

**An exposition and critique of H. Odera Oruka's  
philosophy**

**By**

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**A thesis submitted in fulfilment of the requirement for the Degree of  
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## Declaration

This thesis is my original work and has not been submitted for award of a degree in any other University.

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Oriare Nyarwath

This thesis has been submitted for examination with our approval as the University supervisors.


Signed

 13/11/2009

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Prof. Jack A. Odhiambo

Signed

 13/11/09

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Prof. G. E. M. Ogutu

## **Dedication**

To Mami for her profound love and existential lessons; and to all people who truly cherish human life and dignity.

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## Abstract

This work is a conceptualization of the philosophy of H. Odera Orika. It is, in the main, an exposition of the philosophical ideas of Odera Orika.

The problem this work set out to address is to investigate and determine the nature of Orika's philosophy and philosophical commitment. It is therefore an attempt at identifying some fundamental ideas around which Orika's philosophical works revolve and on the basis of which they are understood and interpreted. A philosophy of an individual constitutes one's fundamental ideas which either form an ideatic thread running through one's works or a kind of an eclectic web.

The general objective of this work, as already been mentioned, was to identify main ideas or ideals the pursuit of which dominated Orika's philosophical engagement, and from which his philosophical commitments are inferable. More specifically, this work was concerned with the thematization of Orika's philosophical works and the determination of the nature of connection between the themes.

In pursuit of the objectives, this work adopts a holistic conception of philosophy by which philosophy is conceived as essentially normative. A deeper comprehension of philosophy as love of wisdom reveals that philosophy has both theoretical and practical aspects: but that the theoretical aspect is just a means to the practical or normative aspect.

I posit, as the finding of this research, that Oruka's philosophy rests on the fundamental idea of human minimum; which is the minimum necessary for a human being to live a life worthy of a human person – a life of some dignity and which accords a human person the capacity to exercise rationality as a moral agent. A condition of life below the minimum deprives a human being of personhood and reduces a human being to a moral patient; but not a moral agent. Such a human being lacks in dignity and the ability to make moral choices for which one can be morally held responsible.

In essence, Oruka's philosophy is based on the recognition or is an affirmation that there is no greater right of a human being than that to life and dignity. Consequently, his philosophy is a commitment to the search and articulation of a moral principle that would guarantee and safeguard the primacy of human life and dignity.

The human minimum is a moral minimum which is both a right and a duty. As a right, it is the minimum that any human being, who cannot meet it by his/her own efforts, can reasonably demand from fellow human beings as moral beings. But as a duty, the human minimum imposes moral obligation on any human person to ensure that any other human being who lacks the human minimum is assisted to have it. The human minimum is also the lowest limit of social justice; it is the minimum necessary for any sensible talk about social justice. Therefore, Oruka's philosophy is essentially a search for a moral principle that would elevate human survival and dignity to the primacy of social justice.

In recognition of the primacy of human life and dignity, and the fact that our world is increasingly becoming bedevilled by great inhumanity, this research recommends that it is imperative that scholars and governments world over should emphasize the respect and realization of the right to a human minimum as a fundamental universal human right, and as a means towards the humanization of our world.



## Table of Contents

An exposition and critique of H. Odera Oruka's philosophy .....	i
Declaration .....	ii
Dedication .....	iii
Acknowledgements .....	iv
Abstract .....	vi
Table of Contents .....	ix
<b>Chapter 1</b> .....	<b>1</b>
<b>General Introduction</b> .....	<b>1</b>
1.1 Brief biography of H. Odera Oruka and background to the research .....	1
1.2 Statement of the research problem .....	2
1.3 Research objectives .....	7
1.4 Theoretical framework .....	7
1.5 Hypotheses .....	9
1.6 Scope of the research .....	8
1.7 Justification and significance of the study .....	8
1.8 Methodology .....	10
References .....	13
<b>Chapter 2</b> .....	<b>14</b>
<b>Literature Review</b> .....	<b>14</b>
2.1 Introduction .....	14
2.2 Review of major works of Oruka .....	14
2.3 Conclusion .....	31
References .....	33
<b>Chapter 3</b> .....	<b>34</b>
<b>Philosophy and its Roles</b> .....	<b>34</b>
3.1 Introduction .....	34
3.2 Theoretical and practical philosophy .....	34
3.3 Philosophy and wisdom .....	37
3.4 Oruka's philosophy .....	47
3.5 Conclusion .....	52
References .....	53
<b>Chapter 4</b> .....	<b>55</b>
<b>Thematic Exposition</b> .....	<b>55</b>
4.1 Introduction .....	55
4.2 Social-economic deprivation .....	55
4.3 Cultural-racial mythology .....	85
4.4 The illusion of appearances .....	104
4.5 Conclusion .....	116
<b>Chapter 5</b> .....	<b>122</b>
<b>African Philosophy</b> .....	<b>122</b>
5.1 Introduction .....	122
5.2 Meaning and nature of African philosophy .....	122
5.3 Definition and importance of African philosophy .....	150
5.4 Conclusion .....	171
References .....	173
<b>Chapter 6</b> .....	<b>176</b>
<b>Ethical Human Minimum as Principle of Justice</b> .....	<b>176</b>
6.1 Introduction .....	176
6.2 Ethical human minimum .....	176
6.3 Defining freedom / liberty .....	183
6.4 The right to human minimum .....	191
6.5 Human minimum and international justice .....	217
6.6 The right to a human minimum and humanism .....	229
6.7 Conclusion .....	235

References .....	237
Chapter 7 .....	239
Conclusion and recommendation .....	239
7.1 Recapitulation .....	239
7.2 Recommendations .....	250
References.....	252
Bibliography .....	253
Appendix: Works by Oruka .....	263

# Chapter 1

## General Introduction

### 1.1 Brief biography of H. Odera Oruka and background to the research

Henry Odera Oruka (1944-1995) was born in Ugenya, Siaya District, Nyanza Province, Kenya. His father was Peter Oruka Rang'inya and his mother Dolphine Nyang'or Ng'ong'a. His father had ten wives and thirty-six children. Odera Oruka was the first born to his second wife. Unfortunately, the mother died when he was eight years old. He was left with a sister of five years and two brothers of two years and six months old respectively (H. Odera Oruka's Eulogy, 1995; Oruka, 1990a:172; Oruka, 1997:282).

He went to I igega and Segu Boys Intermediate Schools, both in his home area, for his primary education in 1953 and 1957 respectively. In 1960 he took his Form One entrance examination and in 1961 he was admitted in Form one at Saint Mary's College, Yala (Siaya District). In 1964, he sat for Cambridge School Certificate Examination in which he obtained First Division and then proceeded to Kenyatta High School for his A-level education. He later proceeded to Uppsala University in Sweden and enrolled in the Faculty of Mathematics and Natural Sciences. He studied Meteorology, Geography and Geodesy, but he added Philosophy as an optional course. In 1968, he graduated with a Bachelor of Science (BSc) in Science and Philosophy, a year ahead of his class. Thereafter, he proceeded to Wayne State University (USA) where he obtained masters degree (MA) in Philosophy in 1969. From Wayne

State University, he went back to Uppsala where he obtained his doctorate degree (PhD) in Philosophy in 1970.

In the same year, after the completion of his doctorate degree, Odera Oruka came back to Kenya where he was employed as a temporary lecturer in the Department of Philosophy and Religious Studies at the University of Nairobi.

While there, he fought for the establishment of an independent department of philosophy; a struggle that was won eight years later and he became the founder Chairman of the Department of Philosophy in 1980. While at the University of Nairobi, Odera Oruka rose through the ranks of Tutorial Fellow (1971), Lecturer (1972), Senior Lecturer (1974), Associate Professor (1980) and finally Full Professor (1986) (Oruka, 1997:212).

Throughout his academic life, Odera Oruka was basically a professor of practical philosophy, a philosophy that is purely geared towards understanding and solving practical problems of human existence.

## **1.2 Statement of the research problem**

By the time of his death, on December 9, 1995, Odera Oruka had authored five books, co-authored one book, edited four books, and had fifty published academic papers (Girness and Kresse, 1997:261; Oruka, 1997:297).

However, hardly two years after his demise, there emerged the problem of interpreting his intellectual works. And this problem is fundamentally that of

ascertaining his philosophical (intellectual) commitment. The question at the centre of problem being: What is the nature and extent of his philosophical commitment? Serious disagreement emerged and more are likely to emerge.

Gail Presbey, who had done some collaborative researches with Odera Oruka on sage philosophy for several months until just before his death, and D.A. Masolo who was a long time colleague of Odera Oruka at the department of philosophy differ on interpreting Oruka's philosophy or his works.

Presbey claims, in one of her unpublished paper, that Odera Oruka was an ethicist and futurist, and she writes:

This paper will explore the long-standing preoccupation with the future that can be found throughout Odera Oruka's writings, especially those writings to be found in a retrospective collection of his essays on which he was working at the time of his death. Such a search will give us an accurate picture of Odera Oruka as an ethicist and a futurist (Presbey, unpublished: 1).

However, in the foreword to Oruka's book which he died while in press, *Practical Philosophy: In Search of An Ethical Minimum*, Masolo claims that some of the papers in the book, especially the later papers, show lack of commitment to intellectual integrity on the part of Odera Oruka which would negate or raise some doubt about the claim that Odera Oruka had some long-standing preoccupation with discernable philosophical ideals, let alone ethical and futuristic ideals as Presbey claims. While making the claim that at a certain point in the history of scholarship in Africa, particularly in the post-Independent era, the scholarship began to decline due, partly, to political interference with the academy, Masolo writes:

The papers in this collection reproduce that historical truncation of African scholarship. While the earliest papers locate themselves well within the high level scholarship that produced Transition in Uganda, Second Order in Nigeria, Universitas in Ghana, and the East African Journal and Ghala in Kenya, the late papers, although they at times take up issues started earlier, paint the picture of an intellectual life put to the service of political expediency, and of the need to respond to local and global issues in manners that are "politically correct". Movement towards the definition of goods that are politically correct or expedient often entice even the best of philosophers towards the notion of "rationally objective goods", and towards objectivist approaches to those frustratingly unobjectifiable moral and political goods (Oruka, 1997: vii).

We would like to juxtapose these varied claims to Oruka's own claim. In 1990,

Oruka made the following claim:

What I have, so far, written and published in Philosophy has been an attempt to clear three things I consider current and future obstacles to philosophy and even to wisdom and human justice in general: They are (1) Socio-economic deprivation, (2) Cultural-racial mythology, and (3) the illusion of appearance (Oruka, 1990a:174-175).

From the above quotation, it would appear that Odera Oruka consistently was committed to the achievement of some specific objectives. But put against the contrary claims as to what his commitment was, we are therefore left asking: Was Oruka actually consistently committed to the claimed objectives? And if so, did he pursue these objectives, and probably others, only up to until 1990 or even beyond? Could Masolo's claim to his (Oruka's) political expediency be implied only by his later works after 1990?

Another thing implied by the above quotation is the apparent emphasis on philosophy, wisdom and human justice. Odera Oruka asserts that his published works so far up to 1990 were attempts at achieving the three objectives, and by contraposition were struggles against the obstacles to the achievement of

the objectives. Furthermore, Odera Orika perceived the three objectives as global necessities that were either lacking or inadequately available, and hence needed immediate attention. Therefore, to him the obstacles to philosophy, wisdom and human justice were the immediate world (global) problems. And viewed from broader perspectives, Orika conceptualized these problems as many and, but not exclusively, ethical, legal and political. Orika undertook to address these global problems at the expense of his most cherished interest, that is, philosophy of science and epistemology. He states:

However, if all were more or less well with the world, I would have spent the time and energy I have employed in publishing in *Social Legal-Political Philosophy* reading and writing in the area of Philosophy of Science and Theory of Knowledge. I do not, however, believe that I have reached the core of what I should do in Philosophy. It has still been an attempt to help clear obstacles on the way to philosophy (Oruka, 1990a:178).

The following questions logically immediately impose themselves; why did Orika consider philosophy, wisdom and human justice with such ultimate importance and imperativeness that they became almost the sole objectives of his intellectual philosophical enterprise? And what did he consider to constitute philosophy that he felt he had not reached the core of his philosophical ambition? These questions call for a critical investigation and discernment of Orika's works.

From the foregoing background, I may express the problem this work set out to investigate as "*What is Odera Orika's philosophy, and what is the underpinning of this philosophy –ethics or epistemology? And to what extent are the claims as to what his philosophy is, valid or justifiable?*" Orika's philosophy is used here to refer to the philosophical ideals or beliefs he held.

These ideals or beliefs must be those that can be philosophically defended and which may constitute an interpretive paradigm of his works. These ideals can be social, moral, political, economic or religious. They may form a paradigmatic system or remain eclectic; but whichever the case, they constitute an interpretive basis.

Philosophical ideals or beliefs are state of affairs that are highly desirable and possible. Being desirable, these ideals or beliefs are necessarily of great concern; and being possible means that they can be realized at least in part. However, being ideals means that they dialectically evolve higher levels of perfection. These ideals are therefore insatiably pursued. This explains why they should persist and recur as running threads in philosophical works.

Being a philosophical undertaking, it is concomitant that part of the problem is to examine also the consistency of Oruka's discourses on the ideals; that is, his commitment to these ideals. Though the very meaning of commitment presupposes its being a basis of action, I would like to iterate that this work consider it part of its problem, that is, the determination of the nature and extent to which Oruka's works are consistent with the ideals. This is what I mean by commitment. It entails consistency in the objectives pursued and the intellectual rigour with which they are pursued. Part of this problem was also to examine the possibility or extent of apoliticality in philosophical scholarship, and hence in Oruka's works.



### **1.3 Research objectives**

This work set out to pursue the following objectives:

a) Overall Objective:

To identify Odera Oruka's philosophical commitments

b). Particular Objectives:

- i. To thematize Odera Oruka's works.
- ii. To examine whether there are any ideatic threads through the themes which may be used as an interpretive paradigm of Odera Oruka's works
- iii. To evaluate the extent of the tenability of Odera Oruka's thematic discourses and their apoliticality.

### **1.4 Theoretical framework**

In light of the nature of the research problem this work set out to investigate, it is my view that the research problem is better handled by a holistic conception of philosophy as a theory of understanding the meaning and nature of philosophy. A holistic or cosmic conception of philosophy views it as an enterprise that seeks both to generate and appropriate knowledge for the service of general human well-being.

Cognate to the conception is the general philosophical method of inquiry. Fundamental to this approach are conceptual and logical analyses. Conceptual analysis involves examination of various concepts. This is necessary for the discernment of the links through the various themes. Logical analysis helps in

determining the plausibility or implausibility of Odera Oruka's arguments on the themes.

### **1.5 Hypotheses**

From the foregoing review and reflections, it could be hypothesized that:

1. Odera Oruka's works are philosophically tenable.
2. Odera Oruka's works have thematic threads running through them.

### **1.6 Scope of the research**

This study, in the main, relies on the analysis of the written philosophical works of Odera Oruka. However, to some extent, it looks at works by some other scholars that have bearing on the issues Oruka addresses. This work outlines and analyses various themes that Oruka's philosophical works raise and the tenability of his discourses on the themes for the sole purpose of discerning the ideatic threads that run through and bind them into a philosophy. In other words, it is an exposition of Oruka's philosophy.

### **1.7 Justification and significance of the study**

Odera Oruka's contribution to philosophy in particular and knowledge in general has been acknowledged nationally and internationally and some of his ideas have already become subject of serious scholarly discussions as can be witnessed by the publication of the book, *Sagacious Reasoning: Henry Odera Oruka in Memoriam* (1997).

Furthermore, to the discipline of African philosophy, Oduka added his own originated concept of sage philosophy that has now become recognized in the academy as one of the trends in the study of contemporary African philosophy. The concept has inspired many scholars to carry out further research in the area, both as theses and academic papers. Moreover, Oduka Oduka received several honours in recognition of his intellectual contribution to knowledge. His name was included in Vol. 9, *Men of Achievement* (IBC, Cambridge, 1983), and, *International Book of Honours* (IBI, New Jersey, 1984). He was awarded, World University Round Table Honorary Cultural Doctorate, and, Honorary Doctorate by Uppsala University, Sweden, 1993.

Most of Oduka Oduka's scholarly works have been on issues of poverty, underdevelopment, unfreedom, injustice, inhumanness and environmental degradation, just to mention a few (Oduka, 1997:101, 106, 138, 243). These issues are of great concern to Kenya as a nation, Africa as a continent and the whole world or humanity. Oduka Oduka seems to have been basically concerned with the understanding of these problems and how they can be solved. And as he puts it himself; "But I was more interested (coming from science) in philosophy that would be useful for understanding the problems of Africa" (Oduka, 1997:212). So, Oduka's interest was in practical philosophy. However, as I have already stated, most of the issues Oduka Oduka addresses are not only of interest to Africa but also to humanity as a whole. Oduka Oduka believes that given the present stage in the development of human history, philosophers need, and this is an urgent moral imperative, to contribute to the improvement of the world for human existence:

This concern calls for philosophers to help reorganise and rationalise the available knowledge in order to improve human understanding and the welfare of mankind. And here lies the moral mission of philosophy. In our times it is more urgent than the concern, say, to develop new methods of solving classical metaphysical paradoxes (Oruka, 1997:99).

Now, if Odera Oruka's ideas have to be developed further or to help in the amelioration or even eradication of the mentioned conditions that threaten human survival and existence, then it is imperative that his relevant ideas be properly understood.

Furthermore, an exposition of Odera Oruka's philosophy contributes to the ongoing intellectual process of concretizing and textualizing the discipline of African philosophy or philosophy in Africa. The need to elicit or expose philosophies of various African philosophers and their incorporation as philosophical texts is vital for the development of philosophy in Africa. And it is expected that this exercise would enhance and contribute to the delineation of the nature and content of African philosophy that is seen as essential for its existence, self-assertion and development. This work is important for at least being part of that process.

Finally, Oruka's works in themselves are a contribution to knowledge in general. Therefore, this work, being on his works, is also necessarily a contribution to knowledge in general.

### **1.8 Methodology**

As already implied by research objectives, this study employs basically a philosophical analysis of the works of Odera Oruka and any other works that

relate to the fundamental themes or issues dealt with in his works. This approach is important in at least three ways.

- i. It has the capacity to identify, isolate and thematize various issues with which Oruka's works deal.
- ii. It develops a wide background to these issues and hence establishes an efficacious comparative knowledge necessary for the analysis of Oruka's arguments and subsequently, the determination of their tenability.
- iii. It makes it possible to articulate and formulate Oruka's philosophy and hence his philosophical commitment.

In its examination of the relevant literature, this study employs the method of philosophical analysis, but confine itself to the following two aspects of the method; the conceptual and logical analyses (Goravitz and Williams, 1965:79-81; Hutchinson, 1977:13-19). The conceptual analysis helps in the clarification of meaning of concepts as situations may demand. The logical analysis involves the examination of presuppositions in arguments and how the presuppositions are used to justify certain positions advanced by the arguments.

The method of philosophical analysis therefore helps in the determination of the tenability of arguments advanced. The method entails the explication and justification of the presuppositions held, and to see whether there is consistency that attains between them and the claims they purport to justify. The conceptual and logical analyses make it possible to map out the various

ideals and themes that are dealt with as well as the determination of the philosophical tenability of the works.

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## **Chapter 2**

### **Literature Review**

#### **2.1 Introduction**

The literature review for the problem of this work is, in the main, deals with the major philosophisophical works of Odera Oruka. This was necessitated by belief that, given the nature of the research problem, major works of Oruka are appropriate in outlining the panorama and nature of his philosophy.

But moreso, at the time of carrying out this work, there was no publication that had dealt specifically with Oruka's philosophy or comprehensively with his philosophical works. The literature reviewed in this work is therefore primarily aimed at helping to map out Oruka's philosophical landscape through synthesis and interpretation of his main ideas by which his philosophy may be articulated.

#### **2.2 Review of major works of Oruka**

All works by other scholars on Oruka's philophysical works deal only with some aspects of thoughts. For instance, Masolo's *African Philosophy in Search of Identity* (1994/1995) deals only with Oruka's contribution to the definitional issue on African philosophy. English and Kalumba, *African Philosophy: A Classical Approach* (1996), specifically and exclusively, address Oruka's philosophica sagacity.



From the foregoing, works by others on Oruka seem peripheral to the problem this work set out to address. Therefore, Oruka's major philosophical works constitutes the central literature for review.

Odera Oruka's book, *Punishment & Terrorism in Africa* (1976/1985) is a work in moral philosophy. In this book, Oruka argues against holding the concept and institution of punishment. His position is that the justification of punishment is not tenable both ethically and logically. Punishment is always justified on the assumption that the criminals are responsible for their actions (crimes) which implies that they act out of free will and hence could avoid the crimes if they so wish. But Oruka rejects this basic assumption on the basis of the following reasons.

- i) That the notion of "free will" or "exercising free will" is too metaphysically vague to be used to evaluate human practice.
- ii) That to act intentionally or voluntarily is necessary but insufficient for the determination of criminal responsibility.
- iii) That criminal and hence moral responsibility must entail the notion of human avoidability.

But an action is humanly unavoidable for an individual if the person can refrain from it only at the cost of losing or doing serious damage to his life or at the cost of doing serious damage to his well-being or that of his community. A person who steals food as a necessity if he is to avoid starving to death commits an action which is humanly unavoidable (Oruka, 1985:12).

Therefore, one should be held criminally or morally responsible for an intentional action that is humanly avoidable. So, acting intentionally alone is insufficient for criminal responsibility. But almost all crimes, Oruka argues, are committed under the impulse to satisfy either an economic or a

psychological need, or the need of "a malevolent unconscious ego"; factors which are virtually beyond an individual's control. Therefore, crime does not originate from *mens rea* (evil will) but from either one's inheritance or social environment. These needs or impulses constitute the criminal forces that drive people to commit crimes. Oruka therefore asserts that the criminals are not responsible for their crimes. Hence he rejects and dismisses the justification for punishment, be it retributive or utilitarian.

Furthermore, according to Oruka, punishment does not achieve its intended aim and function. The main aim of punishment, as Oruka explains, is "to maintain or maximize social security" and its only function is to deter the commission of crimes. But Oruka argues that as it is practised now, punishment does not address itself, at least effectively, to the criminal forces. Therefore it is very ineffective and absurd method of trying to reduce or eradicate crimes.

Odera Oruka therefore recommends the abolition of the practice of punishment, since what goes on under the tag is nothing but legal terrorism; and he defines terrorism in general as:

The intentional infliction of suffering or loss on one party by another party which has no authority or legitimacy to do so, or which appears to have authority or legitimacy but has in fact deprived the suffering of the minimum ethical consent necessary to recognize such authority or legitimacy. In other words, terrorism is illegitimate infliction of suffering or loss on another, or else it is punishment beyond a reasonable maximum (Oruka, 1985:47).

Legal terrorism is therefore that which is granted as right by the authority of the law. These are acts that are state inspired and are justified on the basis of

maintaining law and order. In this book Odera Oruka argues that the presence of the institution and practice of punishment is a manifestation of injustice in society; and the more the punishment the greater the extent of injustice in society, committed by both the punishers and their victims.

