, Green and Seidman made an observation ignored by the OAU generation: “Africa as a whole could provide markets able to support large-scale efficient industrial complexes; no single African state nor existing sub-regional economic union can do so. African states cannot establish large-scale productive complexes stimulating demand throughout the economy as poles of rapid economic growth because their markets are far too small. Instead the separate tiny economies willy-nilly plan on lines leading to the dead ends of excessive dependence on raw material exports and small scale inefficient ‘national factories’ at high costs per unit of out put. Inevitably, therefore, they fail to reduce substantially their basic dependence on foreign markets, complex manufactures and capital.”³⁷⁰ It is dubious whether the AU generation learned the lessons well and if it is on the right track in this respect. Looking at the AU’s

policy. In the end, the idea of “Africa of States” triumphed (MG) over idea of “the United States of Africa,” a regrettable loss.

³⁶⁹Ofuatey-Kodjoe, W. (ed.), *Pan-Africanism: New Directions in Strategy*, Lanham: University Press of America, p.391.

³⁷⁰Green, Reginald H. and Seidman, Ann., *Unity or poverty? The economics of Pan-Africanism*, Harmondsworth, Penguin, 1968, p. 22.

economic blue print (New Partnership for Africa's Development (NEPAD))³⁷¹ one finds the plea for international capital and the separate development of national economies as a solution. If the critiques are correct, Its biggest failing is that NEPAD does not sufficiently recognize Africa's peoples as partners for, and of, development. As it stands now, it sanctions an appeal to the good will and benevolence of the rich countries for investment and aid,³⁷² the subservient, dependent, and colonized mentality at work as usual. In the final analysis, the remedy to Africa's socioeconomic wretchedness lies in harnessing the local resources and talents as well as unique characteristics of the African peoples, since, in Africa, the greatest resource for development are the African peoples themselves.

To windup, it must be borne in mind that the carving up of Africa in 1884 was not meant to unite Africa; it was meant to divide and kill it and, Africa as it stands now is a witness to the crime committed and the darkness it is going through. The AU should fast amend the principle of inviolability of colonial borders and negotiate, first, for new boundaries in such a way that it addresses the just causes and voices of millions of African trapped in the colonial act of unjust separation or forced to be united against their choices and wills. The question of a land a given people claims or belongs to is at the heart of the question of justice and freedom itself, for there is can never be freedom in the abstract. Once the issue of justice and freedom are met and/or

³⁷¹NEPAD., The New Partnership For Africa's Development, Oct. 2001. Also available online at <http://www.nepad.org> .

³⁷²For example, see Tylor, I. and P. Nel., Getting the Rhetoric right', getting the strategy wrong: "New Africa," globalization and the confines elite reformism, *Third World Quarterly*, 21 (1), 2002.

accommodated, Africans should renegotiate to negate boundaries altogether.

Certainly, the easiest way to scupper the idea of a united Africa is to give voice to the myriad of ethnic groups. It is laudable to take stand for the rights of all ethnic groups to exist and even to evolve into independent autonomous states as already argued. But one must ask whether those ethnic groups would be viable as independent states and whether their interests and concerns can best be accommodated within the existing states or whether they could thrive and flourish better given a greater human and geopolitical space. So the Grounding: Africana democracy can flourish if and only when Africa is reunited on a new spatial, moral, and political foundation.

To reiterate, balkanization is a breeding-ground for violence and it lies at the core of the injustices rampant in Africa. To quote Mazrui again, “It was...in Africa that Europe practiced the art of partition at its most elaborate. Where Europe attempted to unify those who were different, it sowed the seeds of future separatism... Where Europe divided, it left behind latent passions for reunifications...”³⁷³ Grounding Africana democracy presupposes transcendence of this condition of spatial mutilation and human affliction in a Weilian sense of caring and compassionate justice. It lies in the extent to which the inherited colonial state boundaries can be transformed consistent with geographical and ethnic realities in Africa, which, in turn, presuppose the reexamination and subsequent overhauling of such conflict breeding boundaries and their imposed inviolability status. Besides, it is

³⁷³ Mazrui, Ali A., “Thoughts in Assassination in Africa,” In Prosser, Michael H. (ed.), *International Communication Among Nations and Peoples*, New York: Harper and Row Publishers, Inc., 1973, p.183.

instructive to recognize the relation between ethnic and cultural homogeneity and political liberty, as acknowledged by J. S. Mill,³⁷⁴ when envisaging the condition and possibility of an Africana Democratic order.

³⁷⁴See Mill, J.S., *Considerations Representative Government*, NY: New York Liberal Arts Press, 1958/1861.

Chapter 5

Towards Constitutional communitarianism and Africana Democracy:

Constitutive values, principles, and institutions

This chapter charts out some principles and institutional routes ahead for an Africana democracy from various traditions and backgrounds. Starting with a critical examination of the rights-based tradition that serves as a foundation for WLD (Western Liberal Democracy), it attempts to borrow and draw lessons and concepts from various resources - philosophical, cultural, political, and scientific - that lead to Africana democracy. Discriminate use of principles and metaphors from valuable philosophies of various traditions and the latest sciences and technologies will be explored briefly; likewise, concepts, metaphors, and principles from Feminist philosophy and the “soft sciences/technologies” will be discussed shortly along with a short reiteration on John Rawls’ principle of “public reason.”³⁷⁵ Showing some critical reservation as to why WLD may not succeed in Africa, the essay winds up in suggesting the values and institutional foundations of Africana Democracy (or *deliberatively communitarian Africana democracy*).

I. Western (liberal) Democracy (WLD) is a political and institutional expression of an established way of life, both its liberal ways of living and its philosophically entrenched liberal values. It is individual rights and autonomy based democracy at its core. As is argued earlier, the liberal concept of rights, as a moral

³⁷⁵ See Rawls, John., *Political liberalism*, New York : Columbia University Press, c1993; *The law of peoples* ; with, "The idea of public reason revisited", Cambridge, Mass. : Harvard University Press, 1999; *A theory of justice*, Cambridge, Mass. : Belknap Press of Harvard University Press, 1973, c1971.

and political doctrine, presupposes and is grounded on individualism and its rights; it is founded on the ontological primacy of the individual, which places the individual at the center of moral and political life and takes the individual (her or his dignity, autonomy, or interest) as the ultimate basis of justification for social, political, and legal arrangements. As a basic component of these arrangements, political and legal rights are instituted both as a protective shield against interference with freedom of action and as a positive requirement that others act in such ways to facilitate that freedom. They are conceived as “valid claims,” “trumps,” or “side constraints” that empower the individual to pursue a course of life of his or her own choice and impose obligations on others to respect this choice. They are believed to be absolute in the sense that they are not subject to political bargaining or the calculus of social utility. As J. Rawls puts it, each individual qua moral person “possesses an inviolability founded on justice that even the welfare of society as a whole cannot override.”³⁷⁶

The question now is whether, in line with our discussion in chapter three, it is possible to successfully transplant and integrate such rights and resulting political arrangements in social, political, and cultural contexts where such relations are absent both ontologically and historically. Given the current climate of the promotion of freedoms and democracy as a political conditionality, it looks like there is no alternative than pushing for more liberal democratic framework. There is no alternative; the presupposition goes, because it is in liberal democratic framework that

³⁷⁶ Rawls, John., *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1973, p.3.

human rights and cultural diversity flourish.³⁷⁷ Although correct, the problem with this reasoning is that it ignores the issue of cultural/philosophical mediation in political engineering. Such omission, time and again, has proven ineffective and is counterproductive in instituting the democratic project in culturally and socially non-liberal/illiberal settings. Besides, this amounts buying uncritically into the now famous Fukuyama fallacy (FF) that universalizes liberal democracy as constituting and defining the end of history.³⁷⁸ There are others who argue differently, insisting that a liberal conceptual framework such as the one espoused in the Anglo-American traditions is incapable of providing a coherent moral vision, because the language of rights and the presumption of self-interested and autonomous individuals that underlies it are the source of moral and political conflict, not the solution.³⁷⁹ This reasoning rests on faulty assumptions, too, for a rejection of the individualist claim doesn't necessarily mean a rejection of rights altogether any more than an endorsement, say, of a duty-based claim automatically leads to the endorsement of authoritarianism. Rather than tooting for either of the extremisms, culturally sensitive dialogical engagement seems appropriate.

Human cultures and values are not immutable nor their transferences unknown nor wrong. Accordingly, liberal conceptions of rights are precious and

³⁷⁷ Tatsuo, Inoue., "Liberal Democracy and Asian Orientalism," in *The East Asian Challenge for Human Rights*, Joanne R. Bauer and Daniel A. Bell (eds.), NY: Cambridge University Press, 1999, pp. 60-87.

³⁷⁸ Fukuyama, Francis., *The End of History and the Last Man*, New York: Avon Books, 1992

³⁷⁹ Rosemont, Henry Jr., "Human Rights: A Bill of Worries," in *Confucianism and Human Rights*, Wm. De Bary and Tu Wei-ming, 1999, pp.54-66.

relevant to humanity as time tested values. The problem is that they are usually couched as irreducibly universal and fail to give adequate attention to the context in which they originated and to the context to which they are to be applied. Consequently, they tend to lose their appeal when transferred to a different cultural and philosophical setting or they create lethal political conditions where there does not exist the institutional and cultural capacity to contain and accommodate them. People in the illiberal settings are often told that *political cultures need to be transformed in order to sustain democratic ideas and institutions*. But it should be known that this obliterates and negates people's cultural identity or generates conditions of unlivable violence and confrontations. Seldom do such cultures hear that there is equally important need for *reconstruction* of democratic ideas and institutions in order to make them appeal broadly to local habits, beliefs, and sentiments. There are always ways of living in every cultures that are valuable to every people, if the "our ways of life" philosophy stands contest. Hence, a culturally sensitive approach entails attempting to bring into contact different sets of ideas and values through what Charles Taylor and others view as the project of building "unforced consensus,"³⁸⁰ that explores the possibility of a common discourse on the basis of which the idea of individual rights and freedoms could become a meaningfully shared experience. The exploration aims at reforming the dominant relations in society to provide a firm grounding for an emerging value on one hand

³⁸⁰ Taylor, Charles., "Conditions of an Unforced Consensus on Human Rights," in *The East Asian Challenge for Human Rights*, Joanne R. Bauer and Daniel A. Bell (eds.), NY: Cambridge University Press, 1999, pp.124-144.

and reconstructing the transferred idea in a way that enables it to entrench itself in a different cultural context.

Now, given that webbed relations dominate in Africa, the liberal conceptions of rights would be less likely to resonate with the cultural understanding and sensibility of these peoples. Rather, shared rights seem to reverberate with such experiences. From the standpoint of such rights, rights are rooted in the social interconnectedness of expectations and responsibilities/duties rather than as inheriting in the individual pre-socially and pre-politically. Recognizing rights as a way of adjusting human relations and not as things exclusively possessed is important in embedded settings. Rights are relational not merely in the sense that others are under a duty to perform, but in the sense that any right carries with it a generic duty to see justice done. Furthermore, the relational view regards rights as a critical instrument for creating a more humane vision of shared life rather than a mere protective shield for individual self-interests; in so doing, rights become intrinsically connected with and indeed go to define who we are and what we do.

Such rights cannot be conceived merely as rights that are assignable to and secure goods for individuals alone but also as non individual rights that are common in nature. There are liberal rights theorists who tend to dismiss the idea of group/collective rights for reasons of debilitating rights.³⁸¹ But for some liberal

³⁸¹Cranston, Maurice., "Human Rights: Real and Supposed," in *Political Theory and the Rights of Man*, D.D. Raphael (ed.) Bloomington, IN: Indiana University Press, 1967, pp.43-53; also, see, Berlin, Isaiah., *Four Essays on Liberty*, Oxford: Cambridge University Press, 1969a; Hayek, Friedrich A., *The Constitution of Liberty*, Chicago: University of Chicago Press, 1960; Nozick, Robert., *Anarchy, State, and Utopia*, New

thinkers this dismissal is untenable from both theoretical and practical grounds. But such defense has been founded typically on the same grounds on which individual rights are justified.³⁸² Jeremy Waldron has advanced a view of collective rights not on the basis of the individual's autonomy or wellbeing, but on the basis of the conception of a community as a nonreducible entity and of the communal goods it secures for its members. He argues that collective rights are not the subject matter of individual rights; rather, they constitute a separate category and rest on different grounds. One must be aware of the difficulties claims for collective or group rights presents, for establishing or defining a collective identity is not always easy to do (though analogies can be drawn from the rights of corporations and other collective entities). It is with respect to this ambiguity that the language of individual rights enjoys certain advantages over that of collective rights. But even given ambiguities like this, Waldron believes, there is no compelling reason for not framing collective goods such as a tolerant society, a shared language, and cultural traditions in terms of human rights, particularly when such rights are claimed against other collectivities.³⁸³

According to liberalism, a right is an affirmative power to control or release from control others in the fulfillment of duties. It is grounded in and embodies a

York: Basic, 1974, among others.

³⁸²See, Kymlicka, Will., *Liberalism, Community, and Culture*, Oxford: Clarendon, 1989; Freeman, Michael., "Are there Collective Human Rights?," *Political Studies* 43 (1995 Special Issue): 25-40.

³⁸³Waldron, Jeremy., "Can Communal Goods Be Human Rights?," *European Archives* 28 (1987): 2:296-322. For a defense of group rights based on the disadvantaged group principle, see Owen Fiss, "Groups and the Equal Protection Clause," in *Equality and Preferential Treatment*, ed. Marshall Cohen, et al, Princeton: Princeton University Press, 1977, pp.84-154.

conception of the individual as an autonomous, rational and sovereign being. On this view, rights are primary, whereas duties are derivative and secondary. A right ordinarily implies a duty, but not vice versa. So, whether rights present themselves as “valid claims,” “entitlements,” or “side constraints,” it is clear that the notion typically denotes duties solely on the part of those against whom a valid claim is laid. Where there is no question of rights, duty does not surface ordinarily. In this regard, it seems intuitively impossible to advance a duty based conception of rights, because it looks a contradiction in terms. But disputing the claim that rights often imply duties but not otherwise, A.D Renteln argues that the relationship between the two is such that the existence of one may always imply that of the other. She raises two objections: “The first is that, in the case where we would agree that there are such duties, there is also a corresponding right. If society recognizes duties to be kind to animals and babies, for instance, then, indeed, those entities could be said to have rights. The second is, in those cases in which we are hesitant to assert the existence of rights, it is because the attribution of the duty seems dubious.”³⁸⁴ She adds that “just because a moral theory is couched in the language of duty does not imply that it cannot be a vehicle for the advancement of rights.”³⁸⁵ So, if we accept Renteln’s argument as valid, we would be justified in saying that duties are grounds of rights. Or, as a Marxist would argue, rights and duties are involved in a dialectical relationship and their correlativity is such that one always implies and depends on the other. So rights and duties are two sides of the same coin.

³⁸⁴Renteln, A.D., *International Human Rights*, Newbury Park, CA: Sage, 1990, p. 43.

³⁸⁵*Ibid.*, p.44.

In the light of the observed relation between rights and duties and in lieu of making a culturally sensitive approach to the issue at stake, we ought to give an equal weight to rights and duties, which means couching the notions of rights in relational as well as in individual terms. In cultures where the concept of duty is pervasive and where duties are hierarchically and ascriptively assigned; where concerns over material wellbeing precede free choice; where personal obligations, loyalty, and family ties reign supreme, and where members of society owe to one another respect and trust as a matter of duty like indigenous Africana, possessive conception of rights fail to be rooted. If pushed without or against context, such possessive conception of rights would serve divisive, fragmentary, and destructive purposes in embedded settings. Rights are demands and a society that is materially weak and culturally ill prepared to contain such demands cannot withstand its own fragmentation and destruction. Rights ought not to be seen as a one-way street that gives what Charles Taylor calls “option of weaver” without incurring any duty to the rights-holder. There is a kind of mutuality and reciprocity embedded in both rights and duties that enables the rights holder and the duty-performer to relate to each other in a way that benefits them both in particular and in organized life in general. Therefore, a right should be construed in relational terms as a meeting of the rights-holder and the duty-performer. While rights are reasons for imposing duties on others, they express a moral desirability that human relations in society be adjusted in a particular way, one that is conducive to the advancement of human wellbeing individually and collectively. They are our legitimate collective expectations that others act or not act in certain

ways. Whether an expectation is considered to be legitimate and thus should be met should depend on the special conditions under which it emerges and on the basis of “unforced consensus.” The relational character of rights as embedded in the interconnection of expectations and duties, thus, is particularly useful in lowering the possessive tone often associated with the liberal conception of rights.³⁸⁶

II. The concept of webbed or shared rights does not go well with the tradition of enlightenment/classical liberalism, whose core values include freedom, rights, autonomy, equality, pluralism, and distributive justice. To put it succinctly, liberalism is a general philosophical conception about individual rights and autonomy, pluralism, freedoms, equality, justice, the rule of law, tolerance, respect for the harm principle, and the neutrality of the state in matters of religion;³⁸⁷ it rests on the value of individual autonomy; it emphasizes the protection of individual rights’ and freedoms with the assumption that such protections help them to achieve the goals of

³⁸⁶The idea of webbed rights is defensible; it is not immune to criticism, however. For example, one may argue that an asymmetric emphasis on duty may undercut the notion of rights by making it a toothless weapon for individuals to protect their legitimate interests. It may, say, encourage conformity and subservience, reduce the already narrow range of free choice by the ordinary citizens, and leave the individual defenseless in face of the abuse of political power. Moreover, it is inadequate and even perilous to order collective life on the basis of the reciprocity of good will and sense of duty, particularly the good will and sense of duty of those who wield political power. This is a well taken concern but the remedy lies not in prioritizing the rights regime, but in developing our civic virtues and in ceaselessly making the effort to develop our moral capability.