Oruka seems to be more concerned with the possible means of creating an enlightened and rational society. Such a society would be determined by the degree to which it practises or attempts to practise pure justice; a condition in which good and evil are objective and not subjective notions. Practice of pure justice, requires as a necessity, the determination of good and evil (and in this case, crime) and the apportioning of corresponding responsibility by objective principles.

Towards the establishment of such a society, Oruka recommends treatment instead of punishment. Treatment would have as its main aim the ridding of the criminal of his/her criminal behaviour. In treatment, the so-called criminals would be considered sick and therefore the focus would be on the criminal forces just like doctors focus more on the causes of sicknesses than their victims in order to rid the patients of the diseases. This treatment will be two-pronged: - It would focus on the criminal as well as the society that produces the criminal forces.

However, despite the tenability of Oruka's arguments in this book against punishment and the need for its replacement with treatment, the following issues still need further reflections.

a) The perennial philosophical problem of free will and determinism. Is Oruka an advocate of free will, determinism, compatibilism or none of these? This issue is fundamental in his analysis of crime, criminal responsibility and punishment.

b) The moral principle of minimum ethical consent: - how does one develop or lose minimum ethical consent? This principle is linked to the "right to a minimum standard of living" which Oruka considers the most basic and primary of all the economic rights, and to all human rights.

c) Compatibility between argument for the abolition of punishment and advocacy of, or toleration of punishment that does not go beyond "a reasonable maximum". The apparent inconsistency in the argument is explained in this work.

In *Trends in Contemporary African Philosophy* (1990) Odera Oruka raises the issue of the meaning of African philosophy. Oruka discusses the four trends in contemporary African philosophy. These trends are indeed various approaches towards a definition of African philosophy.

Ethnophilosophy as an approach to the issue of the meaning of African philosophy is the view that there is indeed an African philosophy which is founded on African way of thinking. It is constituted by the collective thought of Africans who apparently have a unique way of thinking. This philosophy is spontaneous and unanimous. It is acquired when a people's culture is acquired. It is a philosophy without philosophers. This philosophy is therefore intuitive, non-self-reflective, non-critical, non-logical, non-argumentative and

non-individual. Oruka argues that the ethnophilosophical position represents a "folk philosophy" which is philosophy in the first order sense, hence a debased and trivialized philosophy. In Oruka's view, this approach confuses mythology and philosophy.

Nationalist-Ideological philosophy which does not explicitly attempt a definition of African philosophy, but seems to assume that there was philosophy in Africa prior to colonization and believes that the principles of that traditional philosophy should form the foundation of contemporary African philosophy, otherwise the nature and existence of African philosophy would remain obscure. Oruka explains that the proponents of this approach attempt to postulate a philosophy on which to base an ideology for genuine liberation and independence in Africa. Therefore the thoughts of these proponents are likely to contribute to the articulation of African social and political philosophy. This approach takes the issue of meaning and definition of African philosophy for granted, and consequently does not enlighten on the issue.

African professional philosophy is another trend. However, we should note that the term "professional philosophy" might mislead if understood to imply that the other trends are neither professional nor do not involve the thought of professional philosophers. Maybe Oruka used it for lack of a proper term, (Masolo, 1995:233). However, Masolo would prefer it be called "school of conceptual pragmatists", (Masolo, 1995:44). This approach holds that there is African philosophy both in the loose and the strict sense. In the strict or

second order sense, philosophy is a critical reflection and logical inquiry. It advances the view that philosophy is universal in meaning as well as, "methodology". But philosophy may differ in priorities and contents due to cultural and geographical dissimilarities. However, philosophy remains a conceptual, logical and self-critical discourse. Therefore this approach is definitely opposed to ethnophilosophical but not necessarily to the Nationalist-Ideological approach.

Philosophic sagacity is another approach to African philosophy. It is the position that traditional as well as contemporary Africa was and is not innocent of philosophy in the strict or second order sense. There have always been in Africa like any other society individuals capable of critical and reflective thinking whose thoughts and judgements are guided by the power of reason and characterized by philosophical thinking. According to this approach, there are sages, in the traditional sense of the word, both in the traditional and contemporary Africa, who are philosophic. And the thoughts of such sages legitimately constitute African philosophy. So philosophy is not alien to Africans or did not come with foreign invasion of Africa.

Sages, especially philosophic sages, are the "consciousness" of African societies. They constitute the pool of the wise people of those societies. Therefore, the philosophical thoughts of such people constitute African philosophy. This approach is definitely opposed to ethnophilosophy since it does not subscribe to the claim that Africans have a unique and exclusive mode of thought, but it is not diametrically opposed to African professional

and Nationalist-Ideological philosophy. Philosophic sagacity is based on having two attributes; one is to be a sage and a thinker. Therefore, philosophic sages transcend the first order sense philosophy into second order sense. Yet, it is the existence of this second order sense philosophy that ethnophilosophy apparently does not accord Africa.

Odera Oruka is, however aware that his classification of the trends is liberal and that the trends are not mutually exclusive. Nonetheless, a deeper analysis of the trends reveals that they represent two diametrically opposed positions. These positions are referred to in this work as universalist and particularist theses or views, respectively. The universalist thesis claims that philosophy is universal in its meaning, methodology and topics; while the particularist thesis claims that philosophy is particular to a culture, society or a people in a unique sense such that its meaning, methodology and topics are not universal.

This book, though succinct, raises at least two fundamental issues that this work addresses.

- a) The meaning of philosophy and subsequently African philosophy given the two senses of philosophy, the first and second order sense.
- b) A synthesis of the various trends and how they inform the meaning and definition of African philosophy.

In *The Philosophy of Liberty* (1991/1996) Oruka addresses issues related to the concept of liberty, which he uses synonymously with freedom; and its application. He makes a brief survey of the historical understanding of liberty

from some Greek to modern European classical philosophers. Among the Greek philosophers, the conception of liberty took three forms: -

- i. As an expression of truth, either as universal truth or subjective truth. Within this category are those philosophers who held that liberty is to conform to the universal truth that is embodied in the laws of nature. But to experience this truth (*logos*) one must use reason and not the senses. It was through 'truth' that one attained happiness.

Another group of philosophers within this category (the sophists) held that liberty means living according to truth, but truth is not universal. It is relative. Therefore, one must subjectively search for it. Liberty, according to this group, is to live according to one's understanding of truth. Liberty and hence happiness was achieved through individual expression of passion and impulses.

- ii. As knowledge of virtue. According to this view, liberty is attained through rational insight by which one attains the knowledge of good or virtue. Through knowledge of virtue one controls one's bodily desires and hence lives a life free from earthly desires. Scientific knowledge therefore only helps us understand ourselves better.
- iii. As divine union. This view holds that God created the *logos* that subsequently created matter. To some philosophers, *logos* is identified with god or son of God. *Logos* assumed the essence or soul of man



while matter assumed a transitory expression of man (soul) which is devoid of form, hence really non-existent.

Due to the fall of man, the soul descended to earth and inhabited matter into which it is enslaved. Therefore, liberty is the liberation of man from matter and material world, and consequently man finding knowledge and reuniting with God or *logos*. And man does this through faith.

Odera Oruka points out the shortcomings of the general Greek conception of liberty. Most of them seem to make a distinction between mental and social liberty, and hold that mental or intellectual liberty is primary to social liberty. Oruka rejects the categorization. To him, mental and social liberties are necessarily related. One must live or exist first before one thinks. Therefore, social liberty that deals with one's civil or political rights cannot be secondary to mental liberty. Furthermore, one does not think in a vacuum, but about things that pertain to one's way of life.

The second shortcoming relates to the idea of universal truth. Oruka argues that the assumption that "truth is universal" is contestable and most likely false. Any claim to truth must entail belief, and belief is not certainly self-evident. Moreover, even self-evidence is a matter of probability; things are more or less self-evident. To add to his reason, Oruka wonders what would be the true "ultimate truth" in the face of many opposed claims, for example, various religious claims to ultimate truths!

Coming to modern European classical thought, Oruka outlines the following strands of conceptions: -

- i. Liberty as a rational control (rational or positive liberty). This conception seems to be a revival of the Greek conception. It is based on the "will", either individual or general. Therefore, liberty is a rational control of one's conduct, either self-imposed or imposed from without. It is liberty as knowledge of virtue.
- ii. Liberty as absence of restraints. This is sometimes called negative liberty. It seems to advocate and emphasizes absolute liberty. According to it, one is not to be hindered in actions that do not violate the rights of others.
- iii. Liberty as the existence of opposition to the ruling class. This is sometimes called Machiavellian conception of liberty. It views society as necessarily divided into two, the 'ruled' and the 'ruler'. And liberty is the legal opposition to the ruling elite.
- iv. Liberty as the man's historical goal. This may be simply called Hegelian-Marxian conception of liberty. It views liberty as the historical goal or direction of man as driven or motivated by either the spirit (reason) or material condition as manifested in the class struggle. At the base of the historical development is the idea of the historical necessity and its inherent contradictions.
- v. Liberty as a permanent possibility of a rupture between one and the world on one side, and between one and oneself. The rupture entails annihilating what-is in order to become what-is-not. This rupture is

realized through human action, and by it one creates one's essence. (Sartre, 1966:36-37). Therefore, human freedom entails being conscious of the causes that inspire one's action. For that, one is always beyond one's essence. Freedom is the meaning of human history beyond the happenings of the old history.

Reading through this book, one realizes Odera Oruka's dissatisfaction with both the Greek and European classical conceptions of liberty due to the following two main reasons among others. One, they tend to emphasize individual liberty at the expense of social liberty. In this process, they emphasize the individual at the expense of the society. Second, they seem not to realize that liberty is a right by which one makes demands on others. As a result the social application of liberty becomes problematic.

Oruka then embarks on the problematic of the definition of liberty and observes that 'What is liberty' cannot adequately be answered since the question presupposes the idea of the essential nature or attributes of liberty. Yet the 'essential nature' seems too vague to make adequate definition of liberty attainable.

Oruka observes that liberty is a right and is therefore relational. Being a right, logically it cannot be sought for its own sake, but to fulfil certain needs; both primary and secondary. Therefore he gives a stipulative definition that takes into consideration the aspects lacking in both the Greek and European conceptions. He therefore proposes that an adequate definition of liberty

should be expressed thus, 'liberty for X in S', where X may represent an individual or society, and S represent some particular society or community. Therefore, 'liberty for X in S' means that 'X has, with respect to S and with equality with others in S, ability and opportunity to obtain or satisfy X's primary and secondary needs in S'.

In light of this definition, one does not have liberty if one has some needs but lacks either the ability or opportunity to fulfil those needs. And lack of opportunity may be due to one being either directly or indirectly prevented from obtaining one's needs.

Liberty can therefore be primary or secondary depending, on the needs for which it is sought. This idea also entails the fact that liberty or lack of it is a matter of degree depending on the extent to which one's needs are fulfilled.

In Oruka's view, for one to realize freedom (liberty) or adequate freedom, one must be conscious of freedom. This consciousness entails being conceptually and practically aware of the needs for which freedom is sought and their prioritization, of those factors that hinder freedom and the needs to remove them.

The practical implications and application of the definition of liberty to the African situation in particular, and in general, are raised in the second edition of the book through the introduction of the last two chapters.

Oruka introduces the concept of 'the paradox of independence as still unfreedom' by which he explains that most, if not all, African republics are considered independent, yet in relation to their former colonial powers in particular, and the western powers in general, are still unfree. He considers this paradox a tragedy in the independent African states. The reason for the development of this paradox seems to Oruka to lie in the fact that almost all of African leaders of both pre- and post-independence lacked consciousness of freedom. This lack is manifested in at least three ways. One, they allowed to be 'given' instead of 'taking' their independence, apparently without being aware of the implications. In other words, Africans were conditionally given their independence. As a consequence, the relationship between Africa and its former colonial powers is characterized by 'mother-child' syndrome. Second, they have been and are being manipulated by their former colonial 'mother' countries or western countries in general. Third, there is lack of either ideologies in general or effective ideologies in particular by which African countries can establish genuine and serious social philosophy through which liberty and progress may be realized.

Oruka observes that the living conditions of most African and third world population, in general, are bad and they are likely to worsen. Most of the people in these regions live in abject poverty that inhibits them from living as human persons or rational agents. Moreover, the disparity between the rich and the poor is wide and increasingly worsening. And to Oruka, this situation is a very bad thing for the world as a whole. He believes that for the situation

to be checked, the world needs some ethics by which human rights, being relational concepts, would be ensured among the global population.

Oruka articulates and proposes an ethics of distributing world resources that would guarantee, at least, the fundamental universal human rights. This is the ethics of "the rights to a human minimum". This is the right that every moral agent demands from the world in order to live with dignity as a human being, and to recognize the rights of other human beings. This is the fundamental idea in last chapter of the second edition of the book – "Parental Earth Ethics".

*The Philosophy of Liberty*, like *Punishment & Terrorism in Africa*, is a small book but very intense, with good and sophisticated arguments. It introduces the most fundamental idea in Oruka's philosophy – freedom. Freedom and the right to a human minimum are central to Oruka's philosophy. The book, in the main, is an adaptation of Oruka's doctoral dissertation. The concept of freedom runs from Oruka's doctoral work, informs his survey of the problematic of social freedom in the post-independent Africa in the article "Freedom and Independence in Development" (1993) (later chapter 7), and finally is linked to his moral argument for the right to a human minimum as presented in one of his last works "Parental Earth Ethics" (1993) (later chapter 8).

*Practical Philosophy: In Search of an Ethical Minimum* (1997), which was published posthumously, is divided mainly into four parts.

Part I deals with both theoretical and applied epistemology. It addresses the problem of the meaning of truth and knowledge (chapter 1), theories of truth (chapters 2 & 3), and various competing approaches to the acquisition of truth and knowledge, particularly in sciences, philosophy and religion (chapter 7). This part also examines the old philosophical problem that obtains between reason and faith in relation to acquisition of truth and knowledge. Oruka is of the view that claims of faith to truth and knowledge must be open to investigation by reason, (chapters 3, 5 & 6). Oruka is very critical of the religious claims to truth and knowledge and doubts whether they are tenable.

After having examined various theories of truth and knowledge, Oruka settles for what he calls the "the neutral theory of truth". The issues of truth and knowledge dealt with in Part I have bearing on the issues dealt with in Part II.

Part II deals basically with issues related to the threat to human existence and freedom in the world in general and Africa in particular. These include nuclear threat, world hunger, fear, greed and irrational pride. As a result, humanism is in danger, that is, human security, integrity and happiness are gravely endangered. According to Oruka, philosophy then has a mission in humanism. He then examines the role of philosophy in the issues. In the light of these issues, the question of justice arises. Oruka examines the concepts and practice of international and global justice. And he is of the position that the world should be humanized. But this would require the recognition and exercise of the universal human "right to human minimum". This calls for the re-examination of the principles that guide the ownership and distribution of the

resources of the globe. If the "right to human minimum" were to be recognized and practised then, in Oruka's view, there would be greater global justice than prevails now under the practice of the international justice. The requirements of global justice should override those of international justice that currently prevails in world.

Part III examines some of the issues related to the debate on the meaning and role of philosophy in Africa. This part therefore addresses the meaning of African philosophy and philosopher, as well as the role and development of philosophy in Africa. Oruka believes that Africa needs "critical philosophical thinking" and not ethnophilosophy which is "philosophy in the ideological sense", if it is to effectively address its problems and develop humanism.

Part IV deals with how indigenous knowledge in Africa can be used in dealing with environmental issues, hunger, sustainable development and other ills facing Africa. It signals the danger of ignoring indigenous knowledge and complete reliance on foreign ideas and practices for Africa's development. Moreover, I think, this part is also an attempt to show how philosophy and reflective thinking can be used in solving some of Africa's problems without being reduced to looking like a people without heads, (chapter.25). To Oruka, Africa should adopt "progressive modernization" by inculcating an attitude of "welfare-rationalism". The book concludes with a brief personal history of Oruka and how he came to study philosophy as well as some of the themes he has addressed.



The book presents very good philosophical arguments running from the issue of truth through to various ways of pursuing truth and how the illusive nature of truth partly contributes to cultural-racial mythologies that in turn have contributed to the difficulty in the fair distribution of the resources of the earth. This situation has caused socio-economic deprivation of some part of humanity that now poses some threat to the existence and harmonious living of humanity.

Oruka seems to be of the view that the world would be more secure and humanity happier if the pursuit of global justice were made a priority and overriding that of international justice that unfortunately seems to be favoured by current world thinking.

This book presents a critical look of philosophy from a holistic view which necessarily links abstract thinking with the human existential conditions. In this thesis, I try to show that a critical analysis of philosophy inevitably leads to a holistic view of philosophy as the ideal conception of philosophy. This book and Oruka's philosophy is understood better from such a conception of philosophy.

### **2.3 Conclusion**

The literature review presented in this work calls for a closer examination of the concepts of freedom, criminal responsibility and philosophy; and how they are connected in the thoughts of Odera Oruka. Oruka's emphasis on the understanding of freedom in concrete terms –in terms of the fulfilment of

human needs, is admirable. But when it comes to applying the concept to criminal responsibility and punishment, he seems to have overstated the role of social forces and downplayed the role of individual choice in commission of crime. Though it is correct from the cited sociological statistics that economic crimes dominate, it is not true as he argues that all primary criminal forces are external to a criminal. The individual choice in the commission of crime can be a primary force, and it may be motivated by the high chance of benefiting from the crime. Furthermore, it is not necessarily true as he appears to argue that criminals are drawn into crime by lack of basic human needs. Many cases of grand corruption or bank robberies, as may be noted in Kenya, that involve huge amounts of money are caused by callous desires that should be restrained by social mechanisms like punishment.

Though if his argument is treated as cautionary and a call for the need for society, first, to put in place social mechanisms where people can enjoy basic freedoms and human dignity by way of having their basic human needs fulfilled, then such a condition when fulfilled, would ease the isolation of people who are driven into crime by lack of basic needs from those who commit crime from lack of self-discipline and who therefore need external discipline in form of "treatment".

It should not be lost to the reader that Oruka considers human freedom and dignity, and consequently social justice fundamental concerns of philosophy. I, therefore, attempt in this work an analysis that shows not only the connection between the concepts; but also their connection to philosophy on the one hand.

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## Chapter 3 Philosophy and its Roles

### 3.1 Introduction

This chapter examines the meaning, nature and role of philosophy. It is an attempt to look at the concept of philosophy in a broad sense such that would constitute a perspective from which Oruka's philosophy would be interpreted, understood and appreciated. The chapter presents a holistic examination of the concept philosophy by bringing all the traditional branches of philosophy to bear on its very meaning. This approach to philosophy is not a novelty of this work, by a reminder and emphasis that an adequate understanding of the concept of philosophy is better achieved by a holistic understanding of it.

### 3.2 Theoretical and practical philosophy

Oruka's orientation into philosophy is from a Scandinavian tradition of philosophy in which philosophy as a discipline is conceptually divided into theoretical and practical philosophy (Oruka, 1997:xi, 212). To view philosophy as such is not uniquely Scandinavian, but it keeps to the fore the broad nature of philosophy and outlines the two broad roles of philosophy. This background information is deemed essential in appreciating particular problems in philosophy that Oruka addresses himself to in his various works.

Kwasi Wiredu's apt observation would justify this point:

The uninitiated may not immediately appreciate the connection there is between disagreements about particular questions in philosophy and differences with the respect to the nature of the subject itself. But a little study will reveal to him that a philosopher's attitude to particular questions very often reflects his general conception of the nature of philosophy (Wiredu, 1980:139).

Theoretical philosophy investigates a priori the nature of reality while the practical philosophy seeks a priori principles governing how things ought to be. Theoretical philosophy is therefore concerned with the generation of knowledge of the nature of reality while practical philosophy is concerned with the generation of knowledge on how things ought to be.

This categorization of philosophy becomes even clearer when looked at from a metaphysical level. An analysis of philosophy as a discipline and its traditional branches justifies the categorization. Philosophy as a whole is concerned with the understanding of the nature of reality and the prospects of human beings within the reality. Philosophy is therefore not only concerned with the understanding of the nature of reality, but also with how the knowledge of the reality should inform the conduct of human beings. The prospect of humanity is dependent on how reality is comprehended.

Theoretical philosophy generates the knowledge of the nature of things while practical philosophy investigates how the generated knowledge should be put to use. The German philosopher Immanuel Kant (1724-1804 AD) had already categorized reason into theoretical and practical reason. Reason and therefore philosophy, according to Kant, is theoretical when it is concerned with the ways things really are, and it is practical when it considers how things ought to be. He states:

The legislation of human reason, or philosophy, has two objects: Nature and Freedom, and thus contains not only the laws of nature, but also those of ethics, at first in two separate systems, which, finally, merge into one grand philosophical system of cognition. The philosophy of Nature relates to that *which is*, that of Ethics to that *which ought to be* (Kant, 1934:475).

According to Bertrand Russell, "Philosophy, throughout its history, has consisted of two parts inharmoniously blended: on the one hand a theory as to the nature of the world, on the other hand an ethical or political doctrine as to the best way of living" (Russell, 1979:788); and in the words of Kwasi Wiredu: "Thus it is that throughout history philosophers have been largely engaged in trying to understand the world. They have never, if they were any good, forgotten that the understanding is not an end in itself but is for the practical good of man" (Wiredu, 1980:51).

Philosophy as an academic enterprise is traditionally divided into metaphysics, epistemology, logic and ethics. Metaphysics deals with reality in its general and abstract form. It therefore examines reality beyond the physical realm. Epistemology examines the theories, principles and justifications of knowledge claims. Logic deals with principles and process of reasoning while ethics examines principles and theories on how human beings ought to conduct themselves. Metaphysics, epistemology and logic therefore belong to theoretical philosophy while ethics belongs to practical philosophy. Oruka aptly observes this when he writes: "The former treats issues about the fundamental principles of knowledge and metaphysics of reality, while the latter addresses principles of ethics and the rules of their application in the social, political, religious and legal life of humankind" (Oruka, 1997:xl).

A comprehensive view of philosophy as a discipline therefore must take cognizance of the theoretical and practical aspects of philosophy which, in essence, broadly outline the two main roles of philosophy.

### 3.3 Philosophy and wisdom

A classical definition of philosophy is that it is 'love of wisdom' (Edwards, 1967a:216). This sounds simplistic unless it is explicated. One of the characteristics of love is that it implies the pursuit of the object of love. Philosophy as love of wisdom therefore entails the pursuit of wisdom (Wiredu, 1980:140).

The Greek word LOGOS designates a certain kind of thinking about the world, a kind of logical analysis that places things in the context of reason and explains them with the pure force of thought. Such an intellectual exercise was supposed to lead to wisdom (*Sophia*), and those who dedicated themselves to Logos were thought of as lovers of wisdom (love + *philo*), hence philosophers (Palmer, 1988:2).

Philosophy therefore implies a dedication to a kind of thinking that aims at the attainment of wisdom. Wisdom designates the capacity to employ knowledge, of whatever reality, to improve human life. This requires an incisive and precise grasp of knowledge. And philosophy unceasingly aims at this kind of a grasp of knowledge of whatever reality.