³⁸⁷ Or is liberalism itself is an ideology? If even so, however, in liberal democracies many of the main elements of liberalism tend to be generally accepted, even, in practice, by apparent critics of liberalism. For instance, within Rawlsian liberalism the argument is made that justice as fairness would be accepted on contractarian grounds by all reasonable citizens, and that it (and by implications, Rawls's two principles of justice) is therefore not a controversial political ideology.

self-perfection, self governance, and self realization. Accordingly, governments are instituted to secure and protect these rights and derive their legitimacy through consent, expressed in free, periodic elections. Since individual rights are paramount in the enlightenment tradition, violation of rights of others is deemed immoral and criminal and punishable by law.

Liberalism is not without its critiques, however. For instance, according to J. Gray³⁸⁸ and A. Ryan,³⁸⁹ classical liberalism is reluctant to go beyond freedom rights. They argue that any meaningful exercise of freedom requires adequate resources (economic, education, security, healthcare, etc), which means that equality, rights, and distributive justice must be extended to protect the conditions required for the exercise of freedoms. The egalitarian wing of liberalism is critiqued either for being coercive in its policy of redistribution or for not being egalitarian enough or for abandoning moral standards under the guise of neutrality, a criticism that comes from those who espouse the classical version of liberalism.³⁹⁰ The liberal conception of autonomy was criticized severely by communitarians. They question whether the essence of the “autonomous life” is individualistic, self interestedness, rationality that is aimed at realizing a private conception of a good life. Communitarians argue that (a) the insistence on individualism, rationality, and striving for the agents’ conception

³⁸⁸ See, Gray, John., *Liberalisms*, London: Routledge, 1989

³⁸⁹ See, Ryan, Alan., “Liberalism,” in Goodin, Robert E and Philip Pettit (eds.), *A Companion to Contemporary Political Philosophy*, Oxford: Blackwell, 1993.

³⁹⁰ for instance; see, Berlin, Isaiah., *Four Essays on Liberty*, Oxford: Cambridge University Press, 1969a; Hayek, Friedrich A., *The Constitution of Liberty*, Chicago: University of Chicago Press, 1960; Nozick, Robert., *Anarchy, State, and Utopia*, New York: Basic, 1974, among others.

of a good life is a product of one strand in Western tradition that has emerged from the Enlightenment, which is secular, atomistic, voluntaristic, and promethean.³⁹¹

There are religious or ethnic or communal... conceptions of the good life to which the liberal understanding of autonomy is both alien, even inimical. Therefore, it is a mistaken view to equate the liberal conception of a good life for the good life itself; (b) the requirements of self-interest, rationality, and the conception of the good life are not defined by autonomous agents but are the products of the moral tradition into which individuals are born and whose ideals, values, conventions, and principles their moral education inculcates in them. Furthermore, self-interest is rarely conceived egoistically, for agents identify with their families, friends, colleagues, ethnic groups, or fellow citizens. Their individuality, therefore is not formed by self-creation but by the multiplicity of influences to which they are subject. Autonomy, on this view, consists in finding a fit between their individuality and moral tradition.³⁹²

So, a number of communitarians challenged liberalism's claim that it is possible to develop a coherent theory of political community from an atomistic, individualistic foundations. For them the common good is not simply the sum of the individual wants and rights of people but rather the shared well-being of community members. A shared interest entails both wide support from the community as well as

³⁹¹ See, Flathman, Richard, E., "Liberalism," in Becker, Lawrence (ed.), *Encyclopedia of Ethics*, 2 Vols, New York: Garland, 1992a; Taylor, Charles., *Sources of the Self*, Cambridge: Harvard University Press, 1989.

³⁹² See, Kekes, John., *Moral Tradition and Individuality*, Princeton: Princeton University, 1989.

the affirmation of the inherent dignity of peoples in their common life.³⁹³ There are varied approaches within communitarians: The communitarianism represented by such thinkers as Amitai Etzioni, Charles Taylor, and Michael Walzer, has emphasized the need to balance individual rights with communal bonds, freedom with order. According to this strand, a rights-based theory provides an inadequate account of political community and of the common good because people are not solitary, independent, unencumbered selves, but human beings whose very identity is dependent on the societies of which they are a part. Thus, this communitarian perspective emphasizes the cultivation of social and political relationships and of moral values and traditions that help to sustain the common life. Because of the important role of communal bonds, communitarians refuse to give precedence to individual rights over social solidarity and harmonious relationships.

The communitarianism represented by Michael Sandel and others emphasizes the capacity to choose rightly. According to Sandel, the ability to pursue the common good does not depend only on individual choice or respect of others' right to choose; rather, it requires "knowledge of public affairs and also a sense of belonging, a

³⁹³'Popular support' and 'inherent goodness' have given rise to different perspectives. For some communitarians, such as Michael Walzer, justice derives from the widely shared values and habits within each political community. The common good does not derive from some ideal conception of justice but from the shared understandings and traditions that inform the political life of each society. Thus, the communal norms of the common good are morally legitimate because they are widely affirmed by society. For other communitarians, such as Michael Sandel, however, the common good derives not from the widespread belief in the tradition but from the moral worth or intrinsic good of the goals themselves. For a discussion of these two perspectives see Michael J. Sandel, *Liberalism and the limits of Justice*, 2nd ed., Cambridge: Cambridge University Press, 1998, pp. x-xi.

concern for the whole, a moral bond with the community whose fate is at stake.”³⁹⁴

This means that the conception of freedom that Sandel and others celebrate asserts that politics should not be neutral toward the values citizens espouse. Instead, it should pursue “rightly ordered” social and political relationships. From this perspective, the essential requirement of communities is not liberty or personal choice per se, but the capacity to make “right” choices based on moral habits and values developed through communal traditions. For George Weigel, the common good is a peaceful and just moral order that affirms human dignity and communal harmony; in other words, it is a rightly ordered communal relationship, or the tranquility of a just order.³⁹⁵ Communitarians emphasize the maintenance of a just public order by balancing the ideals of justice with those of peace. Indeed, they tend to give precedence to the restoration of political order as a precondition for justice. Thus, when civil strife and war erupt leading to widespread violence, for instance, communitarians assume that the primary task in public life is to restore a just peace rooted in the pursuit of national unity and reconciliation; they emphasize the renewal and healing of divided societies through the moral rehabilitation of social order and political relationships.³⁹⁶

³⁹⁴Sandel, Michael J., *Democracy's Discontent: America in Search of a Public Philosophy*, Cambridge, MA: Harvard University Press, 1996, p.5.

³⁹⁵See, Weigel, George., *Tranquillitas Ordinis: The Present Failure and Future Promise of American Catholic Thought on War and peace*, New York: Oxford University Press, 1987.

³⁹⁶In her book *The Need for Roots*, Simone Weil argues that the fundamental need in society is for public order, which she defines as “the first need of all.” (Weil, S., *The need for Roots: Prelude to a declaration of Duties toward Mankind*, Trans. Arthur Wills, Boston, MA: Beacon Press, 1952, p.11). As result, when social and political

According to Will Kymlicka, liberals should be concerned about cultural and communal structures because they make it possible for individuals to maintain their autonomy, rights, and freedoms in order to achieve their rational life plan.³⁹⁷ To conceive an individual's rights, autonomy, freedoms, etc. independently of the context of a person's social community is to fail to adequately see human beings and persons in their proper environment. He argues that, "societal cultures are profoundly important to liberalism... because liberal values of freedom and equality must be defined and understood in relation to such societal cultures. Liberalism rests on the value of individual autonomy... but what enables this sort of autonomy is the fact that our societal culture makes variable options available to us."³⁹⁸ According to Kymlicka, a community and cultural structures do not have intrinsic moral values. They have only instrumental values, in that "it's through having a rich and secure cultural structure that people can become aware, in a vivid way, of the options available to them, and intelligently examine their value."³⁹⁹ He also indicates how cultural structures and its informal model and communal processes of moral education help children to acquire self-respect, the sense that one's life plan is worthy of carrying

order is threatened, whether or not from internal threat or external aggression, the first moral duty of the state is to protect society. The German Poet Goethe similarly held that peace and political order were indispensable to human dignity. He once observed: "If I had to choose between justice and disorder, on the one hand, and injustice and order on the other, I would always choose the latter." Quoted in John G. Stoessinger, Henry Kissinger: *The Anguish of Power*, New York: Norton, 1976, p. 14.

³⁹⁷Kymlicka, Will., *Liberalism, Community, and Culture.*, Oxford: Clarendon Press, 1989, pp.162-181; *Multicultural Citizenship: A Liberal Theory of Minority Rights*, Oxford: Clarendon Press, 1995, pp.75-106.

³⁹⁸Kymlicka, Will., *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship*, Oxford: Oxford University Press, 2001, pp.53-54.

³⁹⁹Kymlicka., *Liberalism, Community, and Culture*, p.165.

out. This sense of self-respect is essential or a precondition for one's rights, freedoms, and autonomy. He argues "without such structures, children and adolescences lack adequate role-models, which lead to despondency and escapism."⁴⁰⁰ In other words, without the informal mode of education, which requires imitating role models and learning by experience in a community involving cultural structures, values, and practices, into which children are acculturated about relevant liberal values, they will not have any meaningful sense of the liberal values of rights or freedom. He underscores this point by arguing that "Cultures are valuable, not in and of themselves, but because it is only through having access to a societal culture that people have access to a range of meaningful options."⁴⁰¹ Properly understood, the liberal notions of autonomy, equality, freedom, and rights are, indeed, contextual notions that make sense only in a community or cultural practice involving liberal values.

Therefore, writes Kymlicka, "the liberal values of freedom and equality must be defined and understood in relation to such societal cultures."⁴⁰² These values only make sense in the context of a society where people interact and agree to respect such rights or freedoms; they are meaningful in the context of pursuing certain interests and goals, which are options that a society provides and makes meaningful. In his view, "freedom...is the ability to explore and revise the ways of life which are made

⁴⁰⁰Ibid., pp.165-66.

⁴⁰¹Kymlicka., *Multicultural Citizenship*, p.83.

⁴⁰²Kymlicka., *Politics in the Vernacular: nationalism*, p. 53.

available by our societal culture.⁴⁰³ In this sense, he argues that freedom does not exist in a vacuum or in the absence of a society that makes options available. In order for this ability to be possible, there must be social responsibilities that we owe to each other and to the community. Kwame Gyekye stresses this point by indicating that “individual rights, the exercise of which is meaningful only within the context of human society, must therefore be matched with social responsibilities.”⁴⁰⁴ In other words, it makes sense to say that one has freedom and right only because such right and freedom are capable of being infringed on by others by virtue of the fact that they interact with one another in limited time and social space. It is this limitation of space and value of social interaction as a natural human trait that calls for social responsibilities. Such responsibilities, which indicate duties, are correlatives of rights; they are necessary to make sense of rights.

The concepts of rights and freedom are logically connected to the concept of a community or society and cultural principles, values, and practices. In the negative sense, freedom makes sense only because a community or society of people exists to remove or prevent constraints that may not allow us to do whatever we want. In a positive sense, freedom makes sense only because there is a community of people that actually respects it by providing us the necessary environment or facilities that will help us achieve whatever we need to achieve. Amitai Etzioni alludes to the logical necessity of a community when he argues that “We suggest that free individuals

⁴⁰³Ibid.

⁴⁰⁴Gyekye, Kwame., *Tradition and Modernity: Philosophical Reflection on the African Experience*, New York: Oxford University Press, 1997, p.65.

require a community, which backs them up against encroachment by the state and sustains morality by drawing on the gentle prodding of kin, friends, neighbors, and other community members rather than building on government control or fear of authorities.”⁴⁰⁵ So, one has a right or freedom only because such a right is respected by other members of the community or in social context, as that sphere of life that other people should not intervene in. That is, other people owe us a duty to respect our rights. If such duty didn’t exist, there would be no rights. Also, if people lived isolated lives where they acted without any interactions with other people, the issue of right and freedom would not arise. As isolated individuals, we have infinite and unbounded rights and freedoms and the idea of freedom in such context turns superfluous.

But, according to Gyekye, persons are only partly constituted by the community,⁴⁰⁶ because each person has the capacity for their own individual judgments in spite of the degree to which they may be socialized by the community; “personhood can only be partly (never fully) defined by one’s membership in the cultural community.”⁴⁰⁷ Although “enmeshed in the web of communal relations,” he argues, a person “may find that aspects of those cultural givens are inelegant, undignified, or unenlightened and would thoughtfully want to question and reevaluate them... The reevaluation may result in the individual’s affirming or striving to amend or refine existing communal goals, values and practices; but it may or could also

⁴⁰⁵Etzioni, Amitai., *The Spirit of Community: Rights, Responsibilities, and Communitarian Agenda*, New York: Crown Publishers, Inc.,1993, p15.

⁴⁰⁶Gyekye., *Tradition and Modernity*, p. 59.

⁴⁰⁷Ibid, p.59.

result in the individual's total rejection of all or some of them...."⁴⁰⁸ Keeping this "moderate communitarian-individual"⁴⁰⁹ of Gyekye as a contribution to the debate, one should not miss his larger critique of the rights based theory, however. He argues that values such as generosity, compassion, reciprocity, mutual sympathy, cooperation, friendship, solidarity, and social wellbeing are more important than the values of individual rights.⁴¹⁰ R. Bell adds to this when he writes, "From such communitarian values should flow both a sense of responsibility of individuals to their community and obligation to one's society."⁴¹¹ Drawing from these Gyekye warns that "neglect of, or inadequate attention to, the status of responsibilities and obligations on one hand, and the obsessional emphasis on, and privileging of, rights on the other hand, could lead to the fragmentation of social values and, consequently, relationships and integrity of society itself. Responsibilities, like rights, must therefore be taken seriously."⁴¹²

Gyekye goes further and recommends that the communitarian virtues he lists "have to be regarded as intrinsic to be satisfactorily moral in a communitarian society."⁴¹³ Such virtues are often not promoted in individualistic rights-based societies, since "there are no obligations to be kind or generous or compassionate - though liberal ideas such as fairness and equal opportunity may provide some

⁴⁰⁸Ibid., p. 54.

⁴⁰⁹He balances an obligation to the communal wellbeing and the ability to sustain some creative sense of the self or self respect in response to the community.

⁴¹⁰Ibid., pp62/67.

⁴¹¹Bell, Richard H., *Understanding African philosophy: a cross-cultural approach to classical and contemporary issues*, New York: Routledge, 2002, p. 66.

⁴¹²Ibid, p.67.

⁴¹³Ibid, p.72.

motivation for generosity and charity.” For example, to borrow and paraphrase from Bell, ‘if a person is being mugged, one may believe it is the right course of action, morally, to intervene and prevent and stop the mugging. But on a rights-based view moral ambiguity creeps in. There is no intrinsic “right” that a person be helped, and there is no positive “right” that obligates one to help. Or if I see poverty, I am under no obligation to be generous. Because my notion of a good and any life plan I may have to realize the good may be different from yours and everyone else’s goods and plans, I am in no way compelled to agree with your course of action. I may criticize your good and your plan, but I will be inclined to choose not to interfere so that I do not invite your interference with my good and plan.’⁴¹⁴ One can see the easy slide into moral relativism or moral neutrality here. As Gyekye argues, “The danger and possibility of slipping down the slope of selfishness when one is totally obsessed with the idea of individual rights is...quite real.”⁴¹⁵ It follows from this that “The possibility of moral consensus or a common good diminishes as individualism increases, and the stake one may have in protecting one’s good from another’s goes up as her/his moral concerns decreases.”⁴¹⁶ If, in fact, we assume values such as reciprocity, mutual sympathy, cooperation, solidarity, etc. as intrinsic, then the moral practices of the people would, indeed, be different. In Bell’s words, “There would be a greater sense of concern or care for the wellbeing of one’s fellow society members

⁴¹⁴Ibid, p. 71

⁴¹⁵Gyekye, K., “Persons and Community in African Thought,” in *The African Philosophy Reader*, ed. Coetzee, P. H., and A.P. J. Roux (ed.), London and New York: Routledge, 1998, p.331.