Wisdom therefore entails the highest kind of knowledge – knowledge that results from sustained reflection and discernment. This is part of what is meant when philosophy is perceived as a contemplative discipline. This kind of knowledge must have a firm basis. Wiredu aptly puts it thus: "Adapting a Platonic phrase, one might even say that wisdom is nothing but humanly oriented knowledge *with an account*" (Wiredu, 1980:141). Wisdom also entails the capacity for sound judgement in matters of human conduct (Audi, 1999:976). Wisdom therefore implies moral knowledge, in the philosophical sense, and commitment to that knowledge.

It can therefore be noted that there is a difference between knowledge and wisdom. Knowledge is simply the understanding of facts, either empirical or social, as well as their justifications. And this in itself is not wisdom (Wiredu, 1980:24). Wisdom has to do with utilization of knowledge in such a way that it brings about and promotes practical good to humanity (Wiredu, 1980:51). The moral knowledge is a prerequisite for wisdom. The moral knowledge, in this case, should be based on a relatively more objective and universal understanding of morality so as to accommodate as many people as possible. The understanding should reduce relativistic conception of morality to as minimal as reasonably possible. What I mean by this is that the moral knowledge should not be anchored on a relativist theory. Wisdom presupposes the knowledge of the realities that affect one's life both as an individual and a member of society. A wise person must be knowledgeable in matters of facts, values and ideals of one's society as well as the principles that underlie them (Wiredu, 1980:141). This would mean that a person who is narrow in knowledge could hardly be wise.

This therefore brings us back to the broad subdivisions of philosophy and their corresponding roles. The theoretical philosophy or philosophy of nature, and the practical philosophy or philosophy of ethics, corresponds to empirical and normative roles respectively (Kant, 1934:475). Oruka only alludes to these roles in his article 'Mythologies as African Philosophy' (Oruka, 1972b:7-10), but he is more explicit in the article 'Values in Philosophy and Social Sciences' (Oruka, 1975b:87). The empirical role of philosophy deals with



attempts to understand the world, or simply put, reality. In performing this role, philosophy becomes a critical inquiry and reflection into the ultimate questions and explanations of nature, human life and social order. The object of this role is to comprehend the true nature of things. The normative role of philosophy is concerned with the critical search and postulation of the best conditions for human life and social order (Oruka, 1975b:87-90). In this role, philosophy is concerned with the ultimate moral good. This is well explicated by Oruka in the chapter titled 'Philosophy and Humanity Today' in his book, *Practical Philosophy: In Search of an Ethical Minimum* (Oruka, 1997:126-136). In the light of this role of philosophy, the empirical role of philosophy becomes just a means for the evaluation and realization of the prospects or the place of humanity within nature and the best mode of human existence.

Philosophy is therefore engaged in the development of a person with "the cast of mind that is capable of processing facts and extracting their significance for human life, and whose participation in the affairs of society is thoroughly imbued with the desire to bring his intellect to bear upon human problems, so as to liberalise and humanize and, in a word, enrich life" (Wiredu, 1980:141).

Philosophy cannot therefore limit itself only to the attempts to understand and interpret the world, but must project itself towards changing the world for the better (Wiredu, 1980:51; Oruka, 1975b:87). Karl Marx must have been far from the truth when he lamented that, "philosophers have only interpreted the world in various ways; the point, however, is to change it" (Karl Marx, *Eleven Theses on Feuerbach*, 1845). The influence of various philosophers, at

different times in history, on practical affairs of human beings, including Karl Marx himself, would attest to the fact that many philosophers *par excellence* have always sought, and have succeeded to some extent, to change the world. For example, through their thoughts and life histories, people such as Mahatma Gandhi, Nelson Mandela and Julius Nyerere succeeded in changing their respective societies, and beyond, towards the realization of certain social ideals. Therefore, philosophers, among other thinkers, have an indisputable influence on practical affairs of human beings (Gyekye, 1997:19-24; Wiredu, 1980:16, 62). And that is how it ought to be. Philosophers, through their articulations, provide the theoretical basis for practical social transformation.

In pursuing its normative role, philosophy is engaged in the task of reappraisal of social orders – social and political organizations – in order to find out the best social order suitable for the promotion of human well-being (Wiredu, 1980:52; Oruka, 1997:140). Philosophy must engage itself in the search for an ideology – “a set of ideas as to what a good society should be like”. This search is for the best alternative social orders to the prevailing social arrangements. It therefore aims at bringing about social reconstruction – economic, political and cultural by ordering social relations towards an ideal goal. A society can only be directed towards such a goal by a postulation of coherent ideas as to what constitutes an ideal destiny (Wiredu, 1980:58-59).

It is instructive to note at this juncture that philosophy, in its normative role, cannot be apolitical. Philosophy must analyse and evaluate power relations in order to see whether they are conducive to the humane existence. And Oruka

had made this observation in one of his earlier works, "Mythologies as African Philosophy" (Oruka, 1972b:6, 10).

In the pursuit of the ideal destiny, philosophy must be committed to the securing of such conditions as shall permit the self-realizations of human beings as rational beings. This task entails the condemnation or destruction of conditions that make it impossible for human beings to act rationally and as moral agents. Such conditions either prevent one from thinking for oneself or render one unable to think for oneself. Such conditions are inhuman (Oruka, 1975b:87-88; Wiredu, 1980:141). Philosophy should propose ways through which such conditions can be removed or reduced.

Philosophy must then focus on the emancipation of humanity by addressing itself to such inhuman conditions or social orders that negate the ideals of human freedom, dignity and value of human life. This emancipation entails the pursuit of a humanist social order that promotes quality and security of human life both at individual and collective levels (Oruka, 1997:139-144).

The humanist social order, according to Oruka, should define and ensure a condition of the minimum moral good necessary for any tolerable human life. Under such a condition, every human being would be guaranteed the basic human needs and subsequently would enjoy the basic human rights. In practice it is feasible and easier to work with minimum requirement. For example, the minimum moral good accommodates every person's interest.

It is only when such needs are guaranteed and enjoyed by most, if not all, people of the world that we would have succeeded, to some extent, in creating a desirable social order in which most, if not all, people would be able to live as human persons—people capable of exercising their rationality and hence live a rational life as moral agents (or people morally responsible for their actions). It is instructive to note that some moral philosophers make a distinction between a human being and a human person. For to recognize a human being as a moral person “is thus to recognize that he has interests and not merely functions and thus to concede at least this minimum right” (Edwards, 1967b:198). Some of these interests are one’s life, dignity and respect.

The pursuit of the ideal destiny of humanity is considered the ultimate goal of philosophy. Theoretical knowledge (philosophy) must therefore be seen merely as a means to practical knowledge (philosophy)—the knowledge that focuses on the ideal destiny of humanity. The two levels of philosophy are inextricable. One is a lower level while the other is a higher level. A person may fail to attain the higher level, but the higher level presupposes the lower level, that is, the higher level transcends the lower one. In this sense theoretical philosophy is a lower level while practical philosophy is a higher level. The ideal destiny of humanity is projected towards one ultimate end—that of happiness. And in this we concur with Kant

In the moral philosophy of prudence, for example, the sole business of reason is to bring about a union of all the ends, which are aimed at by our inclinations, into one ultimate end—that of *happiness*, and to show the agreement which should exist among the means of attaining that end (Kant, 1934:454).

The normative role of philosophy is therefore considered the main and ultimate function of philosophy. According to Kant:

All the powers of reason, in the sphere of what may be termed pure philosophy, are, in fact, directed to the three above-mentioned problems alone [the freedom of the will, the immortality of the soul, and the existence of God]. These again have still higher end – the answer to the question, *what we ought to do*, if the will is free, if there is a God and a future world. Now, as this problem relates to our conduct, in reference to the highest aim of humanity, it is evident that the ultimate intention of nature, in the constitution of our reason, has been directed to the *moral* alone (Kant, 1934:455).

Kant considers moral philosophy, and therefore the normative role of philosophy, to be superior to all other functions of philosophy.

In view of the complete systematic unity of reason, there can only be one ultimate end of all the operations of the mind. To this all other aims are subordinate, and nothing more than means for its attainment. This ultimate end is the destination of man, and the philosophy which relates to it is termed Moral Philosophy. The superior position occupied by the moral philosophy, above all other spheres for the operations of reason, sufficiently indicates the reason why the ancients always included the idea – and in an especial manner – of Moralism in that of Philosophy. Even at the present day, we call a man who appears to have the power of self-government, even although his knowledge may be very limited, by the name of philosopher (Kant, 1934:475).

Kwasi Wiredu also considers social philosophy – philosophy in its fundamentally normative aspect – the crown of philosophy.

Ethics, moreover, may quite naturally be considered as a preliminary to political or, more broadly, social philosophy, which is concerned with the fundamental problems of the social institutionalisation of the concept of the good. Social philosophy is, indeed, the crown of all philosophy (Wiredu, 1980:172).

Odera Oduka concurs with the above view. In his view, normative role of philosophy is the chief function of philosophy (Oduka, 1997:95). Indeed, philosophy has other corollary functions that directly locate themselves within its broad branches of logic, epistemology and metaphysics, such as linguistic

... is and inquiry into the fundamental principles of nature and conditions of human knowledge. But none of these, either singularly or collectively, constitutes the main and primary function of philosophy. It is, philosophy as social philosophy, since it entails the other functions of philosophy, which constitutes the main and primary function of philosophy. Social philosophy, as Oruka describes it:

... is the critical search for, and a postulate of, the best conditions of human life and social order. In this view, philosophy plays the fundamental and direct normative role in society. It concerns itself with social theory (both normative and factual) and with the presuppositions of social existence and social order. Philosophy in this role is social philosophy. Social philosophy takes account of the existing state of human cognition (acquaints itself with classical and current works in sciences, philosophy and humanities) and employs this to evaluate or design a social order" (Oruka, 1975b:89).

And this is well summarized by Oruka when he asserts:

To complete its function, philosophy has to extend its functions to the ethics of human life and the conditions for the improvement of the world for human existence. This concern calls for philosophers to help reorganise and rationalise the available knowledge in order to improve human understanding and the welfare of mankind. And here lies the *moral mission* of philosophy (Oruka, 1997:99).

Plato, in the simile of the cave, argued for the need for philosophers who have attained the knowledge of the truth or reality to go back to the cave and enlighten the rest still imprisoned to the conventional or illusionary beliefs. In arguing so, Plato postulates the position that philosophers need to get into the real world and try to change it to the better. Those who have escaped from the imprisonment in the cave and attained the vision of a better life should go back to the cave and enlighten the multitude who still shrinks from the light (Plato, 1987:316-324; Boyd, 1962:112-113). Boyd gives a very sound Platonic explanation as to why philosophers must be concerned with the desire to

transform society; a concern which is an integral part of the meaning and role of philosophy.

Why should these few return rather than continue to enjoy the blessedness of their new freedom? The answer Plato gives is that their opportunity came to them through the education received in the good state, and that those who undertake the unrewarding task of government do so under the obligation to repay the debt. There is substance in this view for our age as much as for Plato's. Those who are socially privileged owe something to those whose labours make possible the leisure needed for a higher life. But the deeper reason surely is that wide as the gulf between ordinary citizens and philosophic rulers may be, they are still united by the ties of common nature, which by the chances of special endowment and education has come to cosmic consciousness in the few, at the same time as it has brought the discovery of unsuspected possibilities in the many (Boyd, 1962:113).

This is the cosmical conception of philosophy, to use the words of Kant. In this sense, philosophy must legislate for human reason.

Until then, our conception of philosophy is only a scholastic conception – a conception, that is, of a system of cognition which we are trying to elaborate into a science; all that we at present know, being the systematic unity of this cognition, and consequently the *logical* completeness of the cognition for the desired end. But there is also a cosmical conception (*conceptus cosmicus*) of philosophy, which has always formed the true basis of this term, especially when philosophy was personified and presented to us in the ideal of a *philosopher*. In this view, philosophy is the science of the relation of all cognition to the ultimate and essential aims of human reason (*teleologia rationis humanae*), and the philosopher is not merely an artist – who occupies himself with conceptions, but a law-giver – legislating for human reason (Kant, 1934:474).

Aristotle believes that the ultimate goal of human activity is happiness which is the ultimate *good*. Happiness is the purpose for human acts and for which humans live. But being the purpose, it must be in accordance with the function of human beings which is reason. By the act of reasoning both the moral and intellectual aspects of human beings are developed. Therefore, happiness must be an activity of the soul involving both moral and intellectual excellences as determined by reason (Palmer, 1994:75-76). It is a state of personal well-being

that implies self-worth. This, according to Aristotle, involves doing and living well in the affairs of the world.

Aristotle categorizes virtue into moral and intellectual, wisdom belongs to intellectual virtue. Wisdom is either practical or philosophic. Practical wisdom, *phronesis*, is the ability to understand and do the right thing as per circumstances. This should not be construed to imply moral relativism in the general sense. There are standards for morally evaluating virtues and rightness of actions. Practical wisdom entails making judgements in accordance with one's understanding of good life –happiness. As a result, it is related to moral virtue. Therefore, practical wisdom requires both moral and intellectual excellence. Philosophic wisdom, *sophia*, is theoretical (Palmer, 1994:77-79, Aristotle, 1953: 53-54). It is pure contemplation and therefore is second to perfection. It is contemplation on pure reason and therefore it is not only the highest intellectual virtue, but the highest virtue. Though moral virtues are subject to the Aristotelian doctrine of the mean, the intellectual virtues are not.

When Aristotle says: 'This makes it evident that of all kinds of knowledge wisdom comes next to perfection. The wise man, you see, must not only know all that can be deduced from his first principles but he must understand their meaning. So we conclude that wisdom must be a combination of science and reason or intelligence, being in fact the highest form of that knowledge whose objects are of transcendent value' (Aristotle, 1953:179) he meant that wisdom requires excellence in all human aptitude (Aristotle, 1953:178-181). It requires understanding not only the right end and means, but also acquiring the right



end through the right means: 'For wisdom is part of virtue as a whole, thus making its possessor happy by its exercise if not by its possession. Again, it is prudence and moral goodness that make possible the full performance of the function of a man. It is due to virtue that the end we aim at is right, and it is due to prudence that the means we employ to that end are right', (Aristotle, 1953:188). Prudence belongs to intellectual virtue while moral goodness belongs to moral virtue. However the two are bound together. And in pursuit of happiness, they cannot be separated (Aristotle, 1953:305-306, Adler, 1980:94-95).

Aristotle observes that the philosophic wisdom is the highest virtue because it alone is in accordance with what is most human, pure reason. Therefore, happiness in its highest and best form is life of contemplation. But it was never lost to Aristotle that human beings must also partake in practical affairs of life (Aristotle, 1953:303-304, Palmer, 1994:78-79). But since man does not live a life of solitary he cannot achieve happiness without due consideration of what is good for the society – the common good (Adler, 1980:99-107). This means that the life of pure contemplation and pure happiness is humanly impossible. However a happy life, and the best life for man, requires as much contemplation as humanly possible (Aristotle, 1953:305).

### **3.4 Oruka's philosophy**

Therefore, it is from this conception of philosophy that Oruka's philosophical works locate themselves and wherefrom they are interpreted and understood. Consequently, Oruka's philosophy is founded on this conception of philosophy – the conception in which philosophy's ultimate role is to articulate conditions

of human existence that best promote human dignity. Philosophy should postulate or prescribe social conditions that are conducive to the universal desire of humanity. Conceived thus, philosophy is essentially normative.

When Orika asserted: "What I have, so far, written and published has been an attempt to clear three things I consider current and future obstacles to philosophy and even to wisdom and human justice in general: They are (1) Social-economic deprivation, (2) Cultural-racial mythology, and (3) the illusion of appearance" (Oruka, 1990a:174-175), he was indeed not only outlining the nature and broader themes of his philosophical engagement but also asserting the foundation of his philosophy *an attempt at articulation of better principles of social justice.*

To Orika, the search and pursuit of wisdom is a primary role of philosophy *par excellence.* And central to wisdom is the search for the principles by which worthy conditions of human relations and existence can be created; conditions that presumably would safeguard and promote human dignity and happiness. We consider human dignity and happiness universal human desires. Consequently, the search and articulation of principles of justice are indispensably linked to wisdom and philosophy.

An accurate understanding and evaluation of the conditions under which humans live requires a precise and firm understanding of the very conditions as well as how they came to be. Orika asserts that most of his works were attempts to clear obstacles to philosophy. Those attempts are not only

philosophical by virtue of the methodology but also by belonging to the very central roles of philosophy.

Social-economic deprivation, in Oruka's view, is a main but not the sole, hindrance to mental development and creativity particularly if looked at from its cognate components poverty and hunger. He believed that the main divide between the mentally creative and non-creative persons lies in the variation in their social-economic reality. Consequently, the surest way to historical and scholastic oblivion, at the levels of individuals, nations or races is social-economic deprivation (Oruka, 1990a:175).

The prospects for philosophic and scientific development in African and the so-called third world in general are likely to remain elusive for a very long time unless there is a substantial improvement in their social-economic condition. The deprivation has been persistent for long and should be addressed not only as a priority but also as imperative. And the causes of this sorry state cannot be confined to external source such as imperial and foreign cultural domination, but are also internal. I can only imagine some of the causes such as corruption, self-denigration which de-motivates and anachronistic ethnic chauvinism and hatred (negative ethnic beliefs and stereotypes) that often create conflicts and wars. Solutions to social-economic deprivation therefore definitely would require self and rational re-examination and critique (Oruka, 1990a:176).

The cultural-racial mythology as obstacle to philosophy or justice addresses itself to myths that have historically formed the foundation of racism and in particular against Africans. These myths portray nobility, rationality and civilization to be natural preserve of some races. This presumed natural distribution of nobility, rationality and civilization among races has consigned ignobility, non-rationality, backwardness (lack of civilization) and slave-mentality to Africans. As a result, Africans have often been portrayed by such myths as naturally incapable of humanly worthy gifts or civilization.

Such myths are not only obstacles to interracial understanding but also undermine prospects of genuine international justice and peace. Oruka has, in some of his works, addressed such myths by examining possible basis of the myths and has laid bare the unreasonableness of such myths which have unfortunately contributed to the oppression of Africans not only historically, but also to the present. The cultural-racial mythology therefore has contributed to the creation of the undignified conditions of human life in Africa.

On the Illusion of appearances Oruka explains that appearance often appeals and sways most people from truth and therefore is an obstacle to intellectual creativity. He concurs with Friedrich Nietzsche to whom he refers to have said that a man of genius is unbearable unless he possesses at least one quality, cleanliness. Of course cleanliness gives a genius an attractive appearance and hence acceptances even if his thoughts and language are dry, hard and elude most people.

Prejudices such as sexism, tribalism, racism and personal or national indifference emanate from superficial influences of appearance, though they lack substantial foundation. A person of substantial understanding hardly falls prey to such prejudices and would critically and objectively examine appearances, for example, the gender, tribal or racial differences without being prejudiced. Religion is another area. Religious claims appear true to most people, yet their truths are mostly doubtful on critical analysis. Therefore, putting absolute faith in religion especially when faced with social problems is indeed a hindrance to the solution of the problems. Furthermore, many cultural practices and beliefs appear to their practitioners as self-evidently true, yet in actual sense they are not. A person of substantial understanding is always on guard against illusion of appearances which, according to Oruka, has contributed to many ethnic, interracial and sexual conflicts as well as oppression. The fact that appearance often sacrifices truth does not imply that appearance may not in itself be true or manifest truth. Truth is best grasped and expressed through analysis of experience as well as simple and clear communication. "We should communicate clearly and let others grasp our meanings and criticize our findings. There is no real virtue in finding sanctuary in complicated academic jargons. I have always written simply. I do not know how to use verbosity and I hate philosophers who rain circumlocutions on me" (Oruka, 1990a:178).

Therefore, some of Oruka's writings are attempts at clarifying some appearances which are conventionally taken as truth while they are not, or ~~truth~~ which are taken as mere appearances. The works in this category are

... essentially analyses of concepts such as those that address truth and faith  
... and ideology, truth and culture as well as the definitional problem  
... philosophy especially ethnophilosophy.

## 5 Conclusion

... cosmic or holistic conception of philosophy implies that philosophy is  
... essentially normative, and as such is primarily concerned with the condition  
... human existence but moreover the search and articulation of principles by  
... which the best possible social conditions of human existence can be secured  
... philosophy as normative is concerned with the search for social conditions  
... that would guarantee or promise security of human life, dignity and justice  
... philosophy as such must interrogate the prevailing social conditions including  
... the power structure and relations in society. Philosophy as normative therefore  
... necessarily political - it cannot be apolitical.

fundamentally analyses of concepts such as those that address truth and faith, truth and ideology, truth and culture as well as the definitional problem of philosophy especially ethnophilosophy.

### 3.5 Conclusion

A cosmic or holistic conception of philosophy implies that philosophy is essentially normative, and as such is primarily concerned with the conditions of human existence but more so the search and articulation of principles by which the best possible social conditions of human existence can be secured. Philosophy as normative is concerned with the search for social conditions that would guarantee or promise security of human life, dignity and justice. Philosophy as such must interrogate the prevailing social conditions including the power structure and relations in society. Philosophy as normative therefore is necessarily political –it cannot be apolitical.

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## Chapter 4 Thematic Exposition

### 4.1 Introduction

This is a thematic exposition and analysis of Oruka's works. Oruka has indeed outlined broad themes of his works and asserts that they are not only related to philosophy and wisdom, but also to justice. I intend to situate, through exposition and analysis, at least most of Oruka's works within the themes. This will show not only the nature of the relationship between the broad themes but also the fundamental issues running through them and consequently Oruka's philosophy.

### 4.2 Social-economic deprivation

The social-economic deprivation especially abject poverty and its related consequences are central to Oruka's philosophical works. Extreme economic or material deprivation is a serious hindrance not only to human comfort, but in most cases, to clear thinking and hence to moral and criminal responsibility. Many of Oruka's works directly or indirectly address this issue of social-economic deprivation as an obstacle to justice in society.

In his book, *Punishment & Terrorism in Africa* (1976/1985), Oruka addresses, at least, two fundamental issues. One of the issues is the basic assumption of moral or criminal responsibility, and hence the justification of punishing criminals. The second issue relates to the fundamental causes of crime, or the criminal forces that drive criminals into committing crimes. In this book, Oruka argues that criminal forces are indeed the factors that are responsible

for crimes and not the criminals. Criminals are essentially victims of criminal forces. Punishing them under the belief that they are criminally responsible is, therefore, hard to justify morally or legally.

The book, *Punishment & Terrorism in Africa*, (1976/1985) is a work in moral philosophy. In this book Oruka argues against holding the concept and institution of punishment. His position is that the justification of punishment is not tenable both ethically and logically, or even legally. Punishment is always justified on the assumption that the criminals are responsible for their actions (crimes) which implies that they act out of free will and hence could avoid the crimes if they so wish. But Oruka rejects this basic assumption for various reasons.

Oruka argues that the notion of "free will" or "exercising free will" on which moral or criminal responsibility is based is too metaphysically vague to be used to evaluate human practice. In the philosophical circles, free will is understood as the psychological capacity to make decisions (Pink, 2004:2-5). Therefore it is taken for granted in adult human beings. It is assumed that an adult human being has control over his/her actions as well as whatever it entails. But if what one does and how one does it is really within one's control then, it is again assumed, that one is free to act otherwise than one actually does. In other words, one has more than one option from which to choose. But Oruka argues that criminal or moral responsibility should be based on a necessary and sufficient cause which is subject to avoidability, either through change or removal.

...a cause is responsible for an event if the cause is necessary and sufficient for bringing about the event and it is possible to change or remove the cause. According to this concept of responsibility, it is not enough for a person to be responsible for an act that the person intentionally or voluntarily performed the act (Oruka, 1972a:10).

Oruka's uses the concept of criminal or moral responsibility in a sense which implies that intentionality or voluntariness alone is not a sufficient ground on which to base criminal or moral responsibility. The idea of avoidability cannot be ignored in criminal or moral responsibility. 'I will therefore assert and assume that a person is criminally responsible for a crime if in committing or allowing the crime his action was intentional and avoidable' (Oruka, 1985:11).

Oruka then argues that any factor which cannot be changed or removed cannot be responsible for anything. Free will by its very nature, being self-determined, can neither be changed nor removed (Oruka, 1985:81). Therefore, it cannot be responsible for crimes. 'If we remove free will from the concept of responsibility, the notion of *mens rea* falls to pieces. And this means then that there is no reasonable moral ground on which in law a person may be charged responsible for a crime' (Oruka, 1972a:10).

Oruka's argument should be understood in the light of the fact that free will is not independent of a person. It is a function of the brain and therefore a part of a person (body). It is a disposition that is dependent on a number of factors some of which are the condition and the health of the body, the level and kind of knowledge one has acquired, and generally the values and beliefs one has ~~possessed~~ and by which one's life is interpreted and guided. Therefore,

logically it cannot be extricated from the general conditions under which one lives.

Acting intentionally or voluntarily is necessary but insufficient for the determination of criminal responsibility in so far as it ignores the very forces or factors that make one choose to act in a particular way. In criminology, these forces are the criminal forces which drive one into committing a crime. Criminal and hence moral responsibility must entail the notion of human avoidability.

But an action is humanly unavoidable for an individual if the person can refrain from it only at the cost of losing or doing serious damage to his life or at the cost of doing serious damage to his well-being or that of his community. A person who steals food as a necessity if he is to avoid starving to death commits an action which is humanly unavoidable (Oruka, 1985:12).

Stealing of food could be intentional but, in the cited case, naturally unavoidable. One could avoid stealing and either starve or beg for food, or wait for some charitable assistance. But whether that option is morally better is another issue. Therefore, one should only be held criminally or morally responsible for an intentional action that is humanly avoidable (Oruka, 1985:13, 19). Oruka argues that most crimes are committed due to factors which are humanly unavoidable.

Most crimes are committed under the impulse to satisfy either an economic or a psychological need, or the need of "a malevolent unconscious ego" (Oruka, 1985:15-17). Therefore, crime does not originate from *mens rea* (evil will) but from either one's inheritance or social environment. These needs or impulses constitute the criminal forces that drive people to commit crimes Oruka

therefore asserts that the criminals are not responsible for their crimes. Hence he rejects and dismisses the retributive and utilitarian justification of punishment (Oruka, 1985:24-26). Moreover, he argues further that if 'free will' is really free then one is unable to control it. But if it is the primary cause of crime then one can really do nothing about it. Consequently, one cannot logically be held responsible for that over which one has no control. However, this assertion takes cognizance of the problematic of conceptualizing free will vis-à-vis the human person (Oruka, 1985:7-9). Therefore, the use of free will as basis of criminal responsibility is further weakened. Oruka succinctly points this out when he asserts:

It follows then that when in law they say a person is responsible for a crime, they imply that his free will is responsible for the crime. Now, according to the meaning of responsibility which I have just suggested, any factor which we cannot change cannot be responsible for anything. Free will seems to be a myth. But even if it were not a myth there is nothing we can do to change or alter free will. It is a contradiction in terms to say that one can change free will; because free will is not free when there is some factor, external to it, that changes or alters it. Free will must act only in accordance with its own self-determination (Oruka, 1972a:10).

Oruka does not believe that criminality originates from 'free will' and therefore he dismisses free will as a fundamental principle explaining criminal responsibility and hence a justification for punishment:

Since free will is a very vague metaphysical notion, responsibility defined in terms of free will is equally vague and impossible to determine in practice. We need to extricate criminal law (and even morality) from such indeterminate notions and obscurities as "free will". And we should establish an empirical or a determinate criterion for holding one responsible for an offence. Such a criterion will in practice enable us to determine clearly and non-metaphysically whether a criminal is or is not responsible for his crime (Oruka, 1985:9).

This position of Oruka does not imply that he rejects "free will" in itself. He only dismisses it as the only main determinant of criminal responsibility. Oruka contends that criminality is, in the main, socially or hereditarily determined. The fundamental assumption of Oruka is that criminality or the primary criminal forces that induce one into committing crime originate from outside a person.

I am convinced that if we start from the basic position that there are empirically knowable and removal causes or factors that induce people to commit crimes and couple this with the proposition that a person is not responsible for an action or a crime which he did not intend or could not avoid, then we shall have established a most basic ethical and scientific rationale and attitude for dealing with criminals. On the basis of this rationale we can then investigate and try to determine the extent to which people can or cannot control or avoid such causes or factors that induce them to commit crimes (Oruka, 1985:13).

To support this basic assumption Oruka claims that a person is born without the knowledge of evil or good, right or wrong, crime or noncrime. The character of a person is mostly as a result of genetic inheritance and social experience and existence. And these are, to a great extent, external to a person. Furthermore, he cites extensively authorities (Oruka, 1985:15-18) which not only suggest that criminal forces originate from without a person but also that most crimes are committed for economic reasons. For example, in his book *The Sociology of Deviant Behaviour*, Marshal Clinard, as cited by Oruka, claims that economic related crimes constituted 94.5 per cent of all crimes reported to police in USA in 1954 (Oruka, 1985:18). Oruka therefore concludes: 'Thus we should look for the criminal factors mostly from the economic set up and economic relations in society' (Oruka, 1985:18). The implication of this observation, if granted, is that crimes would be greatly

reduced if the criminal forces, which are mainly economic, were greatly reduced (Oruka, 1985:19).

Oruka observes that most crimes are economic crimes or economic related crimes, which are committed for economic needs. Most economic crimes are direct such as robbery, burglary, or theft in general. There are also several crimes which are economic related such as violent crimes which are precipitated by use of intoxication, brewing or taking of illicit brews which are still common in several countries especially in Africa, prostitution where such practice is illegal, and petty drug takers or traffickers. Most of the people who commit such crimes live below the human minimum, and as a result are drawn into crimes by desperation to survive. Oruka argues that the non-economic crimes are caused either by hereditary factors or sickness, for example, rape, grand corruption and large-scale drug traffickers; the criminals are drawn into them by factors which are still beyond their control. And punishing such people under the assumption that they are criminally responsible would be unjustified.

People are partly drawn into criminality through socialization. The social environment into which one is born and brought up or parenting contributes, to a great extent, whether one gets into criminality or not. Social environment not only defines criminality but also socializes into it or not. This implies that an individual is partly drawn into criminality by factors beyond one's control. Thus, one should not solely be held criminality responsible. Society not only has a role but also a vested interest in the creation of criminality. Casper Olegi Awuondo has, not only ably explained how crime is a big industry and has become socially indispensable, but is socially generated (Awuondo, 2001). For instance, let us imagine the number of people who are employed and therefore



who earn a living in the crime industry; the law enforcement and corrective institutions such as the judiciary, the lawyers, and the police force. All these have vested interest in crime.

Oruka recognizes that the criminal forces are the primary causes of crime while intentionality is only a secondary cause (Oruka, 1985:19-23). The criminal forces are the ones that trigger off crimes while the secondary causes are only intermediary. Therefore, it is the primary causes that are mainly responsible for crimes. This implies that if primary causes were removed then the secondary cause would be ineffectual.

...I maintain that the secondary causes such as intention or character cannot be responsible for a crime to the extent that they are merely the inevitable consequences of the primary causes. In other words: the social structure and the criminal factors or forces are the real or primary causes of the crimes committed in society. Thus, in every society the nature of social structure or existence determines the quality and quantity of the crimes in it. To reduce or eradicate crimes it is necessary that the social structure should absolutely be reformed or changed for the better. The changes in the society will cause changes in the attitudes and minds of the citizens and criminals (Oruka, 1985: 23).

Maybe I need to explain the above point. Oruka does not say that a criminal is completely innocent. The criminal has a role in crime commission, but the role a criminal plays is less grave compared to the criminal forces. That explains why the treatment he recommends takes into consideration both the individual criminal as well as the society. Both have a role in crime commission. But to punish the criminal as if he/she bears the whole criminal responsibility is, in Oruka's view, morally or legally misplaced.

It fails, according to Oruka, punishment as a practice does not achieve its intended aim and function. Oruka believes that the aim of punishment is "to maintain or maximize social security" and its only function is to deter the commission of crimes (Oruka, 1985:26-29). But it fails to achieve this aim and function because, as it is practised now, punishment does not address itself, at least effectively, to the criminal forces which are the primary causes of crimes. It addresses itself to the secondary cause, the criminal, who is only a victim of the criminal forces. Therefore it is very ineffective and absurd method of trying to reduce or eradicate crimes (Oruka, 1985:29-30, 78-82).

The concept and practice of punishment is therefore unfair and raises an ethical issue. Oruka therefore recommends the abolition of the practice of punishment, since what goes on under the tag is nothing but legal terrorism (Oruka, 1985:82-83, 103); and he defines terrorism in general as:

The intentional infliction of suffering or loss on one party by another party which has no authority or legitimacy to do so, or which appears to have authority or legitimacy but has in fact deprived the sufferer of the *minimum ethical consent* necessary to recognize such authority or legitimacy (Oruka, 1985:47).

The lack or loss of minimum ethical consent is a result of either lack of moral justification for punishment or punishment that is beyond a reasonable maximum (Oruka, 1985:42-45). When one is punished under the pretext that one is solely criminally responsible for the crime yet the criminal forces which are the primary causes of crimes are not within the effective control of the individual then the so-called punishment is unfair and is morally unjustified. This necessarily raises the issue of justice in society.

Consequently, Oruka argues that the presence of the institution and practice of punishment is a manifestation of injustice in society; and the more the punishment the greater the extent of injustice in society, committed by both the punishers and their victims (Oruka, 1985:53). When the victims of punishment believe that they are not fairly punished, they are likely to be resentful and perpetuate more injustices in society. Moreover, if punishment is considered, not only as a reaction to injustices but also as unjust in itself, then the more the punishment the greater the injustices in society.

Oruka seems to be more concerned with the possible means of creating an enlightened and rational society. Such a society would be determined by the degree to which it practises or attempts to practise pure justice; a condition in which good and evil are objective and not subjective notions (Oruka, 1985:84-89). If it is granted that the real causes of crimes are the criminal forces which are mostly external to the criminals then the more rational way to reduce or eliminate crimes (injustices) would seem to address these forces. But since these forces mostly originate from the social and material conditions in society, the whole society should share in the responsibility. This would make the practice of justice more objective. Oruka therefore believes that an enlightened society considers both the criminal and the social conditions that engender criminality in its attempt to either eliminate or reduce crime.

Towards the establishment of such a society, Oruka recommends treatment instead of punishment. Treatment would have as its main aim the ridding of the ~~criminal~~ of his/her criminal behaviour. In treatment, the so-called criminals

Consequently, Oruka argues that the presence of the institution and practice of punishment is a manifestation of injustice in society; and the more the punishment the greater the extent of injustice in society, committed by both the punishers and their victims (Oruka, 1985:55). When the victims of punishment believe that they are not fairly punished, they are likely to be resentful and perpetuate more injustices in society. Moreover, if punishment is considered, not only as a reaction to injustices but also as unjust in itself, then the more the punishment the greater the injustices in society.

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would be considered sick and therefore the focus would be on the criminal forces just like doctors focus more on the causes of sicknesses than their victims in order to rid the patients of the diseases. This treatment will be two-pronged: - it would focus on the criminal as well as the society that produces the criminal forces (Oruka, 1985:87-89).

Oruka is aware that his proposal for the abolition of the concept and practice of punishment and its replacement with treatment is an ideal that cannot be realized immediately or in its entirety (Oruka, 1985: 82-86, 90). Therefore, in so far as the practice of punishment is still in place then it is ethically desirable to keep it within a *reasonable maximum*, since anything beyond that is not punishment but terrorism (Oruka, 1985:79). The creation of an enlightened, humane and rational society is an ideal worthy of pursuing. In such a society people have decent existence and human dignity is upheld, and the hence such a society constantly aims at improvement of the conditions of human existence.

In society treatment we must use our new inventions to cure or change our bad old ills or ways. We must change our values in accordance with the change of history. Our political ideologies and constitutions, our moral and ethical outlook, our economic structure and basic economic needs—all these should be subjected to historical change. The aim should always be to make every historical epoch better and much happier to live in than the previous one. We must increase to the highest degree our social security and harmony. In this way we shall not only live but we shall live well and live better, live beyond the level of sheer existence (Oruka, 1985:89).

The basic presupposition in Oruka's argument against the concept and practice of punishment is that if the conditions of human existence were made humane, these human beings would develop positive values that would militate against

social evils or crimes. A humane society needs to develop a human minimum condition that would nurture humane characteristics. Towards the creation of such a condition, there is need for the improvement of the economic conditions for most people, if not all, people. Such a condition would have two very important moral implications. The first is that the crime rate is likely to reduce given that most crimes are committed in order to fulfil economic needs, due to frustrations resulting from the lack or inability to satisfy economic needs. The second implication is that those who commit crimes can be morally held responsible for the crimes since they would not possibly argue that they committed the crimes out of desperation to fulfil economic needs such as food or health facilities. But as the situation stands with most people apparently living below or on the poverty line, punishment is antithetical to human rights. Human rights relate to the quality of human life and dignity, and primary or fundamental rights are economic rights.

Capital punishment which is widespread in Africa violates the supreme human right, that is, the right to life on which all other rights depend (Oruka, 1985: 114-116). The right to life entails the right to a minimum standard of living which is enshrined in the United Nation Declaration of Human Rights under economic right, yet most of capital offences for which offenders lose their lives are economic offences (Oruka, 1985:118-119). In this case, the law through capital punishment elevates property right above right to life. This is a legal and moral paradox. The right to liberty which is also enshrined in the U.N Declaration of Human Rights cannot be enjoyed in the absence of a minimum standard of living. I explain later in this work what constitutes the

minimum human standard of living. Those living below this minimum lack the capacity to enjoy the right to liberty. And so long as this minimum is not met, in Oruka's view, it does not make sense to talk of human freedom; even the exercise of the so-called freewill and criminal responsibility does not make moral sense.

The issue of economic right as the most fundamental human right and freedom, and therefore central in the definition of the human minimum, is well explained in Oruka's book, *The Philosophy of Liberty* (1991/1996).

In *The Philosophy of Liberty*, Oruka addresses issues related to the concept of liberty, which he uses synonymously with freedom. It opens with a brief survey of the historical understanding of liberty from some Greek to modern European classical philosophers. In this survey Oruka observes, that in Western philosophy in general; first, a distinction is often made between individual liberty and social or collective liberty. Second, priority or more emphasis is put on individual liberty than social collective liberty. Third, liberty tends to be seen as the rational pursuit of or living in conformity to a universal truth.

Oruka points out the shortcomings of the general Western conception of liberty. Most of the thinkers make distinction between mental and social liberty, and hold that mental or intellectual liberty is primary to social liberty. Oruka rejects this view. To him, mental and social liberties are necessarily related. One must live or exist first before one thinks. Therefore, social liberty

that deals with one's civil or political rights cannot be secondary to mental liberty. Furthermore, one does not think in a vacuum, but about things that pertain to one's way of life.

The second shortcoming relates to the idea of universal truth. Oruka argues that the assumption that "truth is universal" is contestable and most likely false. Any claim to truth must entail belief, and belief is not certainly self-evident. Moreover, even self-evidence is a probability; things are more or less self-evident. More often than not, there are more than one contending claims to truth. One then wonders what would be the true "ultimate truth" or universal truth in such a situation, which can easily be discerned in the spheres of religion and culture.

Reading through the book *The Philosophy of Liberty*, one realizes Oruka's dissatisfaction with the Western conception of liberty, from ancient Greek philosophy through modern European period, due to the following two main reasons among others. One, they tend to emphasize individual liberty at the expense of social liberty. In this process, they emphasize the individual at the expense of the society. Second, they seem to fail to realize that liberty is a right by which one makes demands on others. As a result the social application of liberty becomes problematic (Oruka, 1996:59-60, 81).

Oruka then embarks on the problematic of the definition of liberty and ~~admits~~ that 'What is liberty?' cannot adequately be answered since the question presupposes the idea of the essential nature or attributes of liberty.



Yet the 'essential nature' seems too vague to make adequate definition of liberty attainable (Oruka, 1996:49), especially when it is hoped that such a definition could help in addressing practical human problems. In his definition of liberty or freedom, Oruka necessarily links the concept to the fulfilment of human needs, for example, liberty implies the enjoyment of some human need. Such a definition situates the concept of liberty within practical philosophy and makes it practically important and relevant.

Oruka observes that liberty is a right and is therefore relational. Being a right, logically it cannot be sought for its own sake, but to fulfil certain needs which are either primary or secondary. Therefore he gives a stipulative definition that takes into consideration the aspects lacking in both the Greek and European conceptions. He therefore proposes that an adequate definition of liberty should be expressed thus, 'liberty for X in S', where X may represent an individual or society, and S represent some particular society or community. Therefore, 'liberty for X in S' means that 'X has, with respect to S and with equality with others in S, ability and opportunity to obtain or satisfy X's primary and secondary needs in S' (Oruka, 1996:52).

In the light of this definition one would not have liberty if one has some needs but lacks either the ability or opportunity to fulfil those needs. And lack of opportunity may be due to one being either directly or indirectly prevented from obtaining one's needs (Oruka, 1996:55-57). This definition implies that as long as one's needs are fulfilled either by himself or some other person, one cannot rightly claim that one's liberty in respect to the fulfilment of

that needs in question are denied or lacking. The case of children is an example. So long as the needs of children are met by some adult, one cannot say that their own inability constitutes lack of liberty.

But one may lack the opportunity to fulfil one's needs through either direct or indirect prevention. One is, for example, directly prevented from fulfilling one's needs if one is prevented from picking up a job from which to earn a living. I can think of a repressive regime that confiscates the certificates and travelling papers of citizens who are perceived to hold dissenting views to the government official position, thus making it impossible for those citizens to secure jobs within the country or to travel outside the country to look for jobs. And one may be indirectly prevented from fulfilling certain needs if in order to enjoy the needs; one is required to meet certain condition which one cannot. For example, if one cannot have education without paying then those who cannot pay would be indirectly prevented from having education, hence prevented from enjoying knowledge and the benefits of knowledge got from education.

Human needs are categorized into primary and secondary. Primary needs are those that make human life possible. Without them human existence would not be possible. Therefore, primary needs are fundamental and universal. And being fundamental, they are absolute. Secondary needs are those that enrich life. Life would still be possible, though of low quality, without them. As Oruka points out, primary needs are food, shelter including clothes, knowledge, action or movement, health and sex as a biological

necessity for the survival of human community. Sex would be a primary need if it is granted that an individual would not survive without community and sex is necessary for the survival of human community. Knowledge and action must be understood in the wide sense such that without any knowledge or action at all, human life would be impossible. Knowledge of oneself and one's environment as well as what is and is not harmful to human life is necessary for human survival. Secondary needs are the need to express oneself, assemble with others, have and disseminate an opinion, have religion or unreligion, have culture and have sex for pleasure (Oruka, 1996:60-63). Human beings need all these in order to live an enriched life.

The categorization of human needs into primary and secondary is very important in at least two significant ways. First, the fulfilment of primary needs is a priority to all human beings and human societies. Therefore, in a situation of competing resources one easily gives priority to the fulfilment of primary needs. Second, when there is conflict between the fulfilment of the primary and secondary needs, the fulfilment of primary needs must take precedence over the fulfilment of secondary needs. And the categorization makes this decision possible and easy.

Liberty can therefore be primary or secondary depending on the kind of need for which it is sought (Oruka, 1996:62, 82, 88). Primary or basic liberty relates to the fulfilment of basic human needs while secondary liberty relates to the fulfilment of secondary human needs. The fact that the fulfilment or non-fulfilment of a need is a matter of degree implies that liberty or lack of liberty

is a matter of degree too depending on the extent to which one's needs are fulfilled

Oruka further categorizes and explains the freedoms in terms of the needs for which they are sought. They are economic freedom, political freedom, intellectual freedom, cultural freedom, religious freedom and sexual freedom (chapter 6). Of all these freedoms, according to Oruka, economic freedom is the most basic, and it is a complex freedom comprising, among others, freedoms relating to the fulfilment of most of the basic human needs such as, freedom from hunger, freedom to find shelter, freedom from ill health, freedom to find work and earn according to one's labour and freedom to use one's earning as one wishes.

Political freedom is also a complex freedom comprising both primary and secondary freedoms. Some constituent freedoms relate to the fulfilment of basic needs such as freedom of action and freedom of education (or, freedom from ignorance), and some relate to the fulfilment of secondary needs such as freedom to have an opinion, freedom of expression, freedom of assembly, freedom to get the right information, freedom to seek power, freedom to vote and freedom to form political party. And since most of these freedoms relate to the fulfilment of secondary needs, political freedom can be considered a secondary freedom. But it is also secondary to economic freedom because effective enjoyment of it is a function of economic freedom. Economic dependence or lack of economic ability is a major hindrance to the effective or practical enjoyment of political freedom.

Cultural freedom means the ability and opportunity to live according to one's cultural requirements or, better but different life from the one prescribed by one's culture. It involves seeking what one may consider a better life. And being a secondary freedom, it should be concerned with enriching human life. Therefore, it cannot rationally involve seeking a decadent or a worse mode of life, or life which is in total disregard of other people's feelings and cultural judgments. This freedom then comprises such other freedoms as freedom to have pleasure and from monotony, freedom from being a slave of trivial popular sensibilities, freedom from enslavement to alien culture, freedom to adopt a more rational attitude to life, and freedom to change one's mode of life whenever necessary. Since culture necessarily involves a communal life – an expression of a people's life, it presupposes political freedom, that is, political freedom is necessary for the enjoyment of cultural freedom.

Intellectual freedom means the ability and opportunity to seek and exercise knowledge. Intellectual freedom is also a complex freedom which comprises other freedoms such as freedom to read and write, freedom to carry out experiments and research, freedom to critique, and freedom to disseminate or propagate one's opinion. This complex freedom therefore implies political freedom. Conversely, lack or suppression of political freedom implies lack or suppression of intellectual freedom.

Religious freedom means the ability and opportunity to live according to one's religious or unreligious beliefs. This freedom could mean holding a belief in a

supernatural being and living according to the demands of, or claims derived from, the supernatural being. Since religion claims to guide towards a good life, religious freedom entails living and pursuit of good life as the goal. But religious freedom could also mean not holding any belief in supernatural being or living a life that conforms to any particular religion. This necessarily means that religious freedom presupposes cultural freedom. In other words, to enjoy religious freedom requires the enjoyment of cultural freedom. Religion provides just one of the possible modes of life that one can pursue. Therefore, it is a form of cultural freedom. It cannot be enjoyed in the absence of cultural freedom. So, culture is used here in a wide sense such that it necessarily includes religion.