⁴¹⁶Bell, *Understanding African Philosophy*, p. 71.

and greater sense of civic responsibility.”⁴¹⁷

Gyekye’s communitarianism has a serious implication for his view justice also. According to him, if justice is “strictly rights based morality” and “it is about relations of claims and counter claims;” there is little of it as a moral concept since it has fallen to the status of the contention of one “right” or another; litigation resolves disputes and that is called “justice.” He writes, “In the communitarian moral universe caring, or compassion, or generosity, not justice - which is related essentially to a strictly rights-based morality - may be a fundamental moral category. In a moral framework where love, compassion, caring, friendship, and genuine concerns for others characterize social relationships, justice - which is about relations of claims and counter claims - may not be the primary moral virtue.”⁴¹⁸

Some fifty years before Gyekye, the French [moral] philosopher Simone Weil had articulated the same view Gyekye expresses. Weil calls our attention to the concept of “rights” in a characteristically unexpected ways. She writes in her essay “Human Personality”: “[to say] ‘I have the right...’ or ‘you have no right to...’ evoke[s] a latent war and awaken[s] the spirit of contention. To place the notion of rights at the center of social conflicts is to inhibit any possible impulse of charity on both sides.”⁴¹⁹ To have brought into rights language is to believe that power can be counterbalanced by power; to say “if we could just achieve equal rights...” means I

⁴¹⁷Ibid.

⁴¹⁸Gyekye., *Tradition and Modernity*, p.70; “Persons and Community in African Thought,” in *The African Philosophy Reader*, ed. Coetzee, P. H., and A.P. J. Roux (ed.), London and New York: Routledge, 1998, pp. 328-334.

⁴¹⁹Weil, Simone., *Selected Essays: 1934-1943*, Trans. By Richard Rees, Oxford: Oxford University Press, 1962, p. 21.

must either snatch rights from someone else (one who has a disequal amount) or impose an ideology by force or persuasion to “guarantee” rights in a more or less coercive way (even by civil law). This way of thinking will not easily go away. But in her thinking force cannot be substantially counterbalanced either through force or retribution or through a more equitable distribution of rights; “Rather, it is through *attention to injustice* and coming to a new notion of justice that restores a balance between aggrieved parities and that has as its most active ingredient love....”⁴²⁰

According to Weil, “Rights” rooted in and tied to individual rights morality, “have no direct connection with love,” and “justice in her compassion-based sense of the term has primarily to do with *seeing that no harm is done to another human being*. And this, of course, is her point: to contrast our current day use of “rights” with what she calls “a new virtue of justice” requiring attention to injustice, renunciation and fellow-love.”⁴²¹

In her Essay “Human Personality,” Weil summarizes the difference between “rights” and “justice” in these ways: “The notion of rights is linked with the notion of sharing out, of exchange, of measured quantity. It has a commercial flavor, essentially evocative of legal claims and arguments. Rights are always asserted in a tone of contention; and when this tone is adopted, it must rely upon force in the background, or else it will be laughed at.”⁴²² Justice consists in seeing that no harm is done to

⁴²⁰Bell, *Understanding African Philosophy*, p. 68.

⁴²¹Weil quoted, *Ibid.*

⁴²²*Ibid.*, p.18.

men.... [it is associated with the cry] “why am I being hurt?”⁴²³ The other cry, which we hear often is: “why has some body else got more than I have,” refers to rights. We must learn to distinguish between the two cries and to do all that is possible, as gently as possible, to hush the second one, with the help of a code of justice, regular tribunals, and the police. Minds capable of solving problems of this kind can be formed in law school. But the cry “why I am being hurt?” raises quite different problems, for which the spirit of truth, justice, and love is indispensable.⁴²⁴ The spirit of justice and truth is nothing else but a certain kind of attention which is pure love.⁴²⁵

Simon Weil discusses the places of justice as compassion and love in the context of community and to show the priority of obligation in the moral life, which she views as one of the primary needs of the soul.⁴²⁶ She says in *The Need for Roots*:

⁴²³Ibid., p.26. “Harm” in Weil’s sense, does not simply mean physical harm or hurts but denial of human dignity and suffering the loss of self-respect.

⁴²⁴Ibid., p. 30.

⁴²⁵Ibid., p. 28.

⁴²⁶Her conception of justice is new and unconventional. According to Bell, “this new concept justice is based on the awareness of a *disequilibrium* of power in the world and not on assuming a balance of power.... For her, then, we must think about justice from a perspective that is outside the world but that finds its operational axis in the world..... This *new* virtue of justice embraces (a) a human capacity for attention to injustice... (b) that we harm no one...(c) nor return evil for evil..., and (d) that we act without arrogance or expectation of favor....” Bell, Richard H., *Rethinking justice: restoring our humanity* (foreword by Walter Brueggemann), Lanham: Lexington Books, c2007, p.124. For a detailed discussion on *Weilean justice*, see Weil, Simone., *Selected Essays: 1934-1943*, Trans. By Richard Rees, Oxford: Oxford University Press, 1962; *The Need for Roots*, Trans. By Arthur Wills with a preface by T.S. Eliot, New York: Harper Colophon Books, 197; Bell, Richard H., *Simone Weil: the way of justice as compassion*, Lanham: Rowman & Littlefield Publishers, c1998; *Understanding African philosophy: a cross-cultural approach to classical and contemporary issues*, New York: Routledge, 2002; *Rethinking justice*, c2007.

“The notion of obligation takes precedence over that of rights, which is subordinate to and relative to it.”⁴²⁷ Again, she argues that a human soul needs “a disciplined participation in a common task of public value,” and it also needs “personal initiative within this participation.”⁴²⁸ Further more, writes Weil: “the human soul needs above all to be rooted in several natural environments and to make contact with the universe through them. Examples of natural human environment are: a man’s country, and places where his language is spoken, and places with a culture or a historical past which he shares, and his professional milieu, and his neighborhood.”⁴²⁹ These “natural human environments” are specific contexts in which humans can experience mutual respect, friendship, warmth, shared tasks of value (responsibilities), and some cultural linkage (such as common language, ethnic associations, symbols, arts, history, and physical work). These all create environments in which human expectations and aspirations may be fulfilled and in which good and not evil can be realized and flourish in a creative and peaceful way.

Accordingly, for instance, the “states” carved out by Europeans were created with no regard to roots and often systematically destroyed or supplanted local traditions. This loss of human environment was the supreme tragedy brought about by the partition of Africa. Andrea Nye observes that some traditional environments are particularly fragile for women and colonized cultures where indigenous ways of life were jeopardized. When these environments are destroyed “the only answer is

⁴²⁷Weil, Simon., *The Need for Roots*, p. 3.

⁴²⁸Ibid.

⁴²⁹Weil., *Selected Essays*, p. 226.

cartelization because ‘the living intercourse between diverse and mutually independent centers’ is impossible. Something infinitely precious and frail is lost, ‘the living warmth of the human environment, a medium which bathes and fosters the thoughts and virtues’ (SE 79), the beauties of daily life: ‘home, country, traditions, culture’ (GG 133) which nourish and warm the spirit.”⁴³⁰

In short, communitarians from different generations, backgrounds and traditions see each human being as “thickly situated,” embedded in a social environment, reacting to and shaping her or his life from strands already present in the community’s. To borrow from Sandel, “We cannot regard ourselves as independent [from society]...[we must understand] ourselves as the particular persons we are - as members of this family or community or nation or people, as bearers of this history, as sons and daughters of that revolution, as citizens of this republic.” Though my life is subject to revision, it does have “contours” - a defining shape arising from my “projects and commitments” as well as from my “wants and desires.”⁴³¹ So, if the critiques are correct, to infer the following would be warranted: (1) liberalism is not a universal human ideal but one restricted to the context of Western developed democratic states; (2) governments cannot be altogether neutral; (3) individuals are formed in essential ways by the context into

⁴³⁰Nye, Andrea., *Philosophia: The Thoughts of Rosa Luxemburg, Simone Weil, and Hannah Arendt*, New York: Routledge, 1994, p. 120. GG stands for *Gravity and Grace*, a collection of notes by Simone Weil, Gustav Thibon (ed)., London: Routledge and Kegan Paul, 1972.

⁴³¹Sandel, Michael., “Liberalism and the Limits of Justice,” in *What is Justice?*, Robert C. Solomon and Mark C. Murphy (eds.), Oxford: Oxford University Press, 354.

which they were born and in which they have been raised; (4) reasonable conceptions of a good life include ties of affection and solidarity; and (5) the desires of rational agents do not by themselves define the goods of the agents who have them. The criticism has results, for some recent liberal thinkers interpret the cherished values of liberalism in the light of these criticisms.⁴³²

So, if these inferences are true and if there exist such a huge philosophical fissure and paradigmatic shift at the very core of rights-based traditions with regard to the question of *primacy* (the individual vs. the community), embedded societies and communities of organic ties like Africa are justified in voicing critical reservation and doubt vis-à-vis the unduly imposition of responsibility-free language and politics of rights. When cultures founded on atomistic philosophical conceptions of society are filled with seeds of their own transcendence, embedded societies should guard some of their time tested value treasures in the light of the undergoing shift.

III. What communitarianism considers as its core values already constituted the core of the indigenous philosophy of Ubuntu concisely discussed in chapter 3. As indicated there, Ubuntu describes the essence of being human through fellow human beings; that all human beings are united in their humanity since they share the same basic needs, human potentials and the capacity to do good or evil. It contains elements of universality and inclusiveness in its scope and application. All humans

⁴³² For instance; see, Kymlicka, Will., *Liberalism, Community, and Culture*, Oxford: Clarendon, 1989; Raz, Joseph., *The Morality of Freedom*, Oxford: Clarendon, 1986; Galston, William A., *Liberal Purposes*, Cambridge: Cambridge University Press, 1991; Hampshire, Stuart., *Innocence and Experience*, Cambridge: Harvard University Press, 1989; Moore, Margaret., *Foundations of Liberalism*, Oxford: Clarendon, 1993, and others.

are united in being part of the greater universe, part of one human family with its common and divergent features. Of course, this unity and oneness does not deny the diversity of the human family as well. Where such diversity is acknowledged, interdependent relations are seen as necessary. As the maxim goes, 'you are somebody only through others; I am because we are; we are therefore I am.' This privileges the community before the individual, but having a good community leads to the flourishing of good and responsible individuals also. As p'Bitek Okot reminds, "Man is not born free. At birth he is firmly tied to his mother through the umbilical cord. He is physically cut free from her. But this cutting free is not merely a biological act. It is symbolic and most significant... he is an individual, who through upbringing is prepared to play his full role as a member of society.... Man has a bundle of rights and privileges that society owes him. In African belief, even death does not free him. If he had been an important member of society while he lived, his ghost continues to be revered and fed: and he in turn is expected to guide and protect the living.... Should he die a shameful death, his haunting ghost has to be laid."⁴³³ Since sufficient amount of discussion is done on many of these concepts in chapter three, it would be redundant to reiterate them here again.

But our discussion of ubuntu would be incomplete without mentioning here two important related concepts rooted in the ubuntu philosophical tradition, however: the place and role of mediation and the need to reinvigorate and modernize indigenous African democratic tradition rooted in the ubuntu philosophical heritage.

⁴³³OKot, p'Bitek., *The Sociality of Self in African Philosophy*, Blackwell Publishers, 1998, p.70-72.

(a) Unlike rights-based cultures where a win-lose, zero-sum, or winner-takes-all method of resolution rules, peaceful and life enhancing plans are charted together through dialogue. Absent from the ubuntu based mediation are the brooding omnipresence of the law and the inalienable rights of persons. This is because, neither the mediator nor the law decides the dispute and neither is above or superior to the parties. It is the parties themselves who are the principal actors and the parties alone who dictate the terms of any settlement. In mediation, unlike the courts and the law, there is no hierarchy, there is no higher authority, there is no law to bind the parties. The parties develop a lateral dialogue between themselves, communicate their feelings and desires to one another, and learn to listen to the needs, feelings, and wishes of the other party. Such ‘magical’ dialogue transforms “conflict into cooperation,”⁴³⁴ to borrow from Daniel Yankelovich. Instead of asserting their individual rights and independence, the parties come to understand how their actions impact upon others and come to grips with their mutual interdependence. The mediator, unlike the judge, is there to aid the parties, but only as long as both parties maintain an explicit trust in the mediator’s impartiality and skill. The ultimate power lies in the hands of each party to the issue on the table. What is just and logical in mediation is subjective and hazy; it exists purely in and emerges from the synergy of the soul and mind of each party. Subjective feelings, personal value systems and stories, varying life experiences, and the perceptions of parties and persons to the problem are equally salient to the solving of that problem. Listening well to the views

⁴³⁴See, Yankelovich, Daniel., *The Magic of Dialogue: Transforming Conflict into Cooperation*, New York: Simon and Schuster, 1999.

and values of others is more important than insisting that one is celestially right and the other is damnably wrong. The relative success of the TRC of South Africa should be seen in the light of this background: it succeeded in exercising the conception of justice as ‘the spirit of attention and love,’ to borrow from Simon Weil, or what Iris Murdoch calls “attentive love,” following Weil. The aspiration of the ubuntu inspired mediation and the TRC is not illustrious victory, the goal is precious amity, rapport, and solidarity. Essential to the concept of ubuntu is harmony/balance, not one sided victory, consistent with its emphasis on sacredness, intuition, spirituality, and subjectivity, which is shared by most feminist philosophers/thinkers.⁴³⁵ In this sense, ubuntu is a natural ally to feminism (as it is to communitarianism).

(b) Democracy is not new to Africa, only liberal democracy is. Gyekye quotes Ndabaningi Sithole as saying “those who have lived in Africa know that the African People are democratic to a point of inaction. Things are never settled until everyone has had something to say. [The Traditional African] Council allows the free expression of all shades of opinions.”⁴³⁶ This tradition was forced to discontinue or took a backseat in the long historical cultural and political suppression. There are

⁴³⁵Spretnak, Charlene., *The Spiritual Dimension of Green Politics*, Sanata Fe, NM: Baer, 1986; Warren, Karen., “The Power of Ecological Feminism,” in *Environmental Ethics: Divergence and Convergence*, Susan Armstrong and Richard Botzler (eds.), New York: McGraw Hill, 1993; Lahar, Stephanie., “Ecofeminist Theory and Grassroots Politics,” in *Environmental Ethics: Divergence and Convergence*, Susan Armstrong and Richard Botzler (eds.), New York: McGraw Hill, 1993; Russel, Julia Scofield., “The Evolution of an Ecofeminist,” in *Environmental Ethics: Divergence and Convergence*, Susan Armstrong and Richard Botzler (eds.), New York: McGraw Hill, 1993; Siva, Vandana., “Women in Nature,” in *Environmental Ethics: Divergence and Convergence*, Susan Armstrong and Richard Botzler (eds.), New York: McGraw Hill, 1993

⁴³⁶Gyekye, *Tradition and Modernity*, pp.116-119.

indigenous political ideas, values, and practices which are constitutive of democratic features of systems of governance in pre-colonial Africa. Pre-colonial decentralized Africana were not new to local self rule, independence and interdependence, exchanges and building bridges across many locals and societies. It was participatory in nature and based on the African traditions of village assemblies (palavers) , village elders and their shared wisdom, *earned leadership*, orderly discussions, deliberations, accords, consensus building, etc. There were/are different institutions such as the house of chiefs (Chieftaincy), council of traditional leaders, face-to-face communications, and age-grade systems. Making an exemplary self-sufficient living, records of outstanding leadership in the community and proven moral and political maturity and competence are valuable assets for leadership contest and competition. African indigenous democracy was based on consensus rather than on majority rule. As Bradley argues, “The reliance on dialogue and consultation as a means of decision making was, and still is in many instances, a democratic feature of African indigenous modes of governance.”⁴³⁷ K.A. Busia expressed this democratic feature when he writes, “when a council, each members of which was the representative of a lineage*, met to discuss matters affecting the whole community, it had always to grapple with the problem of representing sectional and common interests. In order to

⁴³⁷Bradley, Matthew Todd., “The Other”: Precursory African Conceptions of Democracy,” *International Studies Review* (2005) 7: 407-431.