Sexual freedom is the ability and opportunity to engage in sex either as a means of perpetuating and preserving human species or for pleasure. As a biological necessity, sexual freedom is a primary freedom, but as pleasure, it is a secondary freedom. Sexual freedom therefore comprises such freedoms as freedom from ignorance and freedom from ill-health. Ignorance and ill-health are hindrances to the enjoyment of sex. One cannot, strictly speaking, optimally enjoy sex if one is ignorant of the possible best ways or conditions that make for its enjoyment; or rather, even conditions that impede the enjoyment of sex. Therefore, enjoyment of sexual freedom would require the enjoyment of cultural freedom. This means that effective enjoyment of sexual freedom would not be possible where cultural freedom is lacking or severely suppressed. In other words, sexual freedom presupposes the freedom to search for and pursue possible better ways to make life richer and more enjoyable.

Oruka thereafter prioritizes the freedoms and explains the relationships that pertain between the various freedoms. Using  $I_e$  for economic freedom,  $F_p$  for political freedom,  $F_c$  for cultural freedom,  $F_i$  for intellectual freedom,  $F_r$  for religious freedom and  $F_s$  for sexual freedom, he explains the relationships thus:

...that  $I_e$  is the most fundamental liberty and it remains a necessary condition for  $F_p$  which in turn becomes a condition for  $F_c$  and  $F_c$  in turn is necessary for the three liberties,  $F_i$ ,  $F_r$  and  $F_s$ . The three liberties are independent of one another. One does not, for example, need sexual freedom in order to exercise intellectual freedom and vice versa. Similarly, no intellectual or sexual freedom is necessary for those seeking religious freedom; religious monks and nuns are, for example, often freer and happier living in exclusion from circles that encourage intellectual or sexual tastes (Oruka, 1996:80).

It is instructive to emphasize at this point, since this is central to Oruka's philosophy, that the most fundamental liberty or freedom is economic freedom which, as I have explained, comprises, among others, the most basic freedoms such as freedom from hunger or poverty, and ill-health or threats to life. In other words, it comprises the freedom to fulfil the biological needs necessary for life (Oruka, 1996:65-67).

Coming to the application of the concept and understanding of freedom to the African situation, Oruka begins by addressing the issue of consciousness of freedom (chapter 7). Consciousness of freedom is considered fundamental in understanding the status of freedom in the post colonial Africa. In Oruka's view, for one to adequately realize or enjoy freedom (liberty), one must be conscious of freedom. This consciousness entails being conceptually and practically aware of the needs for which freedom is sought and their

prioritization, of those factors that hinder freedom and the needs to remove them. He puts it thus:

To be conscious of freedom is to be conceptually and practically aware of those elements, physical and social, that deny one freedom. It is to be conscious of the need to remove such elements as a necessity for the realization of freedom. Hence, to be fully conscious of freedom is to be conscious of all those factors that hinder freedom (Oruka, 1996:87).

He further states:

One will then not be sufficiently conscious of freedom when one mixes up primary and secondary freedoms: when one opts for a secondary freedom instead of opting for a primary freedom. On the basis of this confusion one demands, say, a television set instead of a sanitation gadget, a car instead of a house, the opportunity to excel in the culture of a "master race" instead of the indigenous ability to remove the social-cultural base that perpetuates racism, one demands the removal of a colonial governor while leaving untouched the removal of the colonial medal decoration –one demands *political* independence but leaves out economic or cultural independence. One is inspired by now half truth Nkrumahian maxim, 'seek ye first political kingdom and all else will be added unto thee' (Oruka, 1996:88).

The fundamental question raised here is whether during the struggle for freedom or independence most, if not all, African nationalists were sufficiently conscious of the freedom for which they struggle. But if they were, they would have articulated well and defined the type of social organization they would have liked to see prevail in the post colonial African states. This would have meant the development and existence of sound ideologies in the postcolonial African countries. Ideologies express the social values and ideals, and how they are to be actualized. African states and political leaders in particular, have been ideologically bankrupt throughout post colonial period up to now.

Had they been adequately conscious of freedom, they would have had a well articulated prioritization of freedom. In such a case, the ideologies developed could have defined social ideals in which the top priority could have been



economic freedom and the fulfilment of economic needs. Economic independence and general wellbeing should have been the top priority unlike what seems to have prevailed then, and still prevail today in virtually the whole of Africa; a situation where political freedom and independence is the top most priority. Yet political freedom should not be emphasized and sought at the expense of economic freedom. Cultural freedom and independence even seem forgotten, or rather, is not given due emphasis in the post-independent Africa. The invasion and dominant presence of foreign cultural values and practices, and worse still, decadent ones, is a testimony to this sorry condition of cultural freedom and independence in post colonial Africa (Kihumbu Thairu, *The African Civilization*, chapters 2-7).

It would seem that for most African liberation leaders, the liberation was an end in itself, and it was simply to drive out colonialist and to take over the colonial offices. They did not see liberation as a necessity for the destruction of the colonial institutions and transforming the independent African countries into better countries in accordance with some ideologies –social ideals. As Oruka puts it:

There is no doubt that many of the people involved in the liberation struggles see the end of those struggles simply as a matter of driving away the colonial or racist administration and taking over the offices vacated by the colonial regime. When they take over they expect to run the countries in the same style as the former colonial regime except, however, that they expect that the benefits will be to themselves and to the fellow Africans. If these types of people are persuaded that national liberation is something more than the mere removal of a colonial regime, they must need to know the end of a national liberation –they must need to know and practice the ideology on the basis of which their post-colonial nation will be organised. As the struggles continues there will certainly be areas already liberated, and in these areas a full knowledge and practice of the model and ideology of the coming new nation will be of great necessity. Otherwise, the people will, when the

colonial regime is removed, find themselves unable to know what to do with the "liberated" country. They will also find that they have no need and reason to unite. The consequences are neo-colonialism, tribalism, sectionalism, corruption, inefficiency and power struggles (Oruka, 1996:109).

The above quotation accurately describes a typical post-colonial African country. It is a confirmation that Africa has not made reasonable progress in the development of consciousness of freedom. Herein apparently lies one of the important reasons for the persistent development problem for Africa. Casting eyes across Africa, one sees a widespread deplorable condition of human existence due to poverty, disease and cheap death brought about by corruption and civil wars, mainly caused by bestial and vile struggle for power, sectionalism and tribalism. In actual sense, there is very little freedom for most Africans. And without seriously addressing the issue of freedom, real social development and independence will most likely persist to elude Africa.

Oruka is apt when he states:

This "complete lack of idealism" on the part of leaders makes them have little concern for their state and its future and they become poor representatives of the masses. They are representatives of the people but not for the people (Oruka, 1996:102).

Indeed leadership is one of the serious issues and paradoxes in post colonial Africa. True leadership entails a vision which cannot, in the political sense, be extricated from ideology. An ideology is very important in showing people the social values and ideals by which and for which they should live. Yet at independence virtually all African states had, and up to now, have no explicit ideology to guide their politics. Some leaders tried to talk or practice an incoherent and inconsistent 'ideology' called African socialism (Oruka, 1996:101-102). One wonders what was African in the advocated ideology of socialism. Could such an ideology adequately and appropriately address the

post colonial African realities while still claim its traditional roots, or could such ideology, through its various strands such as Ujamaa, Consciencism, Humanism, and Kenya's African socialism; navigate post colonial Africa to a prosperous future? These are questions that were never satisfactorily answered, and anybody still having a hangover for such an ideology has to answer.

The colonial regimes in Africa scuttled the development of consciousness of freedom through the propagation of the myth that colonialism did not exploit and underdevelop Africa. But that Africa was long already underdeveloped before colonialism. That is indeed the reason why it fell to colonialism. If anything, colonialism was meant to develop Africa, the myth went on (Oruka, 1996:89). As a consequent, misleading concepts were developed, that is, the "developed countries and underdeveloped countries". The misleading impression one gets is that the colonial countries were already fully developed and needed no more development while the underdeveloped countries were the ones that needed development. Therefore the colonial countries could not be exploiting the underdeveloped countries. Yet as Oruka explains there is no country that is fully developed and needs no further development. And the so-called developed countries or the colonial countries have continued to maintain an exploitative relationship with their former colonies (Oruka, 1996:89-96). But as Oruka explains, a country is fully developed if and only if all the freedoms are fully enjoyed by every citizen. 'If N is a nation, the concept "*N is developed*" means that in N the people have their economic and socio-cultural needs fully satisfied, i.e. that in N one has all the social

freedoms such as economic, political, cultural, intellectual, religious and sexual freedoms' (Oruka, 1996:95). But 'If N is a nation, the concept "*N is underdeveloped*" means that in N the people have their economic and socio-cultural needs inadequately satisfied, i.e. that in N, the people do not sufficiently have all the social freedoms such as economic, political, cultural, intellectual, religious and sexual freedoms' (Oruka, 1996:95-96). According to that conception of development, no country is fully developed.

Another unfortunate thing that happened during the Africa's struggle for liberation, Oruka explains, is the fact that the colonial powers 'gave' independence to Africa instead of Africa successfully wrestling and 'taking' it from the colonial powers. This denied Africa the opportunity to completely cut links from its colonial powers and independently define and decide its destiny. What emerged as a result was a relationship between a 'mother country' and a 'child country' —a relationship of patronage. But this patronizing relationship had only one main objective; to continue exploiting the former colonies by the former colonial masters. As a result, African countries have been looking to their former colonial countries for advice and direction, which has greatly undermined the independence of African countries (Oruka, 1996:96-99).

African nationalists and leaders were thus made to see the necessity of adapting all their needs to those of the metropolitan centres. Their economics, cultures, political constitutions, etc. were allowed to be the satellites of the metropolitan centres (Oruka, 1996:97).

Africa needed a revolution, to cut itself completely from the colonial powers and institutions, and instead institute institutions and values that would secure freedom and dignity for Africans.

But since this never happened, the result is a condition Oruka describes as *the paradox of independence as still unfreedom*; a condition characterized by a neo-colonial political servitude. Africa is indeed not yet independent. Its independence is undermined by economic dependence. Economic freedom is a prerequisite for the rest of freedoms and finally for genuine independence.

There are in the current African political experience two ways in which the philosophical truth that "the independent" is free meets its antithesis. One is the now widespread realisation that most of the African republics (though regarded as independent states) are, with respect to the former colonial powers, sovereign but not free. The other is that the post-independence awareness, among many African peoples, that for them independence has not eradicated the economic and cultural servitude brought by the colonialists. And they further observe that even the colonial political servitude which independence did destroy had been replaced by another form of political servitude (Oruka, 1996:99-100).

Oruka considers the practice of presidency for life and military governments, a practice which has come to characterize quite a number of post colonial independent African countries, a form of political servitude since such governments, more often than not, do not respect the wishes of the electorate and there is the tendency of their so-called leaders clinging on to power at all cost and ruling their countries at their own whims.

But the problem of the inadequate enjoyment of the freedoms is not only an African problem. The majority of the world population live in abject poverty, and hence below the poverty line or on the death line and this raises a serious issue on the status and enjoyment of the freedoms in the world in general. Most of these poor people are in Africa, Asia and Latin America. In his article, "Achievements of Philosophy and One Current Practical Necessity for Mankind" presented in Brighton in 1988 but first published by the

Philosophical Society of USSR in 1989, Oruka had argued that the enjoyment of the basic freedoms is one of the practical necessities of human life. This article appears as chapter 9 in Oruka's book *Practical Philosophy: In Search of an Ethical Minimum* (1997) under a slightly different title.

In human life there are certain needs whose fulfilment is a condition for the survival of the human species and for any meaningful creative action. Such needs have basic socio-eco-biotic characteristics. And they are what I wish to refer to here as the practical necessities of human life. In actual life they have to do with the necessities for (i) biological/physical human survival, (ii) freedom from abject ignorance and (iii) a certain minimum of dignity for persons and races. The fulfilment of such necessities is a priority that precedes all thought and all philosophy (Oruka, 1997:99).

The necessity to have these needs cannot be a subject of any debate and the lack of these needs is a threat not only to the survival of those who lack them, but to the whole human race (Oruka, 1997:100-102). Therefore, the eradication of world poverty (abject or absolute poverty) is the obligation of all capable human beings, and hence a concern of the whole humanity. Consequently, it is a concern of philosophers and it is perfectly within the moral mission of philosophy which as Oruka explains, is to do with the search and articulation of the principles by which the conditions of human existence can be ordered in order to constantly improve it.

However, all the three types of mission that I have explained still leaves the function of philosophy incomplete. To complete its function, philosophy has to extend its functions to the ethics of human life and the conditions for the improvements of the world for human existence. This concern calls for philosophers to help reorganise and rationalise the available knowledge in order to improve human understanding and the welfare of mankind. And here lies the moral mission of philosophy. In our times it is more urgent than the concern, say, to develop new methods for solving classical metaphysical paradoxes (Oruka, 1997:99).

It is the search for such principles that Oruka partly attempts in the last chapter of the book, *The Philosophy of Liberty*. The last chapter of the book, "Parental Earth Ethics" was written later and first published in 1993 in a journal *Quest* (Vol. VII, No. 1 June). It was added to the second edition of the book. This article was a direct response to an article by Garrett Hardin, "Lifeboat Ethics: The Case Against Helping the Poor" (Sarris, 1994:350-357). In this article, Hardin argues that the rich have no moral obligation to assist the poor, partly because he assumes or believes that there is no relationship between the rich and poor countries, and that the rich have created their wealth all by their own efforts. But Oruka questions this fundamental assumption and Hardin's failure to explain the relation between the rich countries and the poor countries; a relationship which partly has contributed to the riches of the rich and the poverty of the poor. Oruka aptly points out this shortcoming of Hardin's argument among others. A detailed analysis of Oruka's response to Hardin is given in chapter six of this work. However, Oruka argues that the fact that former colonial powers have maintained an exploitative relationship with their former colonies, in essence contributes, to a great extent, to the disparity in wealth between the poor and rich countries.

Oruka observes that the living conditions of most people in Africa and third world population, in general, are bad and they are likely to worsen. Most of the people in these regions live in abject poverty or below the poverty line which inhibits them from living as human persons or moral agents. Moreover, the disparity between the rich and the poor is worse and increasingly worsening. And to Oruka, this situation is very bad for the world as a whole:

not only is the situation shameful for humanity, but it is a threat to world security and peace.

Oruka argues that the earth should be seen like a parent that guarantees the survival of all its children. The world population and the use of world resources should be guided by some ethics that would guarantee, at least, the human minimum necessary for human survival. The human minimum comprises the enjoyment of basic human needs or basic freedoms. And this human minimum should be recognized as an inviolable right. As a right it imposes duty on every human being who has means to ensure that this minimum is enjoyed by every human being. It is the right that anyone can reasonably demand from the world in order to live with dignity as a human being, and to recognize the rights of other human beings.

Abject poverty, a condition when the basic needs or freedoms are lacking, is not only a threat to human dignity, but to human life and survival in itself. When the basic needs that sustain human life are threatened then the rest of freedoms are irrelevant and inconsequential. And in such a situation it is impossible to sensibly talk about anything about life. Oruka's *The Philosophy of Liberty* is therefore important in laying out the theoretical foundation for Oruka's philosophy. It outlines how human needs are related to the concept of freedom, and explains which of the freedoms are fundamental and therefore a priority, and consequently emphasizing on the primacy of human life through the principle of the right to a human minimum.



It is then clear that a threat to the enjoyment of basic needs, especially economic needs, is a threat to the very human survival. And when that is the case, then there can never be any serious thought about anything but one's survival. Even the thought of right or wrong becomes an unnecessary luxury. A person whose very survival is threatened has no choice in life but the instinct to survive. Such a person cannot even be sensibly held responsible, legally or otherwise, under the pretext of "freewill". So, socio-economic deprivation is indeed a main hindrance to philosophy. However, by saying that does not imply that some tolerable socio-economic deprivation may not act as motivation to creative thought and action for some people.

### **4.3 Cultural-racial mythology**

Oruka deals with the issue of cultural-racial mythology in several works. The gist of this mythology is the claim that there is a natural distinction between races of men which not only reflects the difference in their colours but also a difference in their rational capacities. The myth has characterized a history of strained racial relations especially between the black and white races which has had adverse consequences on the dignity and development of Africans as well as survival of many Africans as illustrated in the experiences of slavery and colonialism. The myth formed a basis for doubting the philosophical capacity of some races or the universality of philosophy. I would like to explain that the cultural-racial mythology as an issue in the discourse on African philosophy is discernible at three levels. At the first level, it characterizes what has become known as classical western discourse on

Africans. The second and third levels constitute the foundation of ethnophilosophy as an approach to African philosophy.

The classical western discourse on Africans was predominantly informed by a racist mythology. The mythology which was well and long established in the west by some of its best thinkers formed the background to the debate on African philosophy. As a result it became difficult to challenge and still colours the interaction between the white and black people today. The discourse on Africans and other races created the myth that by nature the white and black people are fundamentally different not only in their mental capacities but also in their physical constitution. According to the discourse, the non-white (non-pink) races are naturally incapable of reasoning as the white race. These other races are either incapable of reasoning at all or, if they do, it is in an inferior form to that of the white race. The white race is naturally the most rational, intelligent, beautiful and hard working. Consequently nature destined the white race not only to lead but also to civilize the rest of human races. This myth runs through the works of Plato, Aristotle, David Hume, Immanuel Kant, F.G.W. Hegel, and Lucien Levy-Bruhl among many others. This myth surprisingly gained ground and acceptance among some Africans particularly of theological background. According to this myth, the capacity of Africans to philosophize and the status of that philosophy were questioned.

When Plato (427-347 BC) argued that naturally there are three kinds of souls; those made of gold, silver and bronze or iron; he was basically espousing a myth. This myth later evolved into a theoretical basis of racism. Plato implies

by his argument that differences in rationality between people are fixed in nature. The souls made of gold are naturally endowed with the best rational capacities. They are dominated by their rational elements and are alone capable of understanding the good. Consequently they are the best suited to rule over the other kinds of souls. Aristotle (384-322 BC) continued with this line of thought though with more perfection. He argued that at birth one is either marked to rule or to be ruled, and that it is prudent and right that those who are marked to rule should rule and those marked to be ruled should be ruled. For Aristotle, it was clear and simple to know those who are to rule and those to be ruled. Body constitution and colour should reveal this. Those people endowed with strong body, or whose colours of the skin are on the extreme – too light like women or too black like Africans – were destined to be ruled (slavery). But those people who are not strong in body or are of moderate colour are destined to rule. Of all the races of men, Aristotle believed that the Greeks were alone destined to rule over other races (Van Sertima, 1986:43; Eze, 1997:34-35; p’Bitek, 1971:21; Aristotle, *Physiognomy*). Aristotle is credited to have recognized that man is a rational animal. But it should not escape the reader that Aristotle only referred to white middle and upper class men. He excluded black people, lower class men or manual labourers, and women.

David Hume (1711-1776 AD) argues that of the four or five human species, only the white race has created civilization across and within time. Consequently, only the white race has produced eminent individuals either in action or speculation (science or arts). Such uniform difference between races

could not be if nature had not made the original distinction between the races of men in terms of their mental capacities. He is quoted to have said: 'I am apt to suspect the negroes and in general all other species of men (for there are four or five different kinds) to be naturally inferior to the whites' (Eze, 1997:33). Immanuel Kant (1724-1804 AD) cannot agree more with Hume's judgement (Eze, 1997:55). According to him there are four races of human beings; the whites (Europeans), the yellows (Asians), the blacks (Africans) and the reds (Americans). All the races have different dispositions towards the feeling of the beautiful and sublime which reflect distinct mental capacities. The best mental capacities are found among the whites, followed by the yellows, then blacks and finally the reds (Oruka, 1991:251). Concerning the difference between the mental capacities of the whites and blacks, Kant says: 'So fundamental is the difference between these two races of man, and it appears to be as great in regard to mental capacities as in color' (Eze, 1997:55). Kant believes that being black is synonymous to being stupid. In response to a negro who claimed that the whites are fools by making great concessions to their wives and afterwards complain when they drive them mad, Kant said: 'And it might be that there were something in this which perhaps deserved to be considered; but in short, this fellow was quite black from head to foot, a clear proof that what he said was stupid' (Eze, 1997: 57). In his view, the blacks are vain and talkative that they must be driven apart from each other by thrashings (Eze, 1997:56). But in thrashing a Negro, Kant recommends that a split bamboo should be used instead of a whip so that it cuts through the thick skin and causes him more pain as well as prevent suppuration (Oruka, 1991:251). Well, anybody with the knowledge of Kant's

moral principle –the Kantian categorical imperative –has to doubt that Kant intended it for universal application since he believed that black people are spiritually and morally decadent (Masolo, 1995:4).

Thomas Jefferson (1743-1826AD) argues that black people, in this case, Africans are not only ugly but also much inferior in reason. They participate more in sensation than reflection. Even blacks themselves confirm their ugliness and inferiority in their own judgement in favour of the whites. He suggests that such qualities should be considered in relation to the propagation of the blacks; in other words implying that the blacks should not be allowed to reproduce (Eze, 1997:97-99).

In his work on the philosophy of history, G.W.F. Hegel (1770-1831AD) considers history as the cumulative conscious activities of man through which Spirit or Reason objectifies itself. Reason is therefore the driving force of history and the goal of history is freedom. But for reason to participate in history it must be self-conscious of itself. This means being conscious of its very nature, which is, that in itself it is free. So freedom is the essence of reason, and man as such is free. History is therefore the exhibition of reason in the process of working towards the realization of itself as free. This is realized in the concrete reality as culture in the strict sense of the term. In order for reason to attain self-consciousness and initiate the historical process it should not find itself in a too extreme climatic condition to antithetically stand against it as is the case in Africa. In such a situation reason is impotent. Consequently, according to Hegel, Africa is an unhistorical continent which is incapable of

change, development and culture. In such a situation it is man's arbitrary will that prevails. Reason that is incapable of self consciousness cannot conceptualize substantial objective existents such as God, Law, Morality, Justice, and Immortality of the soul –Universals in general. As a result of such inability man himself is the centre of every human activity. In Africa religion which is nothing but sorcery is not based on belief in Supreme Being, the government is tyrannical, polygamy has as its aim the production of many children to sell in slavery and the slavery in Africa is quite absolute, cannibalism is customary. In simple terms, there are no moral sentiments ('Introduction' to Hegel's *Philosophy of History*, 1956).

Lucien Lévy-Bruhl (1857-1939AD), in his *Primitive Mentality* (1923) subscribes to linear evolutionary theory. He claims that non-western people (non white people) are deficient in concept formation and as a result they comfortably accommodate contradictions in their thinking. This shows that their minds are still at the pre-logical stage of evolutionary process. Of course, the logical consequence of such assertion is that it is impossible for a black person to ever reason like a white person at any given time. However, Diedrich Hermann Westermann (1875-1956AD) argues that normal black adult person can reason, at best, as 12 year old white child. According to him, the black or Negro cannot express a group of related thoughts in logical steps because he is more dominated by unconscious or half-conscious impulses. Compared to the white, the black is more dominated by emotional thinking while the white is more dominated by logical thinking. The implications of such argument are myriad for example, the Negro's interest in a question

seldom lasts, the power of his thought is easily fatigued, lack of critical thinking and logical coherence always makes him not to feel contradictions, he cannot plan for the future on a large scale, and he works from day to day without picturing the consequences. He claims that the black is frequently dishonest, untruthful and does not keep promises (Westermann, 1934:30-42).

There are other white thinkers who made worse claims about Africans. But simply put, they claimed that an African is inherently ugly, childish and vicious. Dr. Vint is reported to have claimed that the cerebral development of an average African adult is the same as that of an average European boy of between 7 and 8 years old. Dr. Williams claims that an African is not only childish but invariably dishonest (Thairu, 1975:145). The entries in the *Encyclopaedia Britannica* published between 1751 and 1772 claims that Negroes are inherently ugly (Eze, 1997:91); and in the *Encyclopaedia Britannica*, first American Edition of 1798, it is written:

Vices the most notorious seem to be the portion of this unhappy race: idleness, treachery, revenge, cruelty, impudence, stealing, lying, profanity, debauchery, nastiness and intemperance, are said to have extinguished the principles of natural law, and to have silenced the reproofs of conscience. They are strangers to every sentiment of compassion, and are an awful example of the corruption of man when left to himself (Eze, 1997:94).

Some racist thinkers such as Johann Friedrich Blumenbach (Eze, 1997:87), Georges Leopold Cuvier (Eze, 1997:105), and Edward Long in his book, *History of Jamaica* (1774), even went further to claim that African are more closer to apes than human beings. In other words, they denied that Africans are human beings. Frantz Fanon, perhaps, has summarised well this racist, denigrative and dehumanizing discourse on Africans.

*In Europe, the black man is the symbol of evil. One must move softly, I know, but it is not easy. The torturer is the black man, Satan is black, one talks of shadows, when one is dirty one is black –whether one is thinking of physical dirtiness or of moral dirtiness...In Europe, whether concretely or symbolically, the black man stands for the bad side of the character. As long as one cannot understand this fact, one is doomed to talk in circles about the “black problem” (Fanon, 1967:188-189).*

However, in the light of the above racist discourse, it might not be over generous to ask rhetorically, using the Hegelian terminology, who between the white of the above ilk and the black, are incapable of conceptualizing *universal existents* such as humanity and morality? Definitely, these whites cannot conceptualize the universality of humanity nor have courage to admit the universality of humanity. Moreover, it is impossible to locate any moral sentiments within pathological aggression as often addressed by these kinds of whites to blacks. The claim of moral or rational superiority is severely dented by the involvement of some members of the race in some of the notorious world historical events such as slavery, colonization, imperialism and obsession with black people as reflected in the persistent attacks on black people physically, verbally and psychologically.

Historical facts of ancient African civilizations and the *stolen legacy thesis* expounded by scholars like George (i. M. James (James, 1988), Cheikh Anta Diop (Diop, 1974), Henry Orla (Orla, 1981), Theophilus Obenga (Obenga, 2004) and Kihumbu Thairu (Thairu, 1975) negate the very fundamental claims of the racist western discourse on Africans. Consequently, some scholars like V.Y Mudimbe (Mudimbe, 1988:1-23), Okot p'Bitek, and exceptional whites like James Beattie (Eze, 1997:34-37) directly situate the discourse within the



paradigm of colonialism. The discourse was to inform an ideology justifying domination and colonization of African under the pretext of having the divine and moral duty to "civilize" Africans. The discourse therefore had as an objective making Africans psychological vulnerable for economic exploitation which is the primary goal of colonialism and neo-colonialism. Okot succinctly summarizes this:

For over two thousand years, from Herodotus and Diodorus to Trevor-Roper and Levi-Strauss, Western scholars have provided the most powerful ideology for Western dominance over the rest of mankind. By systematic and intensive use of dirty gossip they have justified and explained away the plunder, murder and suppression carried out by Western man (p'Bitok, 1970:22-23).

Some other complementary explanation situates the discourse within psychoanalytic theory. The discourse therefore manifests self-projection by the mentioned whites. This position is well articulated by scholars such as Frantz Fanon (Fanon, 1967) and Thairu Kihumbu (Thairu, 1975:26-44). The argument is that the white people who hold such views of black people project their own deficiencies or fears on the black.

The racist mythology has disastrous implications on black and white relationship. One of them is the tendency to have a child-adult kind of relationship (Fanon, 1967:31-32). Some black and white have developed inferiority and superiority complexes respectively which results into the white dealing with the black as an adult would deal with a child. This can sometimes be seen both at the levels of individual and international relationships. Some blacks have exaggerated self-underestimation while some whites have equally exaggerated self-overestimation. So, some black people would expect and

seek unwarranted guidance from white people. At the same time, some white people would tend to over patronize the black. The case of the so-called expatriates in Africa would elaborate this issue. Most of the so-called expatriates do not have any special or technical skills that would warrant their working in Africa and earning the amount of money they often do other than the colour of their skins or the fact that their countries are the donors of the funds. Furthermore, some of the conditions tied to aid in Africa by the Western donors reinforce the racist bias.

When blacks want to travel to the countries of the white western countries, they are often subjected to unjustified discriminatory and suspicious requirements, which are only informed by the racist mythology that the black is inherently evil and can hardly intend any good. Yet the white people are not subjected to similar treatment when they intend to visit countries of black people. The black people in general do not deserve such insults and inhuman treatment. Therefore, the racist mythology is an impediment to a dignified racial relationship between black and white people.

However, as Fanon would put it, those who believe the racist mythology are idiots, and they are found on both sides of the races (Fanon, 1967:7, 29, 35, 60). And the idiots from both the sides are alienated and they need liberation.

Before going any further I find it necessary to say certain things. I'm speaking here, on the one hand, of alienated (duped) blacks, and on the other, of no less alienated (duping and duped) whites. If one hears a Sartre or a Cardinal Verdier declare that the outrage of the color problem has survived for too long, one can conclude only that their position is normal. Anyone can amass references and quotations to prove that "color prejudice" is indeed an imbecility and an iniquity that must be eliminated (Fanon, 1967:29).

And indeed there are many idiots who believe such myths who therefore need liberation. Fanon is emphatic when he says: "Well? Well, I reply quite calmly that there are too many idiots in this world. And having said it, I have the burden of proving it" (Fanon, 1967:7). By discussing the racist discourse, we hope to lay bare its baseless or false foundation, and consequently help in freeing its victims, from both the divide, from its implicative psychological trappings.

The liberation of the black is more imperative because he often suffers more from the psychological implications of the racist discourse. He is more often than not made to suffer from inferiority complex and hence more indignation, particularly when harsh economic conditions force him to seek help from the white. But it is instructive not to interpret the following assertions by Fanon as one-sided.

Ah, yes, as you can see, by calling on humanity, on the belief in dignity, on love, on charity, it would be easy to prove, or win the admission, that the black is the equal of the white. But my purpose is quite different: What I want to do is to help the black man to free himself of the arsenal of complexes that has been developed by the colonial environment (Fanon, 1967:30).

He goes further and states:

Yes, the black man is supposed to be a good nigger; once this has been laid down, the rest follows of itself. To make him talk pidgin is to fasten him to the effigy of him, to snare him, to imprison him, the eternal victim of an essence, of an *appearance* for which he is not responsible. And naturally, just as a Jew who spends money without thinking about it is suspect, a Blackman who quotes Montesquieu had better be watched. Please understand me: watched in the sense that he is starting something. Certainly I do not contend that the black student is suspect to his fellows or to his teachers. But outside university circles there is an army of fools: What is important is not to educate them, but to teach the Negro not to be the slave of their archetypes.

That these imbeciles are the product of a psychological-economic system I will grant. But that does not get us much farther along (Fanon, 1967:35).

Many a black people have been made to believe that what the white want them to be and make them appear to be is indeed essentially what they are. Consequently many are forced, either by ignorance or economic system, to behave in conformity with that appearance.

But we should not lose sight of the main objective of Fanon's book *Black Skin White Masks* (1967), that is, the liberation of both the black and white who are victims of inferiority and superiority complexes respectively.

This book is a clinical study. Those who recognize themselves in it, I think, will have made a step forward. I seriously hope to persuade my brother, whether black or white, to tear off with all his strength the shameful livery put together by centuries of incomprehension (Fanon, 1967:12).

However, most important to us from the philosophical point of view, is the logical consequence of the racist and mythological discourse. By denying Africans serious rational activity, it denies them the possibility of serious and strict philosophical engagement and production. This is well expressed by Oryia when he states: 'To deny reason to a people is to deny them the possibility for a "serious philosophical dialogue" and as a consequence a tradition of organized reflections on their beliefs and society' (Oryia, 1990b: 45; Oryia, 1991:52). The denial of philosophy is not only itself an obstacle to philosophy but also of justice since it engenders patronage and denigration.

Myth and mythology also enters the issue of African philosophy in the form of ethnophilosophy which is a claim that either Africans have a unique way of

thinking which gives rise to a unique and exclusively African philosophy, or collective cultural traditions, beliefs and practices constitute African philosophy. Some works that represent this position includes 'Tempels' *Bantu Philosophy* (1959), John S. Mbiti's *African Religions and Philosophy* (1969), Martin Nkafu Nkemnkia's *African Vitalogy* (1995), Mogobe B. Ramose's *African Philosophy Through Uhuntu* (1999), and James N. Mburu's *Thematic Issues in African Philosophy* (2003).

Ethnophilosophy presents a thought system which is collective, spontaneous and dogmatic as philosophy. It is not a philosophy emanating from individual, dialectical or analytic inquiry. This is because it is neither based on nor held through a rationally tenable analysis. The beliefs and practices, or culture in general, of a particular people is acquired mostly unconsciously and believed without individual reflection. The beliefs and practices may indeed be justified in one way or the other, but the justification is merely the convention held by those who share in the worldview. The justification is a first-order sense yet philosophical status resides in the second-order sense justification which is the critique of the first-order sense. So the mere description of a belief or a practice and its conventional justification cannot constitute strict or exact philosophy.

In his articles, "Mythologies as African Philosophy" (1972) and a version of it, "Mythology, Philosophy and Science" published in *Trends in Contemporary African Philosophy* (chapter 1), Orika addresses the issue of ethnophilosophy

as African philosophy and argues that ethnophilosophy is not philosophy but mythologies paraded as philosophy.

Mythology is concerned with the traditional tales of a people—as a subject it is a study of these tales. These tales are about the religious customs, supernatural beings, and legends which any particular people may entertain. Mythology is a subject under ethnology or anthropology. In ethnology or anthropology the main concern is to study and describe how a particular people think or behave as a matter of fact, and to explain everything within the total system of the people's beliefs and practices. I use the word 'describe' in so far as it contrasts with the word criticize or evaluate. In mythology one describes but does not criticize (Oruka, 1972b:6-7).

Hut philosophy is different from mythology. As Oruka explains it:

A philosophical thought or reflection analyses concepts rationally and with a critical exposition of the problem involved. But myths thrive well where critical exposition is suppressed, and free thinkers are grouped with madmen. It is a quality of all myths that they need a credulous mind but not a critical one (Oruka, 1972b:7).

However mythologies can only be accorded the status of philosophy if the term philosophy is not used in its strict sense but in a debased or trivialized sense (in the loose sense). In the loose sense, philosophy refers to any opinion or belief held by an individual or individuals.

Many people regard philosophy as whatever opinion someone might hold or a suggestion he might make. There are often such saying as, 'my philosophy is' which means nothing more than 'my opinion is' or 'my suggestion is.' I want to call this way of regarding philosophy as the *debased* use or meaning of philosophy. According to this use of philosophy, it follows that when one believes or has opinion that pigs are unclean, then it is one's philosophy that pigs are unclean.

According to the debased meaning of philosophy it seems that philosophy is not more than opinions or beliefs of an individual or a people. And it further implies that everybody is a philosopher, since everybody must in some way possess some beliefs or opinions. And when in this case we talk of 'African philosophy' we would mean nothing other than the body of opinions and beliefs held by the African people. The logic behind this would be framed as follows: every person's opinion or belief is his philosophy and two or more persons have a common philosophy just in case they hold common beliefs.

When one uses philosophy in the debased form one may (rightly) substitute mythology for philosophy. For in mythology a people hold common beliefs about the world, man and society. Such beliefs may then be termed as their 'philosophy'. But only, we must repeat, when philosophy is to be understood in the debased sense (Oruka, 1972b:7).

Paulin Hountondji in his book *African Philosophy: Myth and Reality* (1983) also refers to ethnophilosophy as mythical African philosophy—that is, ethnophilosophy as African philosophy is a myth. It is a myth because it confuses what is not philosophy with philosophy. What it purports to present as African philosophy is, in reality, not philosophy.

A forerunner of 'African Philosophy': Tempels. This Belgian missionary's *Bantu Philosophy* still passes today, in the eyes of some, for a classic of 'African philosophy'. In fact, it is an ethnological work with philosophical pretensions, or more simply, if I may coin the word, a work of 'ethnophilosophy'. It need concern us here only inasmuch as some African philosophers have themselves made reference to it in their efforts to reconstruct, in the wake of the Belgian writer, a specifically African philosophy (Hountondji, 1983:34).

As much as ethnophilosophy, by asserting that there is indeed African philosophy, may have had a noble aim of rehabilitating Africans by correcting a negative image created by the racist mythical discourse of some western thinkers, it plunged into another form of a myth: 'the imaginary search for an immutable, collective philosophy, common to all Africans, though in an unconscious form' (Hountondji, 1983:38). Strict philosophy does not reside in this realm where ethnophilosophy situates it.

So for us African philosophy is a body of literature whose existence is undeniable, a bibliography which has grown constantly over the last thirty years or so. The limited aims of these few remarks are to circumscribe this literature, to define its main themes, to show what its problematic has been so far and to call it into question. These aims will have been achieved if we succeed in convincing our African readers that African philosophy does not lie where we have long been seeking it, in some mysterious corner of our supposedly immutable soul, a collective and unconscious world-view which it is incumbent on us to study and revive, but that our philosophy consists essentially in the

process of analysis itself, in that very discourse through which we have been doggedly attempting to define ourselves—a discourse, therefore, which we must recognize as ideological and which it is now up to us to *liberate*, in the most *political* sense of the word, in order to equip ourselves with a truly theoretical discourse which will be indissolubly philosophical and scientific (Hountondji, 1983:33).

Ethnophilosophy defines African philosophy and Africans in a way that reinforces the racist Western discourse; the very discourse that was used to marginalize and dominate Africans and from which Africans ought to liberate themselves. According to Hountondji, ethnophilosophy as African philosophy is philosophy in the vulgar, popular or ideological sense, but it is not philosophy in the strict or theoretical sense

African philosophical literature rests, it hardly needs saying, on a confusion: the confusion between the popular (ideological) use and the strict (theoretical) use of the word 'philosophy'. According to the first meaning, philosophy is any kind of wisdom, individual or collective, any set of principles presenting some degree of coherence and intended to govern the daily practice of a man or a people. In this vulgar sense of the word, everyone is naturally a philosopher, and so is every society. But in the stricter sense of the word, one is no more spontaneously a philosopher than one is spontaneously a chemist, a physicist or a mathematician, since philosophy, like chemistry, physics or mathematics, is a specific theoretical discipline with its own exigencies and methodological rules (Hountondji, 1983:47).

There is unanimity among the proponents of African professional philosophy that philosophy in its strict sense entails the use of dialectical critical analysis in its inquiry. In explaining philosophy as an academic discipline Kwasi Wiredu states:

In the first sense, philosophy is a technical discipline in which our (i.e., the human) world outlook is subjected to systematic scrutiny by rigorous ratiocinative methods (ideally, that is). In the second sense, philosophy is that way of viewing man and the world which results in a world outlook in the first place. It might be said, then, that philosophy in the first sense is the second-order enterprise, for it is a reflection on philosophy in the second sense. If so, philosophy in the first sense is a doubly second-order character, for that on which it reflects—namely,



our world outlook –is itself a reflection on the more particularistic, more episodic, judgement of ordinary, day-to-day living (Serequeberhan, 1991:87).

According to Peter Bodunrin, African philosophers cannot deliberately ignore the study of traditional belief systems since philosophical problems arise out of real life situations. But in the study of the beliefs, the philosopher, in the strict sense of the term, must employ critical analysis.

The point, however, is that the philosopher's approach to this study must be one of criticism, by which one does not mean 'negative appraisal,' but rational, impartial and articulate appraisal whether positive or negative. To be "critical" of received ideas is accordingly not the same thing as rejecting them: it consists rather in seriously asking oneself whether the ideas in question should be reformed, modified or conserved, and in applying one's entire intellectual and imaginative intelligence to the search for the answer (Serequeberhan, 1991:77-78).

Describing a people's beliefs and practices, or exposing the fundamental principles or explanations underlying the beliefs and practices does not accord the work a philosophical status. But the very fundamental principles or explanations should be subjected to a critical and rational evaluation to test their logical consistency, tenability and acceptability. Assuming that the practice of ethnicism or tribalism were to be justified by the belief that one's culture is superior to other cultures, and as a consequent, people who belong to other cultures are equally inferior and by that virtue should be denied access to certain opportunities and benefits. Would the explanation or justification for the practice of ethnicism be tenable and therefore acceptable? Or should the practice of livestock raiding by young warriors be acceptable simply because the respective culture sanctions it? Or should a lady from a culture that initiates their men through circumcision be denied marriage to a man who comes from a culture that does not initiate their men into adulthood by

circumcision on the basis that uncircumcised man is not an adult? The point I'm belabouring on is that the belief or justification informing a cultural practice should be critically analyzed and evaluated if the very intellectual exercise is to be philosophical. Unfortunately, ethnophilosophy fails this requirement. It neither isolates such collective beliefs from what constitutes a people's philosophy nor subjects such beliefs to a rigorous analysis to determine their rational tenability. As a result, it remains at the level of unanimity, spontaneity and unconsciousness since much of cultural beliefs and practices are acquired unconsciously.

However, the reason why ethnophilosophy is not philosophy does not lie only on the fact that it lacks critical analysis which is integral to the very meaning of strict philosophy but also in its inability to perform the very primary role of philosophy – the normative or legislative role of philosophy. This is aptly pointed out by Oruka:

People like Tempels and Mbiti are busy describing how African people do as a matter of fact think. They have taken the anthropological view of thought. As philosophers, their main concern ought to be not simply to state how the African people think, but rather how the African people ought to think (Oruka, 1972b:9).

Oruka explains this further:

Simply to study how a people think and leave matters at this point amounts simply to justifying the conditions under which such a people exists. It amounts to telling them that they should acquiesce in these conditions. But in African today the main concern is for the people to get out of the prevailing social conditions, for these conditions harbour the evils of colonialism and neo-colonialism. They are obstacles to freedom.

It is therefore an urgent matter that we study not simply how Africans think, but rather how they *ought* to think. The consequence from how they 'ought to think' is how they ought to exist. The understanding is

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that when one exists as one should, one attains freedom (Oruka, 1972b:9).

The fact that ethnophilosophy is not philosophy in the strict sense, and the claim that it represents or is a form of African philosophy is itself a hindrance to the pursuit and recognition of strict philosophical activity in Africa. It is also a fact that the body or system of beliefs and practices to which it refers is not unique or exclusive to Africa. But such a body is not considered as philosophy in non-African societies, and philosophy is distinguished and distinguishable from such a body. That is why it seems absurd that such a body can possibly be paraded as African philosophy. And Hountondji is justified to wonder why such an absurdity in the African case.

Words do indeed change their meanings miraculously as soon as they pass from the Western to the African context, and not only in the vocabulary of European or American writers but also, through faithful imitation, in that of Africans themselves. That is what happens to the word 'philosophy': applied to Africa, it is supposed to designate no longer the specific discipline it evokes in its Western context but merely a collective world-view, an implicit, spontaneous, perhaps even unconscious system of beliefs to which all Africans are supposed to adhere. This is a vulgar usage of the word, justified presumably by the supposed vulgarity of the geographical context to which it is applied.

Behind this usage, then, there is a myth at work, the myth of primitive unanimity, with its suggestion that in 'primitive' societies—that is to say, non-Western societies—everybody always agrees with everybody else. It follows that in such societies there can never be individual beliefs or philosophies but only collective systems of belief. The word 'philosophy' is then used to designate each belief-system of this kind, and it is tacitly agreed among well-bred people that in this context it could not mean anything else (Hountondji, 1983:60).

It is the very absurdity to which Oruka refers sarcastically and humorously, implying that the proponents of ethnophilosophy have fallen victims, consciously or unconsciously, to the racist mythology of the western world

that Africans are indeed 'unique and perhaps strange species of human beings', when he states:

What may be a superstition is paraded as 'African religion', and the white world is expected to endorse that it is indeed a religion but an African religion. What in all cases is a mythology is paraded as 'African philosophy', and again the white culture is awaited to endorse that it is indeed a philosophy but an African philosophy. What is in all cases a dictatorship is paraded as 'African democracy', and the white culture is again expected to endorse that it is so. And what is clearly a de-development or pseudo-development is described as 'development'; and again the white world is expected to endorse that it is development — but of course 'African development' (Oruka, 1972b:5).

I'm reluctant to imagine that the Africans who engage in such kind of activities mentioned in this reference are themselves engaged in a sleight of hand, passing off farces as genuine African intellectual products and seeking the endorsement of whites, but that they act out of naivety without understanding the deeper implications of such behaviour. They could not possibly and knowingly collude in the farces that undermine their own identity and dignity. Therefore, the claim that ethnophilosophy represent strict, but unique African philosophy manifest a lack of adequate understanding of the very meaning of philosophy.

#### **4.4 The illusion of appearances**

Quite often many people are deceived by appearances, either as perceptions or beliefs. But when such is the case then people tend to mistake appearances for truth. And in the absence of truth, any claim to wisdom is misguided and philosophy in the correct sense of the term becomes elusive. In that sense, the illusion of appearances becomes a hindrance to philosophy. The pursuit of truth is an integral part of the goal of philosophy. There is no knowledge in the absence of truth, and without knowledge human life is mere grope in the

darkness. But human life should not be left solely to instinct. Human beings have goals in life which they believe constitute the meaning and purpose of their life – the ideals for which they live. The goals can only be pursued consciously. That explains why many enlightened people cherish the Socratic adage that 'the unexamined life is not worth living' ('Apology' in *Symposium and the Death of Socrates*) (Plato, 1997:109).

The meaning and criteriology of truth is a perennial philosophical problem. Therefore, it is not unexpected that Oruka addressed the issue of truth under various topics some of which are, 'truth and belief', 'ideology and truth', 'High God in Africa', 'God and evil', and 'truth in science and religion'.

Philosophy seeks to have a clear, firm and objective understanding of truth. But that has never been always an easy task. Dialecticism, discernment and analysis are philosophical attempts at arriving at that.

Oruka believes in the multi-contextual and multi-criteria of truth. The determination of truth depends on contexts and criteria. He refers to his theory of truth as *the neutral theory of truth* (Oruka, 1997:21). According to Oruka, there is no single context or criterion for the determination of truth. I tend to think that he calls his theory of truth 'neutral' because he does not believe that there can possibly be one specific criterion of truth.