*Neither number nor lineages (matrilineal or patrilineal) matters in so far persistent attempts are made to understand and address the needs of everyone involved and in so far as “disputing over daily injustices is where we learn to become democratic citizens” as in Palaver Africa. Braithwaite, John., *Restorative Justice and Responsive regulations*, Oxford: Oxford University Press, 2002, p. 131.

do this, the members had to talk things over; they had to listen to all different points of view. So strong was the value of solidarity that the chief aim of the counselors was to reach unanimity, and they talked until this was achieved.”⁴³⁸ Adds T. Uzodinma Nwala, “Unanimity and all the rigorous process and compromises...that lead to it are all efforts made to contain the wishes of the majority as well as those of the minority. In short, they are designed to arrive at what may be abstractly called ‘the general will of the people of the community.’”⁴³⁹

Kwasi Wiredu has a critical insight into how traditional political patterns may be instructive in realizing Africana democracy. There are potentials and lessons for the latter. Wiredu argues that the Ashanti traditional system of governance was consensual and democratic. According to him, the Ashanti system was “a consensual democracy..., because government was by the consent and subject to the control of the people as expressed through their representatives. It was consensual because, as a rule, that consent was negotiated on the principles of consensus. (By contrast, the majoritarian system might be, in principle, based on “consent without consensus.”). For all concerned, the system was set up for participation in power, not its appropriation, and the underlying philosophy was one of cooperation, not confrontation.”⁴⁴⁰ Such democratic arrangement is different from majoritarian based western democracy. According to him, “majoritarian democracy encourages democracy under a multiparty structure” and has led to “frustration and disaffection,”

⁴³⁸ Busia, K.A., *Africa in Search of Democracy*, London: Routledge and Kegan Paul, 1967, p.28.

⁴³⁹ Nwala, T. Uzodinma., *Igbo Philosophy*, London, Lantern Books, 1985, p.168.

⁴⁴⁰ *Ibid.*, p.187.

leaving minority parties “outside the corridor of power.”⁴⁴¹ This, says Wiredu, “has only exacerbated ethnic rivalries, as “parties” in the “multiparty” system have tended to fall along ethnic lines to serve local interests. The elected, majority party, however, makes all the rules to serve its interests. Wiredu sees this as “the most persistent cause of political instability in Africa.”⁴⁴² ... In short, “a consensual democracy is a much more representative form of government that necessarily must keep the interests of all the members of the society in mind;” he says that “the consensual model was a *premeditated form of governance*, and is actually widespread in (indigenous) African societies.”⁴⁴³

The Village palaver (community palaver/the village council), is a unique form of African local democracy. It is another indigenous institution worthy of citing here. According to Bell, “It is a model of free discourse for the purpose of making good judgments and for doing justice for individuals and the community”⁴⁴⁴ - on issues such as fairness, equality, kinds of punishment, general welfare, and the just resolution of disputes; it is an appropriate community method and practice to resolve conflicts among all the people and to strengthen organic mutual links of solidarity among all the members of the community. Africana democracy should reenergize and

⁴⁴¹ *Understanding African philosophy*, 2002, p. 114.

⁴⁴² Wiredu, Kwasi., *Cultural Universals and Particulars: An African Perspective*, Bloomington IN: Indiana University Press, 1996, p.188f.

⁴⁴³ Bell, *Understanding African Philosophy*, p. 144;

⁴⁴⁴ Bell, Richard H., “Narratives In African Philosophy,”

<http://www.jstor.org/view/00318191/ap060224/06a00070/0> ; Also, Seevan

Hensbroek, Pieter Boele, *African Political Philosophy, 1860 -1995, An inquiry into families of discourse*,

<http://dissertations.ub.rug.nl/FILES/faculties/fil/1998/p.boele.van.hensbroe/PieterBOeleTotal3disscds.pdf>

modernize these traditions. Since democracy is government of, by, for the people, in Africa, this means involvement of and by all the people in the decision-making process concerning their general wellbeing. It is consultative, not oppositional politics that fits the African ways, given its values and its predicaments.

IV. The mechanistic world view valued the masculine dominance of nature and the feminine and discounted subjectivity and spirituality. This worldview encouraged the exploitation of the planet for human convenience and established a hierarchy of values and worth. It resulted in serious threat to sustainability of life on the planet. Accordingly, we find that (a) aggression and force are tools of the strong, whereas humility and accommodation are the trappings of the weak; (b) selfish ambition is prized and leads to power and wealth, whereas selfless generosity often subjects one to exploitation by the greedy; and (c) profit, expansion, money, and power are the ends of those who lead rather than spiritual growth, empowerment, of followers, and harmony among equals. Feminism's critical stance is worthy of reflecting here. Its emphasis on context, situatedness, relation, emotion and history in knowledge making is refreshing and redirecting. Judgments about peoples or actions need not be a straightforward deduction from abstract universal principles. As Nussbaum reminds, it should instead be "informed by detailed understanding of the whole context and history of the problem, including the histories and characters of the people involved, their cultural traditions, and so forth."⁴⁴⁵ Their emphasis on relationality and affective response are as important in humanizing the methods of

⁴⁴⁵Nussbaum, Martha C, New York: Oxford University Press, 1999, p. 253.

thinking as in transforming society. “Male knowing,” writes DeBeauvoir, “deals with *objects*, things that are thrown before one, re-presented. It is because of the cognitive distance between the subject knowing and the object known, there by producing a construct, that the male can take a more dispassionate, “objective” view of things.”⁴⁴⁶

Susan Armstrong and Richard Botzler explain that ecofeminism is a form of feminism that not only seeks to end masculine oppression of women but also rejects the patriarchy of western science that leads to destruction of nature. It strives to bridge the gap between nature and culture; mind and body; female and male; reason and feeling; theory and practice.⁴⁴⁷ The importance of individuals and their lateral relationships is also stressed in feminism. In particular, the eco feminists argue that the self should be understood as being imbedded in a net work of essential relationships with distinct others.⁴⁴⁸

So, Feminism stands in relation to conventional politics as the quantum, chaos and complexity theory are to Newtonian/classical science. Both indicate the urgent philosophical and practical need for a shift from the patriarchal society of domination to a partnership society based on “actualization of power,”⁴⁴⁹ if Riane Eisler is correct. Partnership society transcends polarities; whereas the dominator model views power as the capacity to control and destroy, the partnership model views power as

⁴⁴⁶DeBeauvoir, *Knowledge as Sexual Metaphor*, p. 174.

⁴⁴⁷Armstrong, Susan, and Botzler, Richard (eds.), *Environmental Ethics: Divergence and Convergence*, New York: McGraw Hill, 1993, p.432).

⁴⁴⁸Ibid., p.433.

⁴⁴⁹Eisler, Riane; *The Chalice and the Blade*, San Francisco: HarperCollins, 1987; Eisler, Riane, and David Loye; *The partnership Way: New Tools for Living and Learning Together*, San Francisco: HarperCollins, 1990.

empowerment, *power with*, not *power over* - hence, the politics of webbed connectedness and dialogue.⁴⁵⁰ In this model, as Whyte reinforces, “power through experience of life replaces power over life⁴⁵¹ and “sharing power with” leads to decision making based on discussion and search for reasoned consensus.⁴⁵² Hence, voices receive respect, not only equal votes.⁴⁵³ One significant way of realizing respect of voices is to let democracy thrive on uncertainty and unpredictability. Accordingly, democratization is institutionalization of uncertainty, which is inimical to the patrimonial and corrupt methods rampant in democratic contests.⁴⁵⁴

V. Newtonian mechanics, Western individualism and liberal democracy are inseparable partners. To paraphrase from Danah Zohar’s *The quantum Society*, mechanism (and the mechanistic/Newtonian world view) stress unbridgeable gulf between human beings and the physical world where nature is perceived as wholly “other”; it stresses the absolute, the unchanging, the certain, the unambiguous, hierarchy, isolated existence, and separation. The mechanistic notion of society consists of isolated units, each blindly pursuing its own self-interest. Atomism encourages a model of relationship based on conflict and confrontation. Also, it stresses the single point of view, one way of looking at things and the world. In a

⁴⁵⁰ See Keepin, David Bohm: A life of Dialogue Between Science and Spirit, *Noetic Sciences Review* 30: 16-19, 1994; Wheatley, 1992.

⁴⁵¹ Whyte, David; *The Heart Aroused*, New York: Bantam, 1994, 243.

⁴⁵² Block, Peter; *Stewardship: Choosing Service Over Self-Interest*, San Francisco: Berrett-Koehler, 1993, 75.

⁴⁵³ McCullough, Thomas E; *The Moral Imagination and Public Life*, Chatham, NJ: Chatham House, 1991.

⁴⁵⁴ Any voting system that is tampered by polls, predictions, spines, talk shows, immorally prefixed voting machines, etc is already disturbed and violates conditions of uncertainty, which is the best hope for free and fair electoral outcomes.

Newtonian physics, there is only one reality at a time; the either/or way of reasoning and thinking becomes paradigmatic; a statement is either true or false, an action is good or bad. There can be only one truth, only one best course of action. Mechanism underlies the modern cult of the detached individual (or expert) who is very knowledgeable about isolated bits of experience/information but ignorant of the whole of which these bits are a part.⁴⁵⁵

The basic building blocks of Newton's physical world were so many isolated atoms that bounce around in space and collide with one another like tiny billiard balls. The only actors were particles and the attraction or repulsive forces acting between them. Now, this model of reality became the model for modern philosophical, sociological and economic thinking from its birth.

Political/philosophical thinkers of the time compared these colliding atoms and their interacting forces to the behavior and interactions of individuals in society as they confront each other in pursuit of their self-interest.⁴⁵⁶ Newton's universal machine became their model for the state to a precise, law-abiding mechanism and portraying human beings as living machines. Metaphors such as "the wheels of government," "the machinery of the state," "mind machines," "switch on and "switch off," "blow our fuses," "programmed," etc are relics from the classical/Newtonian past.

Mechanistic society stresses fixed role playing and rigid bureaucratic structures.

Therefore, it is the force of government and the law that keeps people in their place

⁴⁵⁵Zohar, Danah and Ian Marshall, *The Quantum Society*, New York: Morrow, 1994, pp. 24-30.

⁴⁵⁶Foley, Vernard., *The Social Physics of Adam Smith*, West Lafayette, Ind.: Purdue University Press, 1976, p.202.

much as the force of gravity keeps all celestial bodies from falling apart. The rule of law mimics the law of gravity in miniature. It is government and its legal and repressive monopoly of force that gives us “property rights” and that enforces the criminal laws against trespass, assault, robbery, rape, murder....In other words, “In atomistic picture of our personal and social lives, this same concept of force takes the form of power relations that supposedly bind us together. Through the mechanistic paradigm, power grips the social imagination. In our everyday lives, power is exercised through a balance of coercion and seduction. Coercion is the “push” of force; seduction is the “pull.”⁴⁵⁷ Mechanistic and narcissistically individualistic models invite us to see all our personal and social relations in these terms. It now is very clear that the concept of checks and balances along with adversarial competition for control is rooted in these mechanistic conceptions of society. This mechanistic logic was questioned and even superseded in most of contemporary life except in the institutions of the apparatuses of politics and governance, however. A new and holistic view of looking, interpreting and organizing society and the world emerged since the beginning of the 20th century. In this sense, the transformation and reformation of liberal politics and liberal democracy (including some of the basics of its ways of life) are long overdue. The future of humanity rests no less in transforming liberal democracy⁴⁵⁸ as in democratizing illiberal societies and tyrannical polities.

⁴⁵⁷Zohar, Danah and Ian Marshall, *The Quantum Society*, New York: Morrow, 1994, p.96.

⁴⁵⁸Devigne, Robert., *Reforming Lliberalism: J.S. Mill’s use of ancient, religious, liberal, and romantic moralities*, New Haven [Conn.] : Yale University Press, c2006.

Let us cite few basic points about the holistic view.⁴⁵⁹ It emphasizes processes and waves, not structure and matter; permeable and overlapping interaction, not separation and isolation; the inevitability of and positive aspects of change, not stasis and order; randomness and change, not logic and law; the interdependence of everything, not the independence of individuals and component parts; grapples with the true complexity, mystique, and wonder of the world. These and other features set it apart from the Newtonian worldview. In its social application, the holistic world view “transcends the dichotomy between the individual and the community/society (relationship) by showing us that people can only be the individual they are within a context. I am my relationships - my relationships to the subselves within my own self (my past, my future), my relationships to others, and my relationships to the world at large...The quantum self thus mediates between the extreme isolation of western individualism and the extreme collectivism of eastern mysticism.”⁴⁶⁰ Quantum politics emphasizes conciliation, not confrontation, decentralization, accommodation and inclusion, cooperation, not adversarial contestation, dialogue and shared public meaning, flexible, responsive governance. Given these perspectives, governments,

⁴⁵⁹The details, content and implications of this view will not be discussed here for technical reasons. The table here below, however, summarizes the core concepts and difference in a nutshell.

⁴⁶⁰Zohar, Danah ., *The Quantum Self*, New York: Morrow, 1990, p.237; also see, Wheately, M. *Leadership and the New Science*, San Francisco: Berrit-Koehler, 1992; Barber, Benjamin; *Strong Democracy: Participatory Politics for the New Age*, Berkeley: University of California, 1984; Becker, Theodore; *Quantum Politics: Applying Quantum Theory to Political Phenomena*, Westport, CT: Praeger, 1997; *Quantum Politics*, New York: Praeger; 1991; Capra, Fritjof; *The Tao of Physics*, Boston: Shambhala Publications, 1991; *The Turning Point: Science, Society, and the Rising Culture*, New York: Simon and Schuster, 1982.

big or small, should not be playing the role of a “referee” at a boxing match or as any other type of “arbiter” or “judge.” Neither should it provide any other kind of “top down solution.” Solutions must come from the grass roots that celebrate diversity. The role of government should be the promotion and facilitation of an “inner dialogue” among the many independent and interdependent participants in a context, be it dispute or any other concern, one that seeks and results in some “shared public meaning.” Thus, from the perspectives of feminist philosophy and the holistic conceptions of the world, liberal democracy is “Newtonian Politics” at work where adversarial politics and inquisitorial opposition run rampant at its core.⁴⁶¹

Paradigmatic difference between ways of thinking resulting from Newtonian and quantum models⁴⁶²

Feminist/Quantum Thinking	Pre-Feminist/Newtonian Thinking
Holistic and integrated Stresses relationships and the connections between things	Atomistic and fragmented Stresses the separate parts and gives rise to specialization

⁴⁶¹ See Zohar, Danah and Ian Marshall, *The Quantum Society*, New York: Morrow, 1994; Zohar Danah; *The Quantum Self*, New York, Morrow, 1990; Wheatley, M. *Leadership and the New Science*, San Francisco: Berrit-Koehler, 1992; Landau, Martin, “On the Use of Metaphors in Political Science,” *Social Research* 28, 331-353, 1961; Barber, Benjamin; *Strong Democracy: Participatory Politics for the New Age*, Berkeley: University of California, 1984; Becker, Theodore; *Quantum Politics: Applying Quantum Theory to Political Phenomena*, Westport, CT: Praeger, 1997; *Quantum Politics*, New York: Praeger; 1991; Slaton, Christa; *Televote: Citizen Participation in the Quantum Age*, NY: Praeger, 1992; Bleier, Ruth (ed.); *Feminist Approach to Science*, New York: Pergamon, 1988; Briggs, John; *Fractals*, New York: Simon and Schuster, 1992; Capra, Fritjof; *The Tao of Physics*, Boston: Shambhala Publications, 1991; *The Turning Point: Science, Society, and the Rising Culture*, New York: Simon and Schuster, 1982; Kellert, Stephen; *In the Wake of Chaos*, Chicago: University Press, 1993; Waldrop, M. Mitchell; *Complexity*, New York: Simon and Schuster, 1992, etc).

⁴⁶² Adopted from Danah Zohar, http://www.hent.org/world/rss/files/danah_zohar.htm

Individual <i>and</i> group Sees the individual developing in the context of the group -'Each of us is more ourselves through relationships with others'	Individual <i>or</i> group Sees a tension between the individual and the group and/or fears the group being torn apart by allowing individuality
Both/And Many valid paths from A to B. Diversity is a positive and pluralism should be encouraged	Either/Or One best way
Indeterminate Thrive on uncertainty and ambiguity. 'It's what makes us creative.'	Determinate Value certainty and predictability
Emergent Contextual and bottom-up. Encouraging 'imagination, aspiration, experimentation'	Reductive Force-driven and top-down. "Reactive"
Participatory universe 'People are not passive units of production, they are partners in a creative relationship ... Co-creative insiders'	Observer-Observed split The notion of the detached observer
Meaning The context and relationships are used to find meaning and add value. 'A quantum organization would be vision led and value driven'	Efficiency Focusing on what is done to the exclusion of why it is done.

Quantum Philosophy describes the universe that is paradoxical, both/and one as opposed to a linear and clearly dichotomous either/or world. In this respect, both feminist and quantum epistemology supersede the limits and shortcomings of classical science, its logic and its classical philosophical foundation. As Charlotte Shelton argues, “Conventional Logical thinking has made little headway in solving the enormous social, political, etc. problems facing the world and its organizations. After all, many of our organizational issues are paradoxical, both/and questions that cannot be answered by rational, binary thinking. For example, how can one balance responsibility to stockholders with responsibility to employees, customers, and the environment? How can one hit short-term targets and maintain a long-term focus? Or, how does one decrease errors and improve speed? The ability to think paradoxically might be the key to creating highly innovative solutions to these questions and a myriad of other twenty-first century organizational challenges.”⁴⁶³

⁴⁶³Shelton, Charlotte., “If you only have a Hammer,”<http://www.newwork.com/Pages/Contributors/Shelton/Hammer.html> (The article first appeared in the World Business Academy "Perspectives," March 1999).

OR: Implications of post Cartesian principles⁴⁶⁴

Interconnectedness	Planetary cooperation of human societies, living systems policy models
Redistribution	Justice, equality, balance, reciprocity, sharing
Change	Redesign of institutions, perfecting means of production, changing paradigms and values
Complementarity	Unity and diversity, from “either/or” to “both/and” logics
Heterarchy	Distributed networks and intelligence, no rigid organizations or hierarchies
Indeterminacy	Many models, viewpoints, compromise, humility, openness, “learning societies”

VI. Unlike mechanistic physics and its corollary politics since then, the technological possibilities of direct democracy (technologies of democracy) were foreseen by fecund minds and visionaries for more than half a century now. If sheer size made representational democracy the standard liberal norm, technological surge refutes and nullifies that premise irreversibly. Even more, technologically, humanity is on the verge of realizing direct democracy on a larger scales and spaces regardless of the size and dimensions of such spaces. Here we are in an age where cell/mobile-phone messages helped popular insurrections and civil disobediences: the Ukraine and Georgia were case stories, for instance. Text messages in Pakistan, Ethiopia, and Kenya made the unthinkable possible along detrimental consequences such as the creation of communities of hate all over these countries, a moral paradox that remains to be addressed at the core of our technological civilization. Dictatorial tendencies

⁴⁶⁴Woolpert, Stephen, et al., *Transformational Politics: Theory, Study, and Practice*, New York: State University of New York Press, 1998, p.78.

and vote rigging are openly challenged and revolted against and societies risk deadly and violent confrontations like those happened/happening in the aforementioned countries and some others. Technologies of communications are fast becoming technologies of democracy. Of course, they can be used as civilian means to accomplish military ends also. These soft technologies are not meant only to provoke rebellion; they can equally be used as public weapons of instant discussions and debate on policy choices and issues. Thus, not only is Direct Democracy possible; it is becoming inevitable, for technology overcame the presumed challenges of distance, time, and size. The question now is how to facilitate institutional and ethical circumstances that would integrate these technologies to the political decision making process constitutionally. In this respect, *diebolding* and *subpriming*⁴⁶⁵ democracy should be viewed as moral and political failure, not a technological setback.

Around 1940's R. Buckminster Fuller foresaw the future of virtual, vibrant, and vivacious electronic direct democracy. Fuller believed that "democracy has potential within it [to fulfill] the satisfaction of every individual's need."⁴⁶⁶ To realize that potential, he suggested, "democracy must be structurally modernized - must be mechanically implemented to give it a one-individual-to-another speed and spontaneity of reaction commensurate with the speed and scope of broadcast news

⁴⁶⁵"Diebolding" and "subpriming" democracy are metaphors borrowed from the election debacles in the US using the Diebold machine and the credit crunch draining the blood of the economy that is running rampant at the core of the global economy at present.

⁴⁶⁶Fuller, R. Buckminster., *No More Second Hand God*, Garden City, NY: Doubleday, 1971, p. 9.

[which is] now world wide in seconds.”⁴⁶⁷ He argued for “electrified voting” that would yield “an instantaneous contour map of the workable frontier of the people’s wisdom, for purposes of legislation, administration, future exploration, and debate;” it would also certify “spontaneous popular cooperation in the carrying out of each decision.”⁴⁶⁸

Hazel Henderson saw electronic-democracy as a remedy to avoid “further alienation and increasing number of bored, apathetic, irresponsible and violent people” - new “ways of improving communications channels to inform the voter, and machinery to channel his participation and ‘feedback.’” She suggested, since every home in America has a TV and a telephone, it is possible to conduct a national referendum system via television or a telephone voting system. She observed that the computer and the television can be united in the homes of citizens to provide the hardware for a true “computer assisted democracy.”⁴⁶⁹

In his *Strong democracy*, Benjamin Barber suggested a system grounded in hundreds of face-to-face town meetings (5000 in each) throughout the US. He termed them “neighborhood assemblies.” He devised a system of “Television Town Meetings and a Civic Communications Cooperative, or CCC. In his view, “strong democracy requires a form of town meeting in which participation is direct but

⁴⁶⁷Ibid.

⁴⁶⁸Ibid., p.11.

⁴⁶⁹Henderson, Hazel., “Computers: Hardware of Democracy,” *Forum 70* (Feb.): 22-24, 46-51, 1970; “Perfecting Democracies Tools” at <https://fp.auburn.edu/tann/hazel/tools.html>

communication is regional or even national.”⁴⁷⁰ Barber realizes that strong democracy must contain direct citizen-powered decision making, like “a national initiative and referendum process....”⁴⁷¹ His system emphasizes citizen interactivity, people power, and, of course, modern ICTs and randomness at expense of classic elitism and pyramidal power.

According to the Tofflers (Alvin and Heidi Toffler), majoritarian systems are failing and Western governments teeter on the brink of “near breakdown.” As remedy for what they perceived as a future shock, the Tofflers recommended *more and better genuine democracy*. They write that “spectacular advances in communications technology open, for the first time, a mind-boggling array of possibilities for direct citizen participation in political decision-making.”⁴⁷² They recommend random selection, cumulative voting similar to the system that protects minority shareholders in corporate elections, referendum and initiative processes with better options than “yes-no” or “pro-con.” They urge the need for designing workable new institutions. They write, “the old objections to direct democracy are growing weaker at precisely the same time that objections to representative democracy are growing stronger. Dangerous or even bizarre as it may seem to some, semi-direct democracy is a moderate principle that can help us design workable new institutions for the

⁴⁷⁰Barber, Benjamin., *Strong democracy: Participatory Politics for a New Age*, Berkeley: University of California Press, 1984, p.216.

⁴⁷¹Ibid., pp. 284-285.

⁴⁷²Toffler, Alvin., *The Third Wave*, London: William Collins, 1980, p.445. See also, *The Future Shock*, New York: Random House, 1970.

future.”⁴⁷³

One may draw a number commonalities and connections from these insights. All of them assume that western style representative system is insufficiently responsive to the context and the general public; all believe that Electronic information technologies (ICTs) exist to empower citizens to consider, deliberate, and decide on important public issues; they insist that this will produce a more educated, active, and civic minded citizenry. Accordingly (a) any national system needs to be constructed from the grass roots up and should include face-to-face meetings; (b) the new technologies need to create a lateral systems of communications between the citizenry itself; (c) there must be a good deal of informed dialogue and debate prior to any voting; and (d) the process must aim toward the development of broad public consensus. Although the hidden hands, the invisible minds, organized and powerful interests and classes may stand against the empowerment of the people through the new technologies of democracy, letting the system run the conventional way would amount to gambling with the possibilities and probabilities of collective extinction. When systems exhaust their potentials and where alternative modes are around for quite a number of decades, both wisdom and survival compel us to act in a different direction.

VII. Materially burdened societies, centuries old customs, traditions and economies cannot easily accommodate democratic drives and initiatives. Although there are alternate explanations why the human spirit may break away free from

⁴⁷³Toffler, Alvin, and Heidi Toffler., *Creating a New Civilization*, Atlanta: Turner, 1994, p.94.

bondage, such burdens and backwardness only melt away under the tide of consciously, morally and responsively guided economic developments. So, although not automatic, democracy follows the train of material development and securities surrounding human well being.

Africana Democracy (whether as Africa of states or a united Africa) ought to be understood both in terms of the extent to which the people's will enters decisions that will affect their life chances and the extent to which their means of livelihood are guaranteed. It has to empower them. Power is needed if one is really to be free and such power comes from property ownership that secures independence. Ownership is the basis of power and widespread ownership of property reduces grievances thereby minimizing the ground for rebelliousness. Dependent and extremely poor people lack the essential tools and virtues necessary for independent decision making. Materially deprived person is not (rationally) capable of fulfilling the responsibilities of full-fledged citizenship. When extravagant riches, monstrous fortunes, decapitating and grinding poverty coexist, democracy becomes a façade at best thereby confirming the view that it is a cover for economic dictatorship. Property ownership would make free and independent decision possible, for ownership is a source of personal authority or independence. Rather than being simply something persons possess, ownership is an attribute that defines one's personality and protects her/him from outside pressure. Property ownership open to all would have political benefits such as promoting political cohesion. Both government take over of the property rights of persons and the corporate take over of governments is inimical to conditions of creative

entrepreneurship that helps the realization of an ownership society.

The anti democratic feature of dependency and poverty can be seen from the fact that it makes civic life tortuously difficult thereby breeding and reproducing socially toxic environments that sanction the instinct of survival and violent existence. As Adam Smith suggests, dependency increases crime, for instance: “In Glasgow,” he wrote, “where almost no body has more than one servant, there are fewer capital crimes than in Edinburgh. In Glasgow there is not one in several years, but not a year passes in Edinburgh without some such disorders. Upon this principle, therefore, it is not so much the police that prevents the commission of crimes as the having as few persons as possible to live upon others. Nothing tends so much to corrupt mankind as dependency, while independency still increases the honesty of the people.”⁴⁷⁴ So, dispersing property ownership widely (thereby avoiding concentrated property ownership) should be seen as central to an African democracy. Accordingly, it ought to be a duty of an African states and United Africa to abolish poverty and dependency and to this effect; rough economic equality should be enshrined into the Constitution. All citizens should be sufficiently free economically to be politically able to defend their own interests, to be independent, and to be capable of exercising democratic citizenship.

In Africa, democratization ought to serve the creation of the capacity to lead secure and worthwhile lives. It should open up development possibilities that would help limit endemic suffering and poverty, to begin with. And good/right questions

⁴⁷⁴Smith, Adam., Lectures on Jurisprudence, Meek, R.L., D.D. Raphael, and P.G. Stein (eds.), Oxford: Oxford University Press, 1978/1982, pp.486-87.

should be raised to grasp the grip of poverty and suffering in this context.⁴⁷⁵ A. Sen's capabilities philosophy deserves mentioning here. He urges us to ask, for instance, whether poverty is a consequence of famine, of inaccessibility to food, of larger systematic problems or unemployment, of lack of health care, or of communal "shunning" or "taboos" linked to family structures.⁴⁷⁶ Given the magnitude of suffering Africans are condemned to undergo, Sen's developmental choices such as provisions of health care and its delivery, adequate nourishment, access to education, shelter, the capability to lead a life without shame, the freedom to move about without coercions, etc. would give people the capacity aforementioned than, say, one's level of income. He links poverty with issues of development, the distribution of food, and the availability of basic services, thereby making it a philosophical issue - both ethical/moral and political. Such development conception is derived from Sen's definition of poverty itself. According to Louis Uchitelle, Sen defines poverty as "the lack of freedom to have or to do basic things that you value."⁴⁷⁷ And, "in considering who is poor and why, Sen would have us ask *not* what minimal goods or what income level a person may have, but what capabilities they have to do certain things that show their overall wellbeing."⁴⁷⁸ He argues, "The ordering of poverty and the identification of the poor may be very different if it is done entirely in terms of the

⁴⁷⁵This by no means minimizes the centuries long afflictions, suffering, raping, poverty, indignity, etc. African went through. It is rather to take responsibly to the present in the light of some theoretical breakthroughs in this respect.

⁴⁷⁶See, Sen, A., *Inequality Reexamined*, Cambridge, MA: Harvard University Press, 1995.

⁴⁷⁷Uchitelle, Louis., "How to Define Poverty? Let us Count the Ways," *The New York Times*, Saturday, May 26, 2001.

⁴⁷⁸Bell, *Rethinking Justice: Restoring our Humanity*, c2007, p. 85.

size of income (as is the standard practice in most countries) compared with what it would be if the focus is on capability failure... By focusing poverty study on specifically on incomes as such, crucial aspects of deprivation may be entirely lost.”⁴⁷⁹ Thus, Sen’s capabilities approach - the overall wellbeing of people - adds positive freedom to the debate on poverty and development;⁴⁸⁰ it also is indicative of the centrality of human development and human overall wellbeing in an African democracy. Sen has given a human face to development economic theory. To measure poverty by considering a person’s ability to function as human being and to consider a community’s overall wellbeing (basic needs, local traditions, and family structures...) by factors other than income level gives voice to the poor and the invisible in ways that western economic and development strategies had failed to do and show. This ought to be the line that African democracy should follow in

⁴⁷⁹Sen, A., *Inequality Reexamined*, Cambridge, MA: Harvard University Press, 1995, p.112f. See, also Crocker, David A., “Hunger, Capability, and development,” in *World Hunger and Morality*, ed. William Aiken and Hugh La Follette, Upper Saddle River, NJ: Prentice Hall, 1996; Crocker, David A., and Toby Linden, ed. *Ethics of Consumption: The Good Life, Justice and Global Stewardship*, Lanham, MD: Rowman and Littlefield Publishers, 1998.

⁴⁸⁰David A. Crocker echoes this strategic and ethical line of reasoning when he writes: “Nutritional wellbeing is only one element in human wellbeing; the overcoming of transitory or chronic hunger also enables people and their governments to protect and promote other ingredients of well-being. Being adequately nourished, for instance, contributes to healthy functioning that is both good in itself and indispensable to the ability to avoid premature death and fight off or recover from disease. Having nutritional wellbeing and good health in turn, is crucial to acquiring and exercising other valuable capabilities such as being able to learn, think, deliberate, and choose as well as to be a good pupil, friend, householder, parent, worker, or citizen” (Crocker, David A., “Hunger, Capability, and development,” in *World Hunger and Morality*, ed. William Aiken and Hugh La Follette, Upper Saddle River, NJ: Prentice Hall, 1996. For a foundational essay in development ethics, see Crocker, David A., “Towards Development Ethics,” *World Development*, 19:5, 1991, pp.457-483.

energizing and empowering the African peoples, not the political elite of the conventional wisdom of democracy.

Further more, “The destruction of political equality is inherent in economic inequality,” writes Hill, and the failure to see this is not only shortsightedness but a complete loss of sight. Economic inequality results in political inequality and is therefore undemocratic. It is undemocratic for (a) it deprives large numbers of citizens of equal political power, and (b) if inequality is too extreme, it can lead to tragic outcomes that succeed in producing dictatorial regimes. It is this vitiation of political equality that challenges Francis Fukuyama’s argument in his *End of History*. It is true that the failed Soviet Socialism merits criticism; however, that does not necessarily make liberal democracy the goal of history,⁴⁸¹ for at least he cannot know that liberal democracy is the goal of history, however. Given that groups and individuals continually struggle for more freedoms and more empowerment, it is difficult to be sure that there will not be some better approach to protecting the rights of all. Liberal democracy existed for over two centuries with unresolved contradiction at its core: economic inequality, the result of the liberal part of the term, undermines the democratic part of the equation. Since contradistinctions are driving engines of human history (to borrow from the Marxian literature), liberal democracy, too, would be subject to change and replacement in the course of human history. For instance, there is the possibility for an emergence of a society that is both democratically balanced and economically just. So rather than declaring the end of history

⁴⁸¹Fukuyama, Francis., *The End of History and the Last Man*, New York: Avon Books, 1992

speculatively and untimely, it would be more urgent and more philosophically compelling to argue and act for a more equal liberty than ever before. Liberty should no longer trump equality and we must rejoin the perennial struggle to achieve Equal Democratic Liberty.