I wish now to state rather briefly the theory of truth that I am most in sympathy with. This theory covers all those theories that might be classified as the coherence, universalist and self-evidence theories of truth....I believe that for any proposition to be true there has to be at least an assumed or a given criterion which the proposition must fulfil; and if it fails to fulfil it, the proposition must be rejected as false. This

is a criterion with which a true proposition agrees, and every assertion or belief that agrees with it is true. In fact, for every proposition, such a criterion exists, although it may be implicit. This criterion can be regarded as final and irrevocable as the rationalist theory of truth seems to require. According to the rationalist theory of truth, there has to be a self-evident or necessary true premise on the basis of which other premises or truths are inferred. On the other hand, the criterion can be regarded merely as a provision –an observational sentence – whose truth we cannot be certain about, as the empiricist theory of truth stipulates. Finally a criterion may simply be considered as an axiom or a primitive term on which all other terms and assertions are defined and assessed.

A criterion of truth can be a moral norm, a scientific law, a necessary truth, a prophet's postulate, some consensus opinion or will of a military dictator, etc, etc. This conglomeration of criteria shows that we should never confuse what is true with what is desirable or moral. Truth is independent of good or evil, although it is not incapable of being good or evil (Oruka, 1997: 9-10).

Taking the discipline of philosophy as an example, within the context of philosophy, there are several criteria of truth. We have theories of truth such as correspondence theory of truth, coherence theory of truth and pragmatic theory of truth. So, within a context, it is possible to have several criteria for truth. Therefore, there could be many truths depending on different contexts or within a context of which some are more necessary, universal, permanent or objective. And this depends on how scientific or objective the criterion used is. This fact implies that truths can conflict depending on the different criteria. In such a case, according to Oruka, the more permanent or universal will have to prevail (Oruka, 1997:10).

However, Oruka does not explicitly show how to determine which criteria are more scientific, permanent, necessary or universal. This seems difficult in practice and Oruka does not offer any possible solution to that. Though I believe one can try to arrive at that through critical analysis. Oruka believes

that reason is the only reliable arbitrator in any dispute over truth relating to non-empirical claims (Oruka, 1997:10-11). However, empirical truths are not as difficult to determine as non-empirical ones such as cultural truths, religious truths, ideological truths and normative truths. Despite the difficulty, Oruka believes that philosophy can still try to determine the non-empirical truths.

Oruka's theory of truth, at least according to him, should not be interpreted as implying relativism in truth. He anticipates a possibility of such accusation or basis of objection. But as he explains, the theory still upholds objectivity in truth. Objectivity is maintained within any given criterion and context.

To uphold contextuality in the question of truth is not to embrace relativism. The latter makes objectivity insignificant, while the former does not. Objectivity is granted and is indeed necessary within a context. Does rational argument limit itself only to the context assumed? Generally, yes, but certain claims, if true or valid, are true in various contexts. And hence, a rational discussion between two persons who apparently do not assume one given context is, in such cases, possible. And so, objectivity can, in cases of this sort, be maintained across contexts (Oruka, 1997:42).

There are two kinds of disagreements that should be distinguished here: disagreement on matters of faith and disagreement on matters of philosophy. Oruka believes that it is more difficult, if not impossible, to settle disagreements on matters of faith than on matters of philosophy. Philosophy being rational and non-dogmatic is open and tolerant to divergent views so long as they are rational.

Two disputants assuming two different contexts may disagree on matters of faith and may also disagree on matters of philosophy. The elitist and the egalitarian may disagree on, say, the truth of the claim "All human beings are equal". The former may advance as his or her reason the argument that the claim is inconsistent with the ethics of elitism. On the other hand, the egalitarian may argue that the proposition is true just because he or she could not see how to



subscribe otherwise to a socialist form of life if it were rejected. This disagreement would be a disagreement of faiths. Disagreements of faiths are caused by the pure attachments to the contextual protocols (criteria) as ends in themselves. Meanwhile disagreements of philosophy are rational (intellectual) disagreements (Oruka, 1997: 45).

Disagreements of philosophy can be settled through rational evaluation. Once rational justification is given for respective positions, the truth for the various positions can be objectively analyzed and a context common to the competing contexts may be arrived at by which the disagreement would be resolved (Oruka, 1997:45-46).

The illusion of appearances can be located within the wider perennial philosophical problem of appearance and reality. The way certain realities appear or perceived are not necessarily what they are, but some people can easily be deceived to take them at their surface value. This fact is confirmed by the disagreement on criteriology of truth between Oruka and Wiredu. What began as Oruka's response to Wiredu's theory of *truth as opinion* evolved into an elaborate epistemological dialogue and discourse on truth between Wiredu and Oruka. Their earlier exchanges were later published as parts of books by Wiredu and Oruka respectively. The discourse constitutes part three of Wiredu's book *Philosophy and an African Culture* (1980) which runs through six chapters. On the other hand, the discourse constitutes part one of Oruka's book *Practical Philosophy In Search of an ethical Minimum* (1997) which runs through seven chapters.

Wiredu's theory of truth as opinion which he considers a humanistic one has a noble goal. By introducing and insisting on the subjective cognitive aspect of

truth, Wiredu intends to point out to the impossibility of absolute truth and knowledge of anything. Yet certain beliefs and practices assume absolutism in truth and knowledge. Wiredu discusses three of these beliefs and practices that assume absolutism; that is, authoritarianism, supernaturalism and anachronism (chapter 1). This theory of truth is also progressive in the sense that it allows for the scrutinization of any claim to truth consequently permits any necessary modification. This theory therefore guarantees the development of knowledge and modernization in society. Such a theory would forestall unnecessary intolerance and attendant sufferings among people. This how Wiredu puts it:

The conception of truth we have been studying is a beautifully humanistic one, at any rate, in theory. Recognition that truth necessarily involves a point of view should lead one to reflect that the 'truths' which one happens to espouse are not ineluctable and final, and that opposite points of views celebrating opposite 'truths' are in themselves neither evidence of insincerity nor proof of stupidity. To be sure, one is not saying that antithetic points of view are all to be embraced as 'true'. What is implied is that, no one 'truth' being self-validating, persuasion is the only rational method of resolving such opposition. Furthermore, there is a chance that eschewing self-justification by reference to such a huge, transcendent, abstraction as the 'The Truth' might prove beneficial to human relations. If a man is able clearly to understand that his political or religious creed is merely a matter of his own personal opinion and not a result of a revelation of any 'Objective', Immutable Truth, he might then hesitate to consign a fellow man to perdition simply for being unable to conform. It is a fact – a sad but well documented fact in the history of religion and politics – that many otherwise noble men have felt themselves called upon to spill the blood of other men for no other reason than that their victims were unwilling to acknowledge what were alleged to be Eternal Verities (Wiredu, 1980:66-67).

In the pursuit of the noble goal of tolerance of divergent or opposite views,

Oruka is in agreement with Wiredu.

Now it is important to assess what would be the effect of Wiredu's thesis in practice. Wiredu himself has done this, and I hope I am not unfair to him if I also make some remarks on the moral and social implications of the thesis. He remarks that the concept of absolute truth appears to him to have a tendency to encourage dogmatism and fanaticism, which in turn lead to authoritarianism, especially in

religion and politics. And he thinks or hopes that men would refrain from imprisoning and killing others if they could understand clearly that by doing so they simply act on their own fallible opinions as against those of others.

I think Wiredu is quite right to say this since much human persecution, fanaticism and terrorism in politics and religion has been practised under the pretext of defending or promoting "absolute truth." I believe that some moderation in matters of truth and belief must be a logical consequence of an enlightened mind and rational thinking. However, I am afraid that the position that truth is nothing but an opinion is as extreme as the position that there is an absolute truth and is liable to lead to intolerable moral, social or political consequences. The position does say not only that man is the measure of all things (Protagoras), but also that there can be nothing true outside the whims and belief of an individual, no matter how wicked and stupid he may be. In politics, anarchism would be a logical consequence of this position (Orika, 1997:8-9).

Orika fears that Wiredu's theory of truth can lead to arbitrary conception of truth which can have adverse social implications contrary to the very goal the theory was intended to achieve, that is; it can lead to intolerance and anarchy among other social ills. Society needs some non-arbitrary objective standards by which members are webbed together if there is to be social stability and harmony (Orika, 1997:9).

At a more theoretical level, Orika differs with Wiredu on the meaning or interpretation of 'truth as opinion'. Orika believes that it means that truth is logically equivalent to opinion and his criticism of Wiredu's theory is based on that interpretation (Orika, 1997:6). However, Wiredu does not agree with that interpretation by Orika. He considers it inaccurate.

My formula is not just 'p is true = p is believed' but 'p is true = p is believed, provided that the two sides of the equation have the same point of view'. Let 'Tp' stand for 'p is true' and 'Bp' stand for 'p is believed'. Further, let us use numerical subscripts to identify points of view, the same number when repeated indicating the same point of view. Then my formula is  $T_1p = B_1p$  not, as Dr. Orika's comment suggests,  $1p = Bp$  (Wiredu, 1980:187).

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Wiredu's theory of truth and Oruka's theory of truth may not be diametrically opposed to each other especially if the phrase 'point of view' in Wiredu's theory is understood to mean contextualization of truth claims, and I believe my observation may not be far from truth, particularly in light of Wiredu's own statement that:

A certain rider is in place here. The question 'T1p = B1p' is contextual, rather than an absolute, equality. Although I maintain that every actual case of a truth is nothing more than a case of belief or opinion, it does not follow that the concept of truth itself is identical with the concept of belief (Wiredu, 1980:187).

Wiredu admits that their theories agree on certain aspects, and I may cite some of these as, for example, the contextuality and objectivity of truth, and both are opposed to absolutism as well as relativism in truth.

The disagreements of men can in suitable conditions be resolved by rational discussion. Sadly, suitable conditions are not always available. Be that as it may, to press our opinions as truths transcending 'mere' opinions and to stigmatise opposing opinion of others as 'mere' opinion is often to display nothing more than self-glorification. Dr. Oruka in his 'Truth and Belief' does not make this mistake. He does not advance a transcendent concept of truth. Accordingly, in responding to his criticisms of my 'Truth as Opinion', I am conscious of a certain affinity in our epistemological standpoints. Nevertheless, there are important points where we differ (Wiredu, 1980:177).

The philosophical investigation of the criteriology of truth is important in relation to the illusion of appearances. The understanding of the meaning and criteriology of truth is indispensable in the analysis of appearances if the illusions related to the appearances are to be understood and avoided in order to pave way for knowledge, wisdom and philosophy.

Other areas in which the illusion of appearances are often manifested and which Oruka investigates are religion and ideology. In the chapter on 'Faith and Science: A Critique of the Rejection in the Truth-claims of Faith', Oruka discusses the relationship between Faith (Religious claims) and Science (Scientific claims). He uses faith in the religious sense and science in the wider sense which includes "the empirical sciences and the systematic a priori inquiry eminent in deductive logic and mathematics and even in the popular systematic reasoning, in which sense science includes all forms of rationalistic inquiry as opposed to mystic or spiritual explanation" (Oruka, 1997:58-59). Oruka maintains that truth claims in religion and science are not mutually exclusive. Therefore, the common claim that the truth claims in religion are radically and fundamentally different from those of science is rejected.

The categorical distinction is thus not really tenable. In what follows, I will assume that it is invalid and hence, that faith and science, though distinct, are not irrelevant or impervious to each other. Therefore, it must be intelligible to discuss faith from the standpoint of the principles of reason and science. I shall, however, retain one significant difference between faith and science: that faith precedes knowledge, while statements of science are supposed to be a result of knowledge-claims. We shall also retain the idea that faith is a form of belief (Oruka, 1997:61).

Oruka therefore doubts whether faith has any defensible epistemological method by which it can lead to truth and knowledge (Oruka, 1997:63-64).

In the chapters on 'On God and Divine Omnibenevolence' and 'On Evil and the great Fairness Universe: A reply to David White', Oruka addresses two issues; the issues of the conception of God as omnibenevolent and evil, and the possible conception of more than one omnipotent God. Oruka argues that since omnibenevolence entails omnipotence (absolute power) and omniscience

(absolute knowledge), the conception of an omnipotent God is logically inconsistent with the fact of evil. An omnipotent being is necessarily wholly good. Such a being must not only will good but also do good (Oruka, 1997:27-28). And if such a being were not all-powerful (omnipotent) and all-knowing (omniscient), then it can be prevented from doing and willing good by a more powerful being or ignorance. Therefore Oruka concludes that the fact or presence of evil in the world contradicts the idea of divine omnibenevolence.

Argument III leads to the conclusion that there is inconsistency in the statement that God is omnibenevolent and there exists a justified evil. How would we regard this argument as a disproof of God's existence? I think it amounts to quite a reasonable disproof of God's existence if we agree with Hedenius that it should "be quite reasonable to think that theism and atheism can be found to be more or less probable" and that attempts to disprove God's existence by the propositions about the existence of evil have their value not as being absolutely conclusive but "only as indicating that atheism has a higher degree of probability than theism" (Oruka, 1997:35).

In other words, from the analysis of the concepts of divine omnibenevolence and evil in the world, it is logically plausible to conclude that atheism has a higher probability of being true than theism of which divine omnibenevolence is an integral aspect.

Oruka is also critical of what Okot p'Bitek refers to as "hellenization of African deities" advanced by some African theologians like, among others, Balaya Idowu in *African Traditional Religion* (1973) and, John S. Mbiti *African Religions and Philosophy* (1969) and *Concepts of God in Africa* (1970); a process by which some theologians would want to describe African deities in like terms as the Greek or Christian God (p'Bitek, 1970:46-47). Both Oruka and Okot p'Bitek concur that the claim that African deities have identical attributes as the Christian God is absurd (p'Bitek, 1970:80).

If the conception of God is fundamental to most religions and differences between religions is due to the differences in the conceptions of God, then by arguing that Africans have a conception of a high God with identical attributes as the high God of, for example, Christianity implies that either African high God and Christian high God is one and the same thing or that there are more than one high God (Oruka, 1975a:30). Both options are objectionable. If the African high God is one and the same thing as the Christian high God then African Traditional Religion and Christianity are fundamentally the same, unless the differences in religions are not fundamentally due to the differences in the conceptions of God. In that case conversion from one to the other would not make any sense. But if the African high God is identical to the Christian high God but they are not one and the same thing, then it is possible to have more than one high God. But if that be granted, then none of the high Gods is omnipotent or omnibenevolent since each can be limited by the other. But if both were to exist then both cannot logically be high Gods, especially if being 'high' entails being omnipotent. And if one of the Gods is not omnipotent then one of the religions is logically inferior to the other. Taking Ga to stand for 'conception of God according to African traditional religion', and Gc to stand for 'conception of God according to Christian religion'; Oruka argues that the belief in the existence of both Gods constitutes a contradiction.

Therefore if we are to be strict and forbid exaggeration then the meaning of the predicate "omnipotent" will be seen to imply that only *one* such being or entity exists or can actually exist. And hence for one to say that Ga is not Gc and vice versa and that both Ga and Gc exist and are omnipotent would be equivalent to expressing a logical contradiction or an inconsistent statement: The statement "Ga is omnipotent" entails "Ga is more powerful than anything else that exist or could possibly exist (including Gc)". And similarly, to say that "Gc



is omnipotent" is to imply that "Ge is more powerful than anything else that exist or could possibly exist (including Ga)" (Oruka, 1975a: 32).

Maybe those who advocate for the de-hellenization of African deities are more logically sensible. Their argument is that African Gods are not omnipotent, omniscient, or omnibenevolent but they are more powerful, more knowledgeable and more benevolent than human beings (Oruka, 1997:31-32; Oruka, 1975a:34). This view seems more plausible than the Christian or Hellenic view and it solves the problem of 'divine omnibenevolence and evil' better than the Hellenic conception of God. Oruka seems to be sympathetic to this school of thought, and in the chapter 'The Future of Philosophy and Religion in a Scientific World', he write the following:

In Africa the three main types of religion are Christianity, Islam and African Natural Divinity. The first two are, at least for black Africa, foreign innovations. They came with foreign political conquest, and they have hitherto been at pains to prove that they are innocent of the evils of that conquest. Neither of the two religions is looked upon by the ideologically transitional forces in black Africa for ideas needed for the future socio-political showdown with the forces of retrogression. African Natural Divinity is the spiritualisation of nature and the lowering of God to the status of a spiritually great man. The universe is seen as a unity in which there is nothing else beyond. God and spirits are part of the world, and there is no other world except the one we know. Improvement for man, if there is to be any, must, therefore, be realised here and now –in this world. God can help in this respect, but God is not omnipotent, omniscient or wholly good. God fails at times, and at times wishes evil.

African Natural Divinity would not, as you can already sense, be classified in the conventional religious circles as a "religion". At best they would brand it "paganism". But this is mostly because it fails to glorify God and is inclined to the "worldly". But here in fact lies the clue for any religion which can get a respectable place in a non-chaotic and enlightened future. It must secularise its myths and realistically face the present and future problems of poverty, ignorance and disease. The result for such a religion is likely to be a loss or moderation in its fanatical zeal, but again in the relevant concern for mankind, this kind of truth is what the Pope needs to accept in order to free himself from the catholic fanatics who abhor the idea of birth control. Birth control

is, in fact, an inevitable practice of the future, assuming that there will be a future (Oruka, 1997:75).

It should be clear then that in his discourse on God and religion Oruka grapples with the problem of the illusion of appearances as possible obstacle to truth, knowledge and philosophy. Unless appearances are critically examined, as manifested, partly in religion, they can easily deceive and be mistaken for reality and truth. And if that were to be the case, then philosophy and justice, as well as attempts to improve on the conditions of human existence, would be greatly impeded by illusions of appearances.

#### **4.5 Conclusion**

The relationship between the socio-economic deprivation, cultural-racial mythology and the illusion of appearance is that the last two can hinder the accurate understanding and appraisal of socio-economic condition and hence the tempering of the socio-economic deprivation. Therefore there is need of a critical philosophy that can effectively analyse cultural-racial mythology and illusion of appearance in order to accurately address the socio-economic conditions and get to the true nature of the prevailing human condition. It is only then that philosophy can adequately address itself to the search of the best possible conditions for human existence.

The search and grasp of truth is necessary for knowledge and wisdom. And for philosophy to serve human wellbeing it has to address fundamental freedoms and possible obstacles to the enjoyment of the freedoms. The elimination of the obstacles such as the cultural-racial mythology and illusion of appearance

is necessary for the realization of sufficient freedoms and hence the preservation of human life and dignity.

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## **Chapter 5**

### **African Philosophy**

#### **5.1 Introduction**

This chapter examines the discourse on African philosophy which has been basically on the meaning and nature of African philosophy. The analysis emphasizes the meaning of or defines African philosophy as it should be and debunks the misconceptions or misrepresentations of African philosophy especially the claim that African philosophy is radically different from non-African philosophies. But more importantly, I concur with the argument that African philosophy is not and should not be radically different from other philosophies if it is a philosophy like any other; and moreover, if it is to perform the roles that philosophy performs everywhere. Therefore, African philosophy is and has to be essentially a critical and not dogmatic.

#### **5.2 Meaning and nature of African philosophy**

In his article, "Mythologies as African Philosophy" (1972), Oruka not only sets out to show and explain how mythologies are mistaken for African philosophy, but he also outlines the nature and role of African philosophy in particular and philosophy in general. The history of African philosophy, as has been accurately pointed out by Masolo (Masolo, 1995:1), has been characterized by the debate on reason and consequently on the very meaning and nature of philosophy. Oruka therefore sets out to clarify what he perceived as the misconceptions about philosophy in general and African philosophy in particular.



I have explained, I believe adequately, the very meaning and nature of philosophy in chapter three. So a recapitulation would suffice here. Philosophy in the strict sense is generally understood to mean a critical inquiry into either the fundamental principles or explanations of reality, and ideal prospects of human beings within reality. Philosophy understood in this way, therefore has two broad functions; that is, the factual and normative roles. Oruka aptly captures this when he explains the various missions of philosophy such as the truth mission by which philosophers seek truth about nature and man; the aesthetic mission by which philosophy addresses artistic vision and mirror of reality and from which man derives aesthetic satisfaction; the communicative mission of philosophy involves efforts to communicate philosophical ideas not only to philosophical fraternity but also beyond; and finally, the moral mission by which philosophy searches for the possible ideal conditions for human existence. The preservation and enrichment of human life is a core mission of philosophy.

However, all the three types of missions that I have explained still leaves the functions of philosophy incomplete. To complete its function, philosophy has to extend its functions to the ethics of human life and the conditions for the improvement of the world for human existence. This concern calls for philosophers to help reorganise and rationalise the available knowledge in order to improve human understanding and the welfare of mankind. And here lies the moral mission of philosophy. In our times it is more urgent than the concern, say, to develop new methods for solving classical metaphysical paradoxes.

It is apparent that philosophers cannot carry out their moral mission without relying on what has been discovered or made known in the other three missions. In effect, contribution of those who have concentrated their philosophical works in pure search for truth cannot rationally be ignored in the moral mission of philosophy (Oruka, 1997:99).

As I have explained earlier, a comprehensive understanding of philosophy cannot isolate the two broad functions of philosophy from each other. The factual and the normative roles are inextricably related in such a way that the factual role serves as means to the normative role. Understanding of reality and the knowledge thus generated is to assist in the solution to human problems and the creation of the best possible conditions for human existence which heralds and upholds the security and dignity of human beings –the freedom of man.

According to Oruka, philosophy being love of wisdom is necessarily practical, that is, philosophy is essentially normative; and I believe that should be the correct understanding of philosophy. Oruka's orientation into philosophy was informed by the belief that philosophy has a liberating role in man's life.

Philosophy, let me explain, is "practical" when philosophical concepts and principles are not discussed for their own theoretical interest, but are discussed and applied to the understanding and improvement of the conditions of human life (Oruka, 1990b:128).

Oruka's inspiration in philosophy was the desire to understand and solve pressing human problems; problems that undermine human freedom and dignity. Explaining how he got into philosophy, Oruka writes:

I would have abandoned the study of philosophy for something else, but two factors compelled my continuing. One, I had already abandoned the study of natural sciences for philosophy since I felt that philosophy was better suited to my search for a theory to comprehend the world and liberated Africa. And two, my immediate Professor of Philosophy, Professor Ingemar Hedenius, made philosophy very practical and made me feel able to find myself and the problems I had in mind in the discipline of philosophy (Oruka, 1997:198).

It is therefore no wonder that from the very beginning of his philosophical career, Oruka recognized unfreedom as urgent great problem not only for

philosophers but all creative thinkers. This was equally so in the case of Africa.

One very great problem in Africa today is that the African man is hungry, uncomfortable and undignified—he is unfree. In this situation the main concern of African writers (indeed of all African artists) should not be simply to praise the past. Their main concern should be to use their scientific and philosophical knowledge to better things, i.e. to define and help bring about a society of plenty, of social harmony and of dignity. The future should be desirable. But it cannot be desirable unless it is a future of freedom. The African man must not be content only with being a man in himself; he must be a man for himself (Oruka, 1972b:5).