VIII. As argued in chapter 4, redressing and correcting historically rooted injustices constitute a significant path forward in the lives of the African peoples. There are normative reasons why ethnic conflicts should be addressed and handled appropriately. These include, to borrow and paraphrase from Peleg⁴⁸²: (a) as a means of saving human life; (b) as a way of enhancing justice. (c) as a way of assisting in the full and genuine democratization of a country; (d) as a tool for prompting political stability; and, (e) as instrument for advancing the legitimate rights of people drawn to a conflict. There are some approaches to the issue at stake. The first is applying an individual rights approach to the issue; the second is applying a group based approach, or, third some elements of both. The individual-based approach is the simpler of the approaches. Associated with liberal democracy, the approach argues that in all societies, homogeneous or heterogeneous, ethnically divided or unified, all individuals must be treated as equals. While liberals recognize that most societies are divided into ethnic groups, they view ethnic status, loyalties, and commitments of any kind as a private matter that ought not to be politicized. They believe that it is the best way of maintaining equality, liberty, unity, and stability. The group-based approach, on the other hand, begins with the assumption that because most states are

⁴⁸²Peleg, Ilan *Democratizing the hegemonic state: political transformation in the age of identity*, Cambridge; New York: Cambridge University Press, 2007. PP. 20-44.

heterogeneous, and some are deeply divided along ethnic lines, a collectivist strategy for managing internal conflict is necessary. Moreover, many group based theorists believe that the only way for achieving justice, equality, and stability in deeply divided societies is through the public recognition of different identities within the polity. The group based approach is very complex. For one thing, the idea that groups within existing polities are entitled to any type of recognition, let alone self determination, immediately raises series of questions as to what groups are entitled to such a right (only ethnic groups?), and how and by whom is the decision on self determination and its implications to be made (by the group alone or by the polity at large?); secondly, it ought to be recognized that even if the principle of self-determination of groups is conceded, it leads to a series of issues. Could it be achieved, say, by secession, (Bangladesh/Eritrea) partition (Cyprus, Israel/Palestine, The Indian Sub Continent, Czechoslovakia, The USSR, Yugoslavia...) or by recognition of the existing constitutional association so its multinational character is recognized and accommodated? A balance between individual and group rights approaches entail promoting unity in diversity as well as application of extensive and equal individual rights along with substantive and substantial group rights, provided societies constitutional framework is perceived as the product of genuine dialogue between society's major groups rather than as a reflection of the hegemonic imposition by society's dominant group.⁴⁸³

Also, as shown in chapter four, the project shouldn't stop at the completion of

⁴⁸³Ibid

the first two of the intertwined proposals made, however. Reclaiming dignity and humanity in Africa demands going beyond the restructuring and redrawing the map of Africa anew on ethnic/regional...basis; it demands a much more of an act of transcendence. Since Africans are burdened, afflicted and targeted peoples as a whole, reflecting on and looking into their future is no less important than correcting and redressing its past. Deeply afflicted, wounded, abused and raped peoples like Africans should not stop too early in their struggle from reclaiming their total dignity and humanity. And that presupposes Africans' unflinching unity and oneness as burden bearers in the history of the modern world. So, a burdened and targeted race of humans cannot and shouldn't get arrested only because they could/would break free from the injustices rooted in their history and from their fellow oppressors. That is a necessary step; it is not and cannot be the culmination of Africans' struggle for humanly deserved freedom. Africa/Africans were enslaved; yes, but they still are not out from the darkness yet. So, an exit strategy to escape from the oppressive structures and bad neighborhoods of the conventional states should be compensated and superseded by a reasoned and *consensually consented* will of Africans to live together under a spatially larger and morally higher just political order. So, an inclusive Pan African Statehood⁴⁸⁴ and Pan-African Common identity should be the

⁴⁸⁴A United Africa can be constituted from various alternate arrangements of all possibilities extending from smaller autonomous units to regional and PanAfrican statehood. One can envisage a cohesive and viable Nation state to begin with; then move laterally and vertically to unions such the Union of Central African states, Union of East African States, Union of Northern African States, Union of Southern African States, Union of Western African States and then to a United Africa. Or other patterns of arrangements cannot be excluded. These may include ethno- cultural and

goal of the project. As long as people define themselves *primarily* as members of a particular ethnic group or nation, and as long as the primary identity and loyalty lies with the ethnicity or the nation or an ethno-religious group, regional or environmental...federations, etc., Pan African identity level remains subordinate or missing and a transcendent African polity cannot be materialized. Inversely, so long as the creation of Pan-African identity and polity remain stuck and as far as releasing of nations and peoples from their traditional national oppressions under the post-colonial arrangements is taken as end in itself, Africa's multiple burdens would remain intact. Africans need both greater space and greater freedoms to materialize their hopes and dreams so frustrated and unachieved in their history so far. It is by creating a united Africa as a common home (a common country), an African common identity, and an African common humanity that we should think of prevailing in the emerging and brutally uncaring world. Both the African space and the African humanity need to be released from the shackles of the centuries. Whereas the first steps require the creation of nationally and federally socialized personnel and institutions and nationalized/federalized state formation, the second demands the creation of a united African society and a PanAfrican state. So, one important goal of

linguistic federalisms (a federalism founded on shared history, common language, etc.), environmental federalisms centering around African Peoples sharing common resources like rivers or port services or others like the Nile Basin federation or the Niger river basin federation or the Great Lakes region federation, etc. Even the superposition of complementary arrangements where nation states, environmental federations, regional unions and others co-function depending on the reasoned and deliberated choices made by those concerned cannot be excluded. In Africa, therefore, suggesting the possibility, even feasibility of a second level federal structure does not constitute stretching the issue to the point of irrelevance.

African democracy ought to be the creation of a knowledge based Pan-African democratic statehood on a Pan-African common space. Promoting new representations of identity and territory that transcends the racial, ethnic, linguistic, religious, regional identities, etc. is an imaginatively rich philosophical possibility.

Critical Reservations:

Why WLD wouldn't successfully be transplanted and integrated into the Africana ways of life

To begin with, the pride of place should go to the liberal civilization, for its enormous transformative impact on the modern world, be it in the economy, technology, democracy.... In this respect it is truly a common human heritage. Having acknowledged this fact, however, it is also worth mentioning about some questionable assertions/claims surrounding WLD, both in theory and in political practice and the limitations resulting from this: (1) equating liberal democracy with democracy in general; (2) infusing understanding of democracy with liberal ideas and assumptions; (3) conceiving democratization as liberalization; and (4) framing an argument for democracy in terms of an argument for liberal values such as individual rights, individual liberty, and the free market.⁴⁸⁵ These and others need to be corrected, to begin with. Not only are there different conceptions of democracy all of which have useful things to say about what a democratic polity should be, there also are actual democracies operating on principles and institutional arrangements which

⁴⁸⁵See, Diamnod, Larry., *Developing Democracy*, Baltimore, MD: The Johns Hopkins University Press, 1999.

are different from the liberal ones. Even among liberal ones, differences in value orientation and institutional operations abound. Thus, liberal democracy should be understood as one among many possible models, the viability of each model depending considerably on the socioeconomic and cultural contexts to which it is to be applied. Accordingly, uncritical endorsement of liberal democracy not only “leaves unanalyzed the whole meaning of democracy and its possible variants,” but also tends to ignore possible tensions “between the liberal and the democratic component of liberal democracy.”⁴⁸⁶ Since cultural/philosophical considerations should be constitutive of the project democracy, “the cultural particularity of liberal democracy”⁴⁸⁷ should not be ignored in the discourse on democracy. Thoughtless and arrogant attempts to universalize liberal democracy as the end goal of world history is both self defeating and imperialistic at its core. At issue here is not whether a culture is suitable for democracy at all; rather it is what kind of democracy is the most likely prospect for a culture and to what extent can be successfully instituted given the limits set by social and cultural constraints on democratic development. That is why the reflection on whether it is possible to transplant and integrate liberal democracy in Africa becomes philosophically attractive investigation in of itself. In the light of this, here are some reasons/reservations why the uncritical attempt to universalize liberal

⁴⁸⁶Held, David., “Democracy: From City-States to a Cosmopolitan Order?” in *Political Studies* 40 (1992 Special Issue): p. 11.

⁴⁸⁷Parekh, Bhikhu., “The Cultural particularity of Liberal Democracy,” *Political Studies* 40 (1992 Special Issue): pp. 160-175. This, however, is not to deny that that liberal values are important human values, for some of these values may be utilized to facilitate democratic transitions in a nonliberal settings neither is to imply that democratic ideas cannot be transferred to a no democratic or anti democratic society.

democracy may fail to bear fruit with detrimental consequences for both the imposer and the importer under illiberal socioeconomic, philosophical, and cultural circumstances.

1. One difficult constraint begins with the tension, even the contradiction permeating the “liberal” and the “democracy” conjuncts in the liberal democracy disjunction. There exist a wedge between liberalism and democracy, to borrow from I. Berlin. The first such challenge is the contentious status of liberalism as a political doctrine. According to critics like Kekes, liberalism misrepresents society as a collection of atomic individuals, recognizes only voluntary ties and neglects the basic facts of unchosen human solidarity; it locates the source of human happiness in lonely endeavors instead of in the virtues that these projects require; it exaggerates the role of unaided individual reason and fails to give weight either to custom and tradition or to the emotions; it contains questionable morality in a number of ways: for instance, it is too universalistic and neglects particular ties; it deceptively claims neutrality, thus effectively disguising its own onesidedness; it gives indefensible primacy to the value of autonomy in moral life. According to John Kekes, despite its obvious attractiveness, liberalism is full of inconsistencies. For instance, its moral elevation of the self-chosen life comes into conflict with the values that make life good, and so it is forced to either to impoverish life by insisting on the prime importance of choice, or else to compromise this value, thus losing its distinctiveness as a moral and political philosophy.⁴⁸⁸

⁴⁸⁸See, Kekes, John., *Against Liberalism*, Ithaca, NY: Cornell University Press, 1997.

Second, there are also objections to the theories democratic pretensions. Here waves of critiques and counter critiques have left with two rival conceptions of democracy: the substantial and the procedural. This creates an inescapable circle in which thinking about democracy often tends to move. Following the line in Plato's *Euthyphro*, one is forced to raise the question whether the outcome of democracy are good because they are democratically chosen, or whether democracy is good because it leads to good outcomes; in other words, is it the procedure that makes the outcome legitimate or the outcome that legitimates the procedure?

Frequently, liberal democracy is thought to offer a mode of democracy that allows individuals and groups to promote and defend their interests. Once this link is made, liberal democracy at once becomes vulnerable to powerful ranges of objections. If one favors democracy on the basis of the outcomes that it produces, we have to face the fact that, in general, we have no convincing way to prefer one set of outcomes to another. True, the results produced by majority rule can be shown to be 'special'; but this is the case only if a number of very restrictive assumptions are made.⁴⁸⁹ We have to assume that majorities and minorities will form and reform in a quite volatile way on an issue-to-issue basis, or, failing that, that opinion will be spread more or less evenly along the spectrum. On this assumption, any given voter's distance from the outcomes will be minimized, and we would find it rational to adopt the majority principle. But even then we have to make a further assumption that voter's preferences are equally strong, so the satisfaction of the majorities can be put

⁴⁸⁹Barry, B. M., "Is Democracy Special?" in B. Barry and R. Hardin (eds.), *Rational Man and Irrational Society?* Beverly Hills, CA: Sage, 325-40, 1982.

in the same scale as the dissatisfaction of minorities and be shown to outweigh it. And if we could somehow deal with these difficulties, we would still confront a problem, because if we assume that politics is based on the promotion and defense of interests, we are hard put to say why it is worthwhile for individuals to vote at all.

Alternatively, let us say no judgments need to be made about outcomes and stick to the view that democracy is valuable because, by its very nature, it embodies equality, as Christiano argues.⁴⁹⁰ A liberal might find this consideration persuasive because liberalism, too, embodies equality, in a certain sense, in rejecting paternalism or other things that privilege one person's view of life over another's. But acknowledging the value of equality, the difficulty is to show why *this* conception of equality is preferable to others. Why for example, should we give equal weight to individuals, when in fact their group memberships may be of primary importance, and what we may need is a consociational or multicomunal polity in which equal weight is given to ethnically or linguistically or religiously defined groups? Or why should we opt for a procedural view of equality, when what might really be important is equality of conditions? So, the wedge runs deep: putting all the weight on mechanisms expressing a merely formal status vs. the conception of democracy as a requiring a fully egalitarian society.

Third, this leads to a larger issue also: whether liberalism and democracy are compatible. Is the idea of liberal democracy a self contradictory idea; or, is the

⁴⁹⁰Christiano, T., 'Social Choice and Democracy,' in D. Copp, J. Hampton and J.E. Roemer (eds.), *The Idea of Democracy*, Cambridge: Cambridge University press, 1993, p. 173-95,

conjunction between the two, a paradox? It seems, in deed. Anthony Arblaster writes of “the importance of sustaining [a] dialectical or, if you prefer, ambiguous attitude towards liberalism,” which, while remembering what is of value in it, also refuses to forget its bourgeoisie and its anti-democratic character.⁴⁹¹ Richard Bellamy argues that the ethical commitments that have sustained liberalism in the past have become increasingly parochial and insular, and that the task of preserving freedom in a deeply pluralistic society depends on cultivating a more robust kind of democracy than liberals have generally welcomed.⁴⁹² According to D. Beetham, the very idea of liberal democracy contains elements of ‘paradox’, for although it may be true that some features of liberalism are indispensable to the practice of democracy, liberalism has often served as “a constraint upon the process of democratization.”⁴⁹³ L. Banning argues that the liberal and democratic traditions have been conjoined only for historical reasons, and normatively viewed they may be fundamentally inconsistent or incompatible.⁴⁹⁴ Even more, Levine comes with the hardest version: liberal and democratic principles dictate two different constitutions, so that, if we attempted to combine them, we would have not a liberal democratic constitution “but rather two constitutions, one liberal, the other democratic.”⁴⁹⁵ This means that, while liberalism

⁴⁹¹Arblaster, A., *The Rise and Decline of Western Liberalism*, Oxford: Blackwell, 1984, pp. 347-8.

⁴⁹²Bellamy, R., *Liberalism and Modern Society: A Historical Argument*, University Park, PA: Pennsylvania State University Press, 1992, pp. 251-61.

⁴⁹³Beetham, D., “Liberal Democracy and the Limits of Democratization,” *Political Studies*, 40, 40-53, 1992

⁴⁹⁴Banning, L., “Jeffersonian Democracy Revisited: Liberal and Classical Ideas in the New American Republic,” *William and Mary Quarterly*, 43, 3-19, 1986.

⁴⁹⁵Levine, A., “A Conceptual Problem of Liberal democracy,” *Journal of Philosophy*,

demands outcomes which are guaranteed to express individuals' preferences, democracy demands outcomes that respond to shifts in overall preference. Thus, it is hard to see how these two demands could be confined tidily to non-competing spheres.

But, what have liberals or democrats done to clarify the meaning of liberal democracy itself? An essay by Isaiah Berlin appears to drive a wedge between liberalism and democracy. It represents them as responses to two quite distinct questions and suggests that liberals' values might be satisfied by wholly non-democratic systems, and wholly unsatisfied by democratic ones: "just as a democracy may, in fact, deprive the individual citizen of a great many liberties which he might have in some other form of society, so it is perfectly conceivable that a liberal-minded despot would allow his subjects a large measure of personal freedoms."⁴⁹⁶ Others dissent from such a view, for they do not take "negative liberty" to define the liberal program. Ronald Dworkin, for example, rejects the view that liberty is liberalism's foundational value, and contends that representative democracy is one of the major ways in which liberals would seek to give expression to their belief in equality of respect.⁴⁹⁷ But what is given with one hand is not exactly taken away by the other, but is at least somewhat diminished by it, for it then transpires that democracy contains inherently oppressive tendencies against which liberal rights are the first line of defence. Liberalism calls for democracy, but also seeks to keep the world safe from

75, 302-8, 1978

⁴⁹⁶Berlin, I., *Four Essays On Liberty*, London: Oxford University Press, 1969, p. 129.

⁴⁹⁷Dworkin, R., "Liberalism," in S. Hampshire (ed.), *Public and Private Morality*, Cambridge: Cambridge University Press, pp. 113-43, 1978.

it.

Rawls, in his *Theory of Justice*, specifies that a liberal society must be a democracy; the “original position” from which the contractualist argument begins is one of equality, and this feature should be ‘transferred’ to the basic decision making institutions of the polity.⁴⁹⁸ However, according to J. Cohen, whatever Rawls himself would like to see, the argument itself leaves the form that democracy should take more or less indeterminate: there is something of a gap between the quasi-contractual argument that Rawls evolves and the kind of democracy that he thinks we should have.⁴⁹⁹ In his *Political Liberalism* and other later works, Rawls discusses principles and institutions that might help a society to evolve a “public reason” by means of which people whose views of life differ can govern themselves in a just and stable manner. But it would not be unfair to suggest that what his discussion explains is how democracy can be put to use by a liberal principle of legitimacy; it does not treat democracy as an idea with its own internal requirements, which might turn out to be compatible or incompatible with those of liberalism.⁵⁰⁰ Others such as R. Dahl bluntly admit that if we value democracy then we cannot prescribe particular outcomes, such as liberal ones, in advance. A democratic process might, from a liberal point of view, go wrong; so, however, might any process that we might put in

⁴⁹⁸Rawls, J., *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1971, pp. 221-2.

⁴⁹⁹Cohen, J., “Deliberation and Democratic Legitimacy,” in A. Hamlin and P. Pettit (eds.), *The Good Polity*, Oxford: Blackwell, 1989, pp.18-20

⁵⁰⁰Shapiro, I., *Democracy’s Place*, Ithaca, New York: Cornell University press, 1996, p. 110

place to protect ourselves from democracy.⁵⁰¹

These tensions have implications for the possibility of liberal democracy in Africa and other ontologically and culturally different spaces. One has to understand the cultural particularity of liberalism in order to argue for a different democratic order. To borrow from B. Parekh, individuals enjoy “separate existence” and seek “to run their lives themselves, to make their own choices, to form their own beliefs and judgments, to take nothing for granted as given... to reconstruct and recreate themselves, and thus to become autonomous and self determining.”⁵⁰² Liberals frame their conception of democracy within these basic assumptions, and the resulting blend of liberal democracy therefore necessarily has features that are objectionable to people with different cultures – people who, for example, “define the individual in communal terms” and wish to deny “the freedom to mock and ridicule their sacred texts, practices, beliefs, and rituals.”⁵⁰³ Whereas democracy as such proves attractive to many non-western societies, and can be successfully indigenized, the liberal component of liberal democracy is received with more suspicion, as something that “breaks up the community, [and] undermines the shared body of ideals and values.”⁵⁰⁴

2. WLD is founded on the conception of human nature that is either only expressive of the essence of Western humanity or else extremely exaggerated, even

⁵⁰¹Dahl, R. A., *Democracy and Its Critics*, New Haven, CT: Yale University Press, 1989, p. 191.

⁵⁰²Parekh, B., “The Cultural Particularity of Liberal Democracy,” *Political Studies*, 40, 160-75, 1992

⁵⁰³Ibid. p. 168-9.

⁵⁰⁴Ibid., p. 172.

out rightly wrong. [My reasoned suspicion is that the reality of logic took precedence over the logic of reality in such hyper inflated conception. This means that, the hypothetical model for political theory construction was accepted as social and natural without discharging the assumption entered at the outset of the reasoning process.] As Pantham aptly puts it, liberal democracy “is founded on a pessimistic, one-dimensional conception of humans as brutish and selfish beings.” Given this nature, he argues, “Social order can only be secured through the structure of political machinery, not through the actions of individuals and community.”⁵⁰⁵ While the brutishness of humans justified the role of the state in maintaining social order, the assumption that humans are selfish and atomistic sanctioned the view that their interests are to be regarded by the political sphere as being morally neutral. So, the stuff of politics is taken to be the atomistic and amoral conception of human interests. Accordingly, the problem of securing order becomes a problem of arranging “the powers of each selfish inclination in opposition so that one moderates or destroys the ruinous effect of the other. The consequence for reason is the same as if none of them existed, and man is forced to be a good citizen even if not morally a good person. The problem of organizing a state, however hard it may seem, can be solved even for a race of devils if only they are intelligent. The problem is: “Given a multitude of rational beings requiring universal laws for their preservation, but each of whom is secretly inclined to exempt himself from them, to establish a constitution in such a way that, although their private intentions conflict, they check each other, with the

⁵⁰⁵Pantham, Thomas., “Thinking With Mahatma Gandhi: Beyond Liberal Democracy,” *Political Theory*, Vol. 11 No. 2, May 1983, pp. 165-188.

result that their public conduct is the same as if they had no such intentions.⁵⁰⁶ This liberal individualistic conception of humanity and the atomistic, amoral conception of its interests are antithetical to the community society and the moderate communitarianism discussed above. The realization of Africana democracy and the promotion of necessary Africana values necessitate the adoption of different conceptions to begin with. Some such conceptions include that “humans are essentially social beings; that not all their interests are of equal moral worth; and that humans can be educated to discover and pursue their morally justifiable interests,”⁵⁰⁷ among others.

3. As discussed elsewhere, WLD is founded on values (liberal values in particular) and tradition historically specific to the West. Samuel Huntington captures this when he write, “Western concepts differ fundamentally from those prevalent in other civilizations. Western ideas of individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law, democracy, free markets, the separation of church and state, often have little resonance in Islamic, Confucian, Japanese, Hindu, Buddhist, or Orthodox cultures.”⁵⁰⁸ Whether it is peaceful coexistence or clash of civilizations that follows from this premise is open to debate. WLD is a rights based democracy that gives precedence to individual rights with little or no appreciation of group right, for it is believed that group rights violate the equal

⁵⁰⁶Kant, Immanuel, “Perpetual peace,” in L.W. Beck (ed.), *Kant on History*, New York, 1963, p.112.

⁵⁰⁷Pantham, Ibid.

⁵⁰⁸Huntington, Samuel., *A Clash of Civilizations? Foreign Affairs*, 1993, p. 40; See also *The clash of civilizations and the remaking of world order*, New York: Simon & Schuster, c1996.

rights and worth of persons. There is another dilemma as well: if the liberal state ought to protect the human rights of individual citizens, then it makes a great deal of difference whether the rights are interpreted merely as protection from unwarranted interference with the exercise of individual freedom or as the obligation to provide such substantive benefits as individuals may be thought to require as part of the minimum requirements of their welfare. Caught deeply in this dilemma, liberal democracy privileges political and civil rights over/against economic, social, and cultural rights, even considers questions of the latter as irrelevant. But, how/why is it so self evident that the free transmission of, say, literature is more important than people having enough for subsistence? Or, is there a black hole behind the façade of liberal democracy where equal chattering and lethal litigation are permitted while disproportionate ownership rights of property is morally and legally protected? Then, M. Gandhi was correct in his assessment: “My notion of democracy is that under it the weakest should have the same opportunity as the strongest. That can never happen except through nonviolence. No country in the world today shows any but patronizing regard for the weak. The weakest, you say, go to the wall. Take your own case. Your land is owned by few capitalist owners. The same is true in South Africa. These large holdings cannot be sustained except by violence, veiled if not open. Western democracy as it functions today is diluted Nazism or Fascism. At best it is merely a cloak to hide the Nazi and the fascist tendencies of imperialism.”⁵⁰⁹ In Africa, rights are neither individually and naturally owned nor granted by a supreme authority but

⁵⁰⁹Gandhi, M.K., *Democracy real and deceptive*, comp. R.K. Prabhu, Ahmedabad: Navajivan, 1961, p.16

are socially negotiated and constructed artifacts. They are an integral part of social and political experience and do not have a pre-social and pre-political existence. Hence, given the history and values of Africans, Africana democracy ought to emphasize social, political, economic and cultural rights along with collective and individual responsibility of persons, thereby paving the ground for the full development of freedoms in general. Since the meaningful exercise of all sets of freedoms require adequate economic and social resources, Africana democracy will “de-emphasize abstract political rights and stress concrete economic rights,”⁵¹⁰ during its takeoff period as a project. If democracy is rule of, for, and by the people, it can only mean self responsibility, moral self restraint, and self reliance in Africa.

4. Also, in line with the first and the second, WLD privileges the atomistic, selfish individual over/against the community. But humans are individuals embedded in social relations, values, and norms. The culture of narcissism is barren at its heart, for it fails to nourish us either as individuals or as members of groups and societies at large. So, neither extreme individualism nor excessive collectivism can satisfy our growing need to see ourselves as creative individuals within a larger and meaningful whole. Mediation between self centered, fragmentary individualism and the extremes of imposed collectivism is necessary to flourish our social humanity. There should be a balance between an obligation to the community wellbeing and the ability to sustain some creative sense of the self or self respect in response to the community.

Individuality and interdependence (sociality) are essential for the functioning of a

⁵¹⁰Ake, Claude, “The Unique case of African democracy,” *International Affairs*, 69(2): 239-244 (241).

healthy society. M. Gandhi wrote, “I value individual freedom, but you must not forget that man is essentially a social being. He has risen to the present status by learning to adjust his individualism to the requirements of social progress.

Unrestricted individualism is the law of the beast of the jungle. We have learned to strike the mean between individual freedom and social restraint. Willing submission to the social restraint for the sake of the wellbeing of the whole society enriches both the individual and the society of which one is a member.”⁵¹¹ So, neither the atomistic individual of the west nor the lonely Cartesian self populates the Africana philosophical and social landmass and therefore it cannot grow a vibrant liberal democracy on its soil unless it dares a complete destruction and uprooting of what remained intact.

5. WLD is founded on and evolved through all kinds of violence and wars, genocides, ethnocide... It is grounded on centuries old global structural and human violence: slavery, imperial conquests, colonialism, unmitigated resource wars and holdings. As discussed elsewhere, colonization is a project of dehumanization pursued rationally and results in human affliction that goes beyond ordinary human suffering and poverty. As argued above, T. Mann links the rise of western liberal democracy with genocidal cleansing. In his book, *The Dark Side of Democracy: Explaining Ethnic Cleansing*, he makes a number of hypotheses, the first of which is that “Murderous cleansing is modern because it is the dark side of democracy.... Democracy has always carried with it the possibility that the majority might tyrannize

⁵¹¹Ibid., p.32.

minorities, and this possibility carries more ominous consequences in certain types of multiethnic environments.”⁵¹² This thesis contains two core concepts: modernity and democracy. He comments, ‘although not unknown in previous history, ethnic cleansing is modern; and such cleansing is a hazard of the edge of democracy since amid multiethnicity the ideal of rule by the people began to entwine the *demos* with the *ethnos*, generating organic conceptions of the nation and the state that encouraged the cleansing of the minorities.’ “In their past, cleansing and democratization proceeded hand in hand. Liberal democracies were built on the top of ethnic cleansing...murderous cleansing has been moving across the world as it has modernized and democratized.”⁵¹³ Mann is not alone in making such a claim given his paraphrasing of A. Wimmer, who argues, ‘modernity is structured by ethnic and nationalist principles because the institutions of citizenship, democracy, and welfare are tied to ethnic and national forms of exclusion.’⁵¹⁴ The modern project that ignited western democracy entailed national exclusion, if Mann and Wimmer were correct. Thus, both causative and correlative relation exists between democratization and the cleansing of “the other.”

6 WLD is a child of racism, or flourished along with racism both at home and abroad. It is enigmatic as to how and why a project meant to enshrine those noble Enlightenment ideas and ideals succeeded in sanctioning its antithesis on perceived

⁵¹²Mann, Michael; *The dark Side of Democracy: Explaining Ethnic Cleansing*, Cambridge University Press, NY, 2005, p.2. So, Western democracy was antedated and accompanied by the “dark sides of democracy,” if Michael Mann is correct.

⁵¹³Mann, Michael., *Ibid.*, p.3-4.

⁵¹⁴See, Wimmer, A., *Nationalist Exclusion and Ethnic Conflict: Shadows of Modernity*, Cambridge: Cambridge University Press, 2002.

and encountered “others.” European colonialist projects were based on the “noble” assumption that the non-western societies needed to be rid of their “primitiveness” and brought into European civilization. The strategies of that colonialist project - armed intervention and the institutionalization of organized destruction - remain reminders that the “noble” effort was a colossal failure. Given the discussion about humanity’s desire for freedom and the role of choice, it becomes necessary to question strategies that purposefully introduce force as a route to honor and respect. To borrow from Kalu, “Given the failure of the colonial project to transform “primitive” Africans into modernized Europeans, should Africans then conclude that human beings, by nature, are estranged from their fellow humans, and thus negate essential communally oriented African epistemologies that support strategies that insist on harmonious coexistence between the community and the individual? If so, what type of moral and sociopolitical arrangement is likely to ameliorate the condition of estrangement? Are there universal principles and practices that are culture neutral? Is democracy, for instance, one of those strategies? To what extent are the factors of European social formation replicable in other regions and cultures of the world?”⁵¹⁵ If Anthony Pagden is correct, “the earliest and most enduring of the European assumptions about non-Western societies is rooted in Greek civilization.” For instance, Plato’s Eleatic Stranger complained that “in this country, they separate

*The idea of estrangement as used here is derived from Glenn Tinder’s *Political Thinking: The Perennial Question*, 5th ed., New York: Harper Collins College Publishers, 1991 (Chapter 2 in particular).

⁵¹⁵Kalu, Kelechi., “An Illusive Quest? Structural analysis of Conflicts and peace in Africa,” in Uwazie, Ernest E., *Conflict Resolution and Peace Education in Africa*, Lanham, Md.: Lexington Books, c2003, p. 22.

the Hellenic races from the rest as one, and to all the other races, which are countless in number and have no relation in blood or language to one another, they give the single name 'barbarian'. Does the notion of the Eleatic Stranger allow for global inclusiveness on the basis of democracy?"⁵¹⁶ Then, to paraphrase from Basil Davison, 'why adopt models from the very societies or systems that have oppressed, despised, and dehumanized you? Why not develop and democratize from the models of your own history or invent a new model?'⁵¹⁷ Africana democracy is an attempt in that direction.

7. WLD is based on distinctions like public/private, political/personal, and public/non-public reasons. Such distinctions are deeply rooted in the Enlightenment tradition. Locke and Kant conceived the chief purpose of government as the securing of safety and negative liberties, demarcating spheres of activity in which the state is not to interfere. But these distinctions make no or little sense under conflict situations in divided societies and/or community societies like Africa. For instance, how would a liberal respond to the reconciliation initiative and exercise, say, in South Africa? Is the healing of victims through acknowledgment of their suffering, the moral restoration and transformation of offenders through repentance, and forgiveness an appropriate goal for states actively to promote? Obviously most liberals would support those aspects of the activities of the truth commission that reinstate the citizenship of victims, foster stable, healthy, and just democracy, and contribute to

⁵¹⁶Pagden, A., "The Genesis of 'Governance' and enlightenment Conceptions of the Cosmopolitan World Order," *International Social Science Journal*, march 1998: 7-15.

⁵¹⁷Davison, B., *Black Man's Burden*, James Curry, UK, P. 19.

accountability, the usual traditional liberal ends. Otherwise, “reconciliation of all with all” or “the healing of the nation” or “restorative justice,” or “forgiveness,” or “repentance,” etc. are illiberal ideas and therefore cannot be proper political ends of states.⁵¹⁸ In a civil war or in crimes of Apartheid, however, the public and the private, the political and the personal...are closely intertwined, the boundary collapses. The “personal” wound that political violence caused was inflicted in the name of the political order. Its meaning and its healing are bound up in that same order. The healing of the victim and her/his moral restoration and transformation comes in part through the telling about her or his past and acknowledgment of her or his suffering by the state, by the offender, and fellow citizens, all in the context of public forum. Repentance and forgiveness involve the transformation of both the victim and the offender. Both personal moral transformation and social moral restorations are involved in the TRC’s public hearings, dictated by the socially embedded nature of African societies. In societies where spaces are entangled, restorative and legitimate interferences are unavoidable, even necessary. The critiques of the TRC and other recent truth commissions should study and examine in depth Abraham Lincoln’s second inaugural speech where the President urged for reconciliation and reconstruction. While liberalism provides a useful system for fostering accountability

⁵¹⁸See, Ash, Timothy Garton., “Truth Commissions,” *New York Review of books* 44 (July 17, 1997): pp. 36-37; Greenawalt, Kent., “Amnesty’s Justice,” in *Truth vs. Justice: The Morality of Truth Commissions*, Robert I. Rotberg and Dennis Thompson, Princeton: Princeton University Press, 2000; Bhargava, Rajeev., “Restoring Decency to Barbaric Societies,” in Robert I. Rotberg and Dennis Thompson; Du Toit, Andre’ ., “The Moral Foundations of the South African TRC: Truth as Acknowledgment and Justice as recognition,” in Robert I. Rotberg and Dennis Thompson.

and maintaining a credible legal order in conditions of relative political stability, it is inadequate in addressing the suffering and destruction arising in intractable political disputes, as was the case in the Civil War. In such circumstances the Lincolnian strategy of communal restoration stands supreme to the pursuit of strict justice based on the distinction of offender and victim.

Similar in spirit is the distinction between the public and the nonpublic. If the argument from the public-private distinction rejects government interference in decisions that are properly personal, the public/nonpublic distinction demands that laws, policies, and judicial procedures be articulated through discourse that is properly public. According to J. Rawls, “public reason” is public in three respects: first, it is the reason of citizens in their capacity as citizens; second, it is concerned with the public good and matters of fundamental justice; and third, in content, it draws from a society’s conception of political justice.⁵¹⁹ “Nonpublic reason” proceeds from a “comprehensive conception” that demands assent to far more, and is shared by far fewer, than the shared political conception of justice, the basic liberal and democratic principles upon which the polity is grounded. For example, religious conceptions are such CCs. Again, if we take the proceedings of the TRC, religious language and ritual pervaded the hearings; they are closed and opened by prayers and hymns, which liberal critiques completely rejected. But both victim and offenders made sense of their experiences in more of theological terms than political ones and much of the TRC’s success is attributed to its religious character. So, TRC’s leaders

⁵¹⁹Rawls, John., *Political liberalism*, New York: Columbia University Press, 1993, P. 213.

didn't confine the hearings to the boundaries of liberal public reason. Given the tensions between political reconciliation and components of liberal justice, it is no wonder that theological input is required to account for reconciliation's intelligibility and its warrant. In situations like this, only such commitments can explain why restoration, not justice or rights or entitlements, ought to be conceptual lodestar of justice. This is also reminder that it is time to restore morality and spirituality to both our intellectual discourses and political practices.⁵²⁰

8. There is an undemocratic and elitist side to WLD, which stands in contradistinction to the definition of democracy as 'rule of, by, and for the people.' For instance (as indicated in chapter one), Joseph Schumpeter argues that democracy is an institutional mechanism through which political elites acquire the power to make decisions by competing for popular votes.⁵²¹ This conception of democracy limit's the role of the citizens to that of periodically selecting a representative body or a plurality of such bodies to rule for her or him. It is deficient because it minimizes and narrows the range of freedom by handing over decision making power to political elites. Democracy ought to be a self government through participation in the

⁵²⁰“Spirituality is a quest for the understanding of the connections of aspects of reality. Most cultures develop mythologies that explain the fundamental question of where they come from. Among the spiritually an intellectually advanced, these mythologies are understood as metaphors: reality is sufficiently unknowable that paradigms, metaphors are required to understand anything... Whereas, religion is a fixed set of answers to a fixed set of questions that have been artificially created and fixed, and usually for political purposes of control. So, To equate spirituality with religion, or even to associate spirituality with any religion is a contradiction.”

<http://graham.main.nc.us/~bhammel/ESSAY/spirel.html>

⁵²¹Schumpeter, Joseph A., *Capitalism, Socialism, and Democracy*, New York: Harper & Row, 1942, p. 269.

collective affairs of society; it ought to not merely be a system of institutional arrangements through which political decisions are made for the ordinary citizens. Only through active participation can democracy as self rule be truly realized. Participation or active involvement need not be conceived exclusively as an adversarial process of contestation and opposition; it can/should be understood as a cooperative opportunity to manage collective affairs and as an obligation of each citizen to share the burdens of self governing.⁵²² Besides, as clearly noted by K. Pranis, there is a fault in majority rule democracy also: “If your position has the large numbers, there is little incentive to seek common ground or ways that the interests of all might be served. In fact, if you can outvote the other position you don’t even need to understand that position. Majority rule decision-making often leaves a significant number of people feeling left out, alienated, and resentful because no attempt was made to understand their needs.”⁵²³ As observed in many so called “emerging democracies,” the winner takes all arrangement has deadly consequences in those societies, and Africa is full of such outcomes. Thus, how democratic a polity is should be determined by the extent to which it maximizes equal and meaningful citizen active and conscious involvement at different levels and in different spheres of collective life as well as how attentive, understanding, and responsive it is to the needs of those who could be outvoted in the process. Africana democracy cannot

⁵²²The idea that political participation is a duty of the average citizen can be found in some democracies. For example, See Lapalombara, Joseph., *Democracy, Italian Style*, New Haven, CT: Yale University Press, 1987.

⁵²³K. Pranis quoted in Bell, *Rethinking Justice: Restoring our Humanity*, c2007, p. 105.

imitate the reification, the alienation, objectification, and the technocratic manipulation pervasive of liberal political machinery. Since the past of the liberal civilization cannot be the future of the Africana course of direction, that route must be created by those who are responsible for the future they dream.

The value and institutional contents of Africana Democracy

The choice of democracy and a democratic path should not be mistaken for and equated necessarily with a liberal democratic course. Yet, many make such erroneous claim. Every people with its particular ways of life and tradition have to elaborate its own version, have to choose its own way for the establishment of democratic institutions based on their own sociological, economic, political cultures and philosophical heritages. Again, the importance of the knowledge of the liberal ways and its constitutional models to other countries is beyond dispute.

(1) The principle of unity in life, community society, individuality within community, humanness, diversity of views and cultures; the belief in responsibility for oneself and others (one's friends and families, relatives, the community, and fellow human beings); generosity, friendship, truth, compassionate caring, etc. ought be the value foundations of Africana democracy. Thus, a moderate communitarian view in which all humans are given equal regard and any concept of the individual ego is integrally tied to the community through the aforementioned values ought to serve as its basis. This arises from the understanding that the possibility of a common good diminishes as individualism increases, and the stake I may have in protecting my good from another's goes up as my moral concern/compass decreases. Since

human individuality is different from the development of atomistic and narcissist class of individualism, Africana democracy ought to prioritize the values that draw from the best of the indigenous African heritage, values of communitarian and feminine nature. If communitarians, feminists, and quantum theorists are correct in their critique of liberalism, then individuals are formed in essential ways by the context into which they were born and in which they have been raised; reasonable conceptions of a good life include ties of affection, emotional attachments, and solidarity; that the desires of rational agents do not by themselves define the goods of the agents who have them; and, governments cannot be altogether neutral. A government that is active and free from the virus of corruption is as indispensable as the market in advancing economic development and the conventional economic maxim that urges everything to be left to the “market forces” needs radical revision. It is wrong to make fetish out of either the market or government and the market forces, public and private individuals should enter into a partnership in advancing and bettering the lives of Africans. This means that responsibility based democratic commitments ought to precede rights based claims, without violating rights that are indispensable for the development of human individuality, human dignity, respect for life, etc.

(2) The institutionalization of Africana democracy should be open to warrants and rationales that lie outside the conventional liberal domain; one that would be open to language and concepts that are difficult to express through the language of rights, freedoms, equality, utility, and other familiar liberal concepts. It is obvious

that liberalism attaches great importance to pluralism, freedom, rights, equality, and distributive justice as basic. But; why, for instance, are order, prosperity, peace, security, civility, or happiness, virtue, friendship, compassion...not regarded as basic? Because they protect individuals; but what is the protection for? Because they provide favorable conditions; but to what are the conditions favorable? Because they are constituents of, or essential means to some ends; but what are these ends? Or, suppose that the citizens of some liberal society are in full possession of the basic values. The question then would be whether this possession is compatible with living empty, wasted, misdirected, miserable, boring, lonely, and pointless lives. When learning and drawing from the achievements of the liberal civilization, one ought to be on guard against the negative realizations of that world historical achievement also.

(3) Africana democracy ought to be grounded on a morally nourishing and spiritually re-centering democratic project.⁵²⁴ Since African societies are conflict ridden, democratic society is impossible without the development of national solidarity, ethnic and political tolerance, economic development, and attentive justice. This demands the privileging of social-moral restoration and individual moral/spiritual transformation to retributive justice. Therefore, a system that would be flexible in its view of retribution, open to different forms of accountability, which might fall short of proportionate punishment, is in order. Both the philosophy of

⁵²⁴See, McLaughlin, Corinne, and Gordon Davidson; *Builders of the dawn: Community Lifestyles in a Changing World*, Summertown, TN: The Book, 1990; *Spiritual Politics*, New York: Ballentine, 1994; Weil, Simon., *The need for Roots: Prelude to a Declaration of Duties towards mankind*, Trans. Arthur Wills, Boston, MA: Beacon Press, 1952, p. 11.

ubuntu and the culture of mediation inform this proposal.

(4) Africana democracy ought to refrain from demanding any strong version of the public-private distinction, viewing the restoration of the victims of political violence, in all its dimensions, as a proper political end. Equally, it ought to renounce any strong reason for “public reason” and be open to importing into the political order concepts whose roots lay in comprehensive conceptions like religions. Public explanations may not always have to be described and presented in the terms of this conception, but the public would widely understand its roots where/when it is made.⁵²⁵

(5) To borrow from Zohar and her fellow quantum and feminist philosophers, Africana democracy ought be grounded on a holistic conception of the world that is pluralistic, responsive, bottom up or emergent, green, spiritual, dialogical, and that gets beyond the individual collective dichotomy.⁵²⁶ When the technologies of democracy are added to this world view, Africana democracy would deliver exemplary democratic features. Soft politics and lateral communication ought to inform Africana democracy and the role and capacity of African women in governing African societies should become a matter of necessity. The empowerment of women

⁵²⁵For instance, see Tutu, Desmond; *No Future Without Forgiveness*, New York: Doubleday, 1999; Meiser, Robert; “Forgiving and forgetting: Lincoln and the Politics of National Recovery,” in *Human Rights in Political transitions: Gettysburg to Bosnia*, ed. Carl Hesse and Robert Post, New York, Zone Boks, 1999; William Safire; *Lend Me Your Ears: Great Speeches in History*, New York, Norton, 1992; Minow, Martha; *Between Vengeance and Forgiveness: facing History After Genocide and Mass Violence*, Boston, MA: Beacon Press, 1998; Volf, Miroslav; “Forgiveness, Reconciliation, and Justice: A Theological Contribution to a More Peaceful Social Environment,” *Millennium: Journal of International Studies* 29 (3), 2000.

⁵²⁶ Zohar, D. and Marshall, I., *The Quantum Society*, pp.29-33.

and privileging and celebrating their maternal and feminine wisdom presents itself as a rich alternative to the macho politics of war mongering patriarchy.

(6) The destruction of political equality is inherent in economic inequality and it is undemocratic for it deprives large numbers of citizens of equal political power, and when this is too extreme, it can lead to tragic outcomes. Africana democracy should envisage for a society that is both economically just and democratically balanced. Liberty, important as it is, should not trump democratic substantial equality and we must rejoin the perennial struggle to achieve Equal Democratic Liberty and a more equal liberty than ever before. In this context, it is important to note Stephen Holmes's warning about a common error in constitutional theory "...that the primary or even sole purpose of a constitution is to secure individual liberty by hamstringing the government and its agents."⁵²⁷ Following the paradigm shift taking place, creative and cooperative economy should be sought over the wild and destructive competition inherent in the philosophy of market economy. There is no shortage of resources, only of creative ideas and cooperation among citizens of the planet. Also, because Africans cannot afford the luxury of rampant corruption and since corruption entails mass death in Africa, capital punishment should be enshrined into the Constitution as a method to minimize and consequently to bring an end to such practices.

(7) Africana democracy should modernize and reenergize the indigenous democratic assets available in Africa. The community meetings and the palaver culture pervasive in Africa, the concept of earned leadership, consultation, discussion,

⁵²⁷Holmes, Stephens., *Passions and Constraints: On the Theory of Liberal Democracy*, Chicago: University of Chicago press, 1995, p.101.

and consented consensus, mediation, etc. ought to be reinvigorated and made constitutive of African democratic institutional norms. What one learns from the concept of an earned leadership is that politics shouldn't be made one's means of livelihood in emergent democracies. When a political office holding becomes one's only source of income and living, people would do anything at their disposal to enrich themselves and their immediate beneficiaries thereby resorting to violent corrupt practices. The traditional concept of politics as service to community is worthy of examining and instituting accordingly. The possibilities of leadership by rotation, executive power-sharing, the council of elders and scholars need not be discounted. Whether the conventional three branches of government are apt to Africa needs to be examined seriously and the Newtonian concept of "checks and balances" based on opposition/confrontation should be given a serious second thought and it is high time to reform or overhaul it, for in Africa, opposition breeds conflict and war among competing interests. Furthermore, opposition politics is a post colonial investment in Africa and how costly it is, is terribly evident across the sleeping giant. Lessons from successful liberal democracies show that opposition politics is embedded in, tolerated, exercised, and have meaning in those societies that enjoy "cultural homogeneity," to borrow from Mill. So, when the economies got moving and the technologies of democracy become common everywhere and, when these are added to the cultural values and assets all across Africa, the combination would enable a democratic culture and society on its own groundings.

8. As constitutional liberalism was the philosophical and value foundation of

liberal democracy, so mild constitutional communitarism must serve as the foundation of African democracy. For instance, freedom of speech ought to be exercised in a very responsible and respectful manner, that is, speech is free but it shouldn't offend the sensibilities of others and therefore demands conscious self-restraint on part of the rights bearer. We should bear that there are societies where their comprehensive conceptions are highly valued that the liberal distinction between one's politics and religion fails to make sense; or the "no-harm principle" ought to be understood as no harm to both the self and others simultaneously. We are living in a world where what happens to fly over the Sea of China affects the farmers in Midwest America; the likelihood that one cheats on her/his spouse, that marriage ends in divorce or that one is alcoholic or unethical and illegal practice in some sectors of the economy, say, the Wall Street, has a socially contagious and transmittable effect on the lives and economies of others across the planet. Political and civil rights ought to be respected but not at expense of economic, social and cultural rights of persons and the concept of equality must be substantive in its content. Mere recognition of equality before the law or civil-formal equality is not sufficient to protect the equal dignity and worth of persons in the absence of conditions that enable persons to live and exercise these rights. Moreover, the mere compliance with the rule of law ought to be revisited, for the language law reigns supreme in a society where both morality and spirituality are either diminished or nonexistent and such a society is a deliberate creation of an immoral power elite itself. A healthy society is one in which its intellectual, moral, spiritual, and physical balances are kept in measure and does

know what is right and how to live/do the right.

Before I close I would like to state that my argument for modest communitarian democratic society is dictated by the philosophical and sociological universe I originated from. It also is influenced deeply by my exposition to and readings of liberalism and its critics from various sources and backgrounds. Nor do I endorse everything that belongs to the African traditions and backgrounds, only those that can be modernized and support our survival and integrity as a people in a fast changing world. Thus, I cannot sell my soul to the excesses of either side in the debate: thus my argument for the best of possible worlds. So, I fully acknowledge the limitations and drawbacks present in any uncritical imposition of any philosophy on any society and none of the philosophies I touched upon are exempted from such scrutiny. Accordingly, for instance, any position that “restricts women’s opportunities to adopt roles other than wife and mother”⁵²⁸ is both despicable and objectionable. Nor is any essentialist account of women’s nature, both of which are latent in most communitarian stances. No community based argument can be purchased and justified at expense of women’s inalienable right to equality, freedom, rights, and justice and, no amount of emphasis on collective wellbeing and individual’s responsibility to that wellbeing should trump the achievements of modern political philosophy that are too precious to women and the oppressed groups in general. The only thing we can do is to develop and enrich our conceptions of, say, justice, rights, freedoms, etc. in the light of the new realities unfolding and challenging us today. So,

⁵²⁸Kittay, Eva Feder., A Feminist Public Ethic of Care Meets the New Communitarian Family Policy, *Ethics* 111 (April 2001): 523-547.

modest communitarianism calls for “responsible individuals in responsive communities,”⁵²⁹ to use Amitai Etzioni’s expression.

As to issue of religion, it is always safe and preferable to live under conditions where there is no state sponsored and imposed religion, where the two institutions remain separate and the state, secular. But this is easily said than lived and history is our witness and school. Our best hope lies in learning from history and keeping the dialogue wide open and ever going thereby making sure that every success we make in this battle of ideas is worth fighting until we all celebrate and attain our emancipated social humanity. Since humanity overcame the religious persecutions of the dark ages, it also is reasonable to assume that the fundamentalisms that we face today and the oppressions resulting from this would die out as those societies break away from their medieval life styles, material backwardness, ignorance, cultural isolations, phobic mindsets, and the educational, exemplary and diplomatic pressure of the international community.

Thus, from a critical appropriation and synthesis of African philosophical groundings, political/moral philosophical resources from other traditions and cultures, and the frontier sciences and technologies would emerge an emancipatory, moral and spiritually holistic Africana democracy. It aims at transcending conventional polarities between views of polity which tended to submerge individuals into the whole community and of atomistic approaches that elevated the individual, diminishing community. Africana Democracy points a way ahead into a new African

⁵²⁹Etzioni, Amitai (ed.), *The Essential Communitarian Reader*, Lanham, Md.: Rowman & Littlefield, 1998, p. XXXIV.

democratic order where our “particle” selves and our “wave” aspects; our private and our public lives get intertwined thereby mutually enriching one another, with boundaries in between responsive to context. Such a democratic exercise should be given a chance at all levels of carrying out democratic politics in Africa - be it at level of a united Africa or in the context of Africa of the existing states or at every other local level. If the highly dreamed and talked Renaissance of Africa is to become reality, Africa must begin on its own path towards its future, without blinding itself against the global forces impacting its visions and projects, towards total emancipation.

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