Oruka believes that freedom is the essence of man since it accords man the life and status worthy of a human being. But he observes that hunger debases a human being and deprives him of dignity. I have explained that according to Oruka, economic needs are the most fundamental or basic human needs. Therefore, hunger or poverty undermines the very lifeline of human life. That is why socio-economic deprivation and its elimination is a central philosophical concern for Oruka. Oruka therefore calls upon all thinkers, especially from Africa to use their intellectual resources to critically examine the conditions of human existence in Africa, instead of simply praising the past, in order to improve it and bring about more prosperity and freedom.

A philosophical inquiry necessarily employs a philosophical method. But I need to emphasize that a method of a discipline or an intellectual activity partly gives it its identity, that is, its meaning and nature. In fact, it is the method of philosophy which, in the main, accords it its philosophical status. The method of philosophy is essentially a rational and critical analysis (Oruka, 1972b:7-8). Since philosophy seeks to understand and explain reality in terms of fundamental principles, its method is necessarily conceptual. Being

'rational', philosophy relies solely on reason; and being 'critical', philosophy is reflective and self-reflective. It not only reflects on reality but also on its own nature as well as its conclusions. This implies that the method of philosophy is as well dialectical. Therefore, any inquiry that does not employ the rational and critical analysis cannot, in the strict sense, claim to be philosophical.

A subscription to this understanding of philosophy is to accept the universalist thesis as the correct view of philosophy in the strict sense of the term. According to this thesis, philosophy is essentially a universal human enterprise. Its meaning and nature cannot be reduced to merely a function of culture or region. The universalist thesis defends its position through various considerations. First, any intellectual activity or discipline, or body of intellectual knowledge would not qualify as philosophical unless it manifests what universally constitutes philosophy. Such a discipline or body of knowledge has to share in the very meaning and nature of philosophy. Second, philosophical activity or discipline must employ a method of inquiry due to philosophy. The method of philosophy, which is considered objective, entails analysis, reflection and ratiocination. Third, the very method of philosophy operates at a conceptual level. A concept is necessarily universal, and therefore, a conceptual analysis is universal. When a philosophical inquiry is a conceptual analysis then it grapples with the fundamental principles, meanings and explanations of the reality under inquiry. Fourth, as a logical consequence of the very nature of a philosophical method, the philosophical problems or topics are such that they are general and universal. This means that the

problems or issues are discussable by any interested philosopher regardless of race, nationality, culture or region. Fifth, the truths of philosophy are established and verifiable by objectively valid methods or principles. These methods or principles, if true, are true regardless of place or person from whom they originate (Orika, 1990b:13-14, 106-108). Therefore, African philosophy must share in these universal canons of philosophy. Though these canons transcend historical and cultural contexts, universalism recognizes that philosophical priorities and subjects are dictated by specific historical and cultural contexts. Furthermore, there are certain basic values and ideas which are universal to human beings and cultures. So the problems and issues related to such values are indeed human problems and issues that are of universal interest. Therefore, philosophical insights and ideas on such values are universally relevant. This makes cross-cultural discourses and exchanges possible.

On the other hand is the particularist thesis which is the view that philosophical ideas or doctrines arise out of particular cultural and historical contexts. Consequently, such ideas are not applicable universally beyond the confines of their cultural and historical settings. They are a response to issues and problems of specific historical and cultural contexts. Therefore, philosophical ideas and methods are valid and useful only within their respective historical and cultural contexts. African philosophy, therefore, according to the particularist thesis, must constitute ideas and principles that arise out of particular African experiences with its basic assumptions and epistemological methods. But different basic assumptions and epistemological

methods necessarily lead to different philosophical doctrines. Therefore, as a consequence, African philosophy must be fundamentally different, in meaning and nature, from non-African philosophy. Oruka adequately discusses the issue of universalism-particularism in chapter VII, "Philosophy and Culture", in *Trends in Contemporary African Philosophy* (Ochieng'-Odhiambo, 1997:117-124; Gyckye, 1997:108-109).

However, the very meaning and definition of philosophy and consequently, African philosophy is itself a philosophical problem. Therefore, it is not unexpected that it is an issue and a subject of debate. Odera Oruka's book *Trends in Contemporary African Philosophy* (1990) is basically a discussion on the debate over the very issue. Central to the debate is the questions of the meaning and consequently the nature of African philosophy (Oruka, 1990b:13). In this book, Odera Oruka raises and discusses the issue of the meaning of African philosophy as espoused by contemporary trends in Africa. Oruka examines the four trends in contemporary African philosophy, but in his book *Sage Philosophy* he acknowledges that the trends are indeed six (Oruka, 1991:50). However, the two of them, that is, the hermeneutic and artistic or literary philosophy are not extensively discussed by Oruka. The trends are indeed various approaches towards or attempts at a definition of African philosophy (Oruka, 1990b:13-14). Not all of them are mutually exclusive and therefore the differences between all the trends are not necessarily watertight (Oruka, 1990b:23, 124-125). The trends are ethnophilosophy, professional philosophy, sage philosophy and nationalist-ideological philosophy. The four trends are the ingenious introduction and

contribution by Odera Oruka to African philosophy. In the article "Four trends in current African philosophy" written in 1978 and published as chapter two in the book *Trends in Contemporary African Philosophy*, Oruka outlines and examines the trends. A deeper analysis of the trends reveals that they belong to two diametrical conceptions of philosophy. On the one hand is ethnophilosophy which subscribes to particularism while on the other hand are the rest of the trends which subscribe to universalism.

**Ethnophilosophy:** Ethnophilosophy as an approach to the issue of the meaning of African philosophy is the view that there is indeed an African philosophy which is founded on African way of thinking. It constitutes books or works which purport to describe a world outlook or thought system of a particular group of people or whole Africa based on an all-embracing metaphysics. For example the works of Placide Tempels, *Bantu Philosophy* (1959), John S. Mbiti, *African Religions and Philosophy* (1969), and Martin N. Nkomo, *African Vitality* (1999), are based on metaphysical notion of vital force as a single fundamental idea (Oruka, 1990b:15). This metaphysical notion, according to ethnophilosophy, informs the beliefs and practices of a whole community or Africa. Ethnophilosophy tries to show that Africans or a particular African community has its philosophy which is a product of its people's unique way of thinking. An attempt to demonstrate the nature of this philosophy resorts to cultural idiosyncrasies such as myths, customs, poems, taboos, religion, songs, dances and things like that which distinguish a particular culture or community from the others. As a result, what

ethnophilosophy presents as African philosophy is communal thought system and practices (Oruka, 1990b:23 - 24). Mbiti confirms this when he writes:

What, therefore, is 'African philosophy', may not amount to more than simply my own process of philosophizing the items under consideration: but this cannot be helped, and in any case I am by birth an African. Philosophical systems of different African peoples have not yet been formulated, but some of the areas where they may be found are in the religion, proverbs, oral traditions, ethics and morals of the society concerned. I have incorporated some of these areas into this study, but proverbs in particular deserve a separate treatment since their philosophical content is mainly situational. We do not however have many comprehensive collections of African proverbs out of which an overall analysis of this type of philosophy could be undertaken. 'African philosophy' here refers to the understanding, attitude of mind, logic and perception behind the manner in which African peoples think, act or speak in different situations of life (Mbiti, 1969:1-2).

Though Mbiti admits that what he presents is his own process of philosophizing, at the end of the quotation he seems to attribute to all Africans a particular manner of thinking, perception, understanding and even logic. In doing so, he seems to reject individual thinking and logic as universal mode of inquiry, the very universal tenets of strict philosophy, as un-African. Ethnophilosophy therefore locates African philosophy within the uncritical realm of culture where a people share certain common outlooks to reality yet philosophy in the strict sense is located, as everywhere else, within the critical realm of culture (Oruka, 1990b:11-16). In presenting *mythos* -the ideas and beliefs that underlie and justify a culture, ethnophilosophy presents a system or a worldview which can only, in a broad and loose sense, be referred to as a people's philosophy. But this is philosophy in the first-order sense and what Oruka calls "folk philosophy". Mbiti, as an example, uses religion and philosophy as if the two are inextricable. He argues that for Africans religion



permeates every aspect of life (Mbiti, 1969:2) and throughout the book *African Religions and Philosophy* he treats the two as a unit.

In this study I have emphasized the unity of African religions and philosophy in order to give an overall picture of their situation. This approach does not give room for the treatment in depth of individual religious and philosophical systems of different African peoples (Mbiti, 1969: xii).

He goes on to state:

But, since there are no parallel philosophical systems which can be observed in similarly concrete terms, we shall use the singular, 'philosophy', to refer to the philosophical understanding of African peoples concerning different issues of life. Philosophy of one kind or another is behind the thinking and acting of every people, and a study of traditional religions brings us into those areas of African life where, through word and action, we may be able to discern the philosophy behind (Mbiti, 1969:1).

One may wonder what kind of philosophy is discernible from the study of traditional African religions and which he refers to as African philosophy. Throughout his book *African Religions and Philosophy* Mbiti does not explain what he understands by or constitutes African philosophy. One may be tempted to interpret him as not saying that religion is the same thing as philosophy, but that one can try to philosophically understand religion. But that would not help because nowhere in the book does he explain that. What one gets from reading the book is that there is one common philosophical way, system or ontology for all Africans and which informs their life which, as he states, is thoroughly impregnated with religiosity.

Africans are notoriously religious, and each people has its own religious system with a set of beliefs and practices. Religion permeates into all the departments of life so fully that it is not easy or possible always to isolate it (Mbiti, 1969:1).

Interestingly it is this religious superfluity which Mbiti terms African philosophy. This philosophy is nothing but a religious ontology having five

categories ordered in a hierarchy in terms of the amount of force or power distributed across the categories with God at the top, followed by spirits, man (human beings), other animate things, and lastly, the inanimate things. And according to Mbiti, understanding the African concept of time is key to understanding the operations of this ontology in the life of Africans. But Africans concept of time is only two-dimensional with the past and present, but no future (Mbiti, 1969:16-17). In essence Mbiti attributes to all Africans a particular thinking and worldview. All Africans see reality through the prism of two-dimensional time, and life for all Africans is understood and interpreted on the basis of one and common religious ontology. I believe that it is therefore plausible to infer that for Mbiti, African philosophy is nothing but understanding and explaining the centrality of religion in the cultural beliefs and practices of Africans, at least in so far as he believes that that is the case in Africa. The first paragraph in the last chapter of the book is instructive in this respect.

In our survey we have shown that in their traditional life African peoples are deeply religious. It is religion, more than anything else, which colours their understanding of the universe and their empirical participation in that universe, making life a profoundly religious phenomenon. To be is to be religious in a religious world. That is the philosophical understanding behind African myths, customs, traditions, beliefs, morals, actions and social relationships (Mbiti, 1969:262).

Strictly, philosophy should not be confused with religion or culture. Philosophy is conceptually different from religion. Whereas the method of philosophy relies on the supremacy of reason, that of religion relies on faith. As a consequence, philosophical claims are tentative whereas religious claims are absolute. The two therefore use different approaches in understanding,

interpreting and appreciating reality. Failure to distinguish between the two is therefore disconcerting. The failure implies putting philosophy at the same level with culture by which philosophy is spontaneous and unanimous. Members of a society who grow up into the culture of the society somehow spontaneously acquire this kind of philosophy; the philosophy underlying the beliefs and practices of the particular society. But it is an unconscious philosophy – a philosophy without philosophers (Oruka, 1990b:11- 13). It is constituted by the collective thought of Africans who apparently are alleged to have a unique way of thinking. This philosophy is therefore intuitive, non-reflective, non-critical, non-logical, non-argumentative and non-individual (Oruka, 1990b:137-143). Oruka argues that the “folk philosophy” which ethnophilosophy represents as philosophy is only a philosophy in a qualified sense; it is a philosophy in the debased, trivialized or loose sense of the term. Philosophy in the proper sense of the term or exact philosophy must conform to the acceptable canons of philosophical inquiry which entails being rational and critical (Oruka, 1990b:115-116). Ethnophilosophy which solely describes and explains the cultural beliefs and practices does not conform to this requirement and hence confuses mythology and religion on the one hand, and philosophy on the other hand. Consequently ethnophilosophy, since it is not conscious and reflective, is not philosophy in the proper sense of the term (Oruka, 1990b:4-6, 15-16, 109-111, 125).

However, Oruka argues that ethnophilosophy is not without some role and significance in the discourse on African philosophy. It has provoked serious philosophical discussion which has helped in shaping the development of strict

philosophical thought in Africa (Orika, 1990b:16). Ethnophilosophical works in themselves are not philosophical, but they present suitable raw materials for strict philosophy; works that can further be subjected to strict and rigorous philosophical analysis (Orika, 1990b:117).

**Professional philosophy:** Professional philosophy is another trend that constitutes, mostly but not exclusively, works by Africans who are trained in formal philosophy. As explained later, the works grouped under this category should not be confined to those of African professional philosophers, but some works by non-Africans legitimately fall in the category. However, all the works considered under the category either emphasize or employ conceptual analysis as a method of inquiry. According to this trend, philosophy in its strict sense, is an intellectual activity or discipline whose meaning and nature is not restricted to a particular race, nationality or region (Orika, 1990b:18). However, we should note that the term "professional philosophy" may mislead if understood to imply that the other trends do not involve works of professionally trained philosophers. Maybe Orika used it for lack of proper term, (Masolo, 1995:233). However, Masolo would prefer the use of "school of conceptual pragmatists" to "professional philosophy", to underscore the importance of conceptual analysis in a philosophical inquiry (Masolo, 1995:44).

Professional philosophy as an approach to African philosophy subscribes to the universalist thesis by which philosophy must employ the methods of critical, reflective and logical inquiry. But it maintains that there must be a

difference between African philosophy and other non-African philosophies such as European, American and Oriental philosophies. However the difference is mainly due to cultural dissimilarities, but not in the meaning, nature and method of philosophy. Cultural dissimilarities only cause disparity in philosophical priority and content (Orika, 1990b:18-19). This approach holds that there is African philosophy in the strict sense or second order sense that involves critical reflection and logical inquiry as well as in the first order sense which is the collective thought system. This is one of the points of disagreement between It and ethnophilosophy. The later denies the actual or possibility of existence of African philosophy in the second order sense by which philosophy remains a conceptual, logical and self-critical discourse (Orika, 1990b:145-146). Furthermore, as I have argued, the very method of philosophy necessarily makes philosophical problems and issues universal, that is, open to universal appropriation by any person who may have the interest. Therefore, African philosophy cannot be unique and exclusive to Africa as ethnophilosophy implies. Orika aptly captures this universal sense of philosophy when he states:

In most professional literature, African philosophy is seen as a whole which includes what has been produced or can be produced by African thinkers or in the African intellectual context in any branch of philosophical thought in the strict sense. Therefore, there is no reason why a work by an African thinker or in the African intellectual context in any branch of philosophical thought in modern epistemology, metaphysics or logic should not be seen as part of African philosophy (Orika, 1990b:19).

Orika anticipates a possible objection to professional philosophy as truly representing African philosophy. Some critics may argue that since professional African philosophers are trained in western tradition of

philosophy, their use of western method and principles of philosophizing cannot result into an authentic African philosophy (Oruka, 1990b:19, 36-37, 145). But from the universalist thesis, the objection is based on wrong assumption that African philosophy must be unique to Africa. The assumption can easily be dismissed as based on the *fallacy of uniqueness* for there is no warrantable reason for African philosophy to be unique or particular to Africa. The particularist thesis is antithetical to universalist thesis. Oruka argues further that knowledge and intellectual principles is not a monopoly of one race or culture, and that according to historical law of intellectual development, intellectual invention of any given culture is appropriated and cultivated in other cultures. Therefore, philosophical works of professional African philosophers are as truly African by the very ethics and historical law of intellectual development (Oruka, 1990b: 20).

**Nationalist-Ideological Philosophy:** Nationalist-Ideological philosophy does not explicitly attempt a definition of African philosophy, but assumes the existence of philosophy in Africa both prior to and after colonization. It comprises the thoughts of mostly African politicians and statesmen who are mainly concerned with the search for ideology that should inform social theory required for post-colonial African reconstruction. One of its main presuppositions is that there was philosophy in the pre-colonial Africa by which human life and social institutions were informed. It argues that post-colonial African philosophy should be founded on the basic principles of the pre-colonial African philosophy. It believes that the existence and the nature of philosophy in post-colonial African is likely to remain obscure unless it is

founded on a clear social theory for independence and the creation of a genuine humanist social order (Oruka, 1990b:17). Some of the works in this trend includes those of Julius Nyerere, Kwame Nkrumah, and Kenneth Kaunda (Oruka, 1990b:24-27, 118-119). Some of the proponents of this trend such as Kwame Nkrumah are indeed trained in professional philosophy. However, some of them like Kwame Nkrumah, Leopold Sedar Senghor and Jomo Kenyatta wrote some works which were ethnographical out of, I believe, cultural nationalism.

The nationalist-ideological trend assumes that pre-colonial Africa had philosophy one of whose cardinal ethical principles was the principle of egalitarianism which was a humanist principle. This humanist principle, among other African traditional values, was destroyed by colonialism. This principle was fundamental and is one of those that can be revived or restored so that it informs post-colonial African philosophy as well as reconstruction. It claims that truly independent Africa can only be built on a truly African philosophical foundation. The nationalist-ideological philosophy has a very clear objective and concern which is the search for an ideology by which the post-colonial Africa can truly be free and independent. As a result of that concern, some scholars such as Parker English and Kibujjo M. Kalumba, in their book *African Philosophy: A Classical Approach* (1996) would prefer to refer to it as *liberation philosophy*. Concomitant with the concern for freedom in Africa is the concern for the various obstacles to the realization of freedom in Africa such as neo-colonialism, poverty, disease, ignorance and conflicts among others. According to this trend, African philosophy should inform and

be informed by a clear social theory which would finally lead to the establishment of a humanist social order in Africa. The proponents of this trend believe that pre-colonial Africa had a humanist social order in the form of communalism which was based on the principle of egalitarianism. This social order created a mutual obligation between individuals and society such that an individual would not prosper at the expense of society and vice versa (Oruka, 1990b:24-26). Moreover, the humanist social order, so the proponents argue, ensured that human beings were treated as ends in themselves, and not as means.

Though nationalist-ideological philosophy may be accused of romanticizing the pre-colonial Africa and being anachronistic, its contribution and significance to the discourse on African philosophy is invaluable. It presents a genuine philosophical engagement; hence it can be accepted as legitimately African philosophy. Its search for an ideology that can inform the realization of true freedom and independence in Africa lays a foundation of African political philosophy (Oruka, 1990b:118-119) and remains as imperative as ever. Genuine freedom and independence in African has remained elusive but an urgent philosophical issue. Oruka directly raises and addresses this issue in his book *Philosophy of Liberty*. This is one aspect of African philosophy that needs serious intellectual attention and research. However, some of its assumptions such as that the traditional African had a humanist egalitarian principle by which people were treated as ends, and that it was a classless society, are definitely suspect. It is obvious that in the traditional African societies there were wars from which some people were captured and made



slaves, there were also the rich and the people as well as the royal families and the subjects. So it could have not been a classless society, and indeed there were some forms of economic exploitations.

**Philosophical Sagacity:** Sage philosophy is considered one of the major contributions by Oruka to African philosophy in particular and philosophy in general. The concept was not new, but as Oruka himself admits, the way it was introduced into African philosophy was novel (Oruka, 1997:181). There were, and still are, I believe, sages in every community. But Oruka introduced sage philosophy into the discourse on African philosophy to reinforce his belief and conviction that there was philosophy in the strict sense of the term in traditional African societies long before the advent of Western formal philosophy or education even if one were to deny that the philosophical works of the Western-trained African philosophers legitimately represent authentic African philosophy. Sage philosophy is a universal phenomenon which is neither exclusively African nor for the illiterate. It is able to manifest itself in all cultures and across social classes in any given society (Oruka, 1990h:53, 56; Oruka, 1997:182-182). Sagacity is a human quality found in any form of society. In this respect Oruka states the following:

In Africa, people have looked for sages among the non-literate masses. This is not to demonstrate that sagacity is possible only in an illiterate culture. It is mostly because it was not of immediate interest to contact sages from among the Africans endowed with achievements of Western education. However, sages exist in all cultures and classes. Indeed, sages are among the custodians of the survival of their respective societies. A society without sages would easily get swallowed up as an undignified appendage of another. All societies use their sages or at least the ideas of their sages to defend and maintain their existence in the world of inter-societal conflict and exploitations. It does not matter that such sages bear the names "philosophers".

“statesmen” or “warriors”. A sage may be a Gandhi, a Lenin or a Nyerere (Oruka, 1991:3).

Sage philosophy, Oruka explains, can be understood in two fundamental but related ways. In one sense, it refers to the thoughts of named individual wise men and women in any given society. But in another sense, it also refers to the totality of the basic truths and explanations that underlie beliefs and practices of people in a given culture (Oruka, 1991:57). The two senses of sage philosophy are related since the second sense is a function of the first. The basic truths and explanations underlying beliefs and practices in a given culture originate from the individual wise men and women members of the cultural group. The common cultural beliefs, practices and their justifications are just individual thoughts that have become accepted and gained currency.

Sage philosophy exists in two forms viz. folk sagacity and philosophic sagacity. Folk sagacity comprises the thoughts of sages who are well knowledgeable in the collective wisdom of their cultures. They know the beliefs and corresponding practices as well as the cultural justification or rationalization of the beliefs and practices. But they manifest low or no propensity at all to offer their individual evaluation and justification of the beliefs and practices beyond the culturally given justifications. This means that their knowledge and wisdom are, to a greater extent, dictated by the authority of their culture. This implies that folk sages would accept beliefs and practices not on the authority of reason but on the authority of culture.

Philosophic sagacity refers to the thoughts of wise men and women who not only know as much as the folk sages—folk sagacity, but have the capacity or

propensity to give their individual evaluation of the beliefs and practices of their cultures based only on the authority of reason. A philosophic sage has a reflective, critical and rational outlook to his or her cultural beliefs and practices. Such a person would only accept beliefs and practices that are rationally convincing. Since philosophic sages value more the authority of reason than that of a culture, their rationalizations of beliefs and practices tend to transcend particular cultural appeals towards universal acceptance. Oruka expresses the point when he writes:

My sages are sages because of their ability to understand the metrics of their culture and yet remain able to hold and advance views that make claim to be true in all cultures, i.e., their views claim universal understanding and validity, even if in reality they prove otherwise. Consider one of the sayings of my sage-informants:

*Nyasaye en Tim muler ok en Dhano*  
God is good will and good heart  
Not a substance, not a body.

The above claim, if true, is true not just in the culture of the Kenyans or Luos, but for all cultures (Oruka, 1997:207).

A philosophic sage has the capacity and willingness to subject cultural justification of beliefs and practices to rigorous rational scrutiny in order to determine their logical tenability or untenability. In other words, a philosophic sage subjects a first-order cultural justification to second-order rational justification. Oruka explains the two forms of sage philosophy as follows:

Findings in Kenya show that there are two main divisions of sage philosophy. One is that of the sage whose thought, though well informed and educative, fails to go beyond the celebrated folk-wisdom. Such a sage may not have the ability or inclination to apply his own independent critical objection to folk beliefs. He is, therefore, a folk sage in contrast to the second type of sage, the philosophic sage. The former is a master of popular wisdom while the latter is an expert in didactic wisdom.

The philosophic sage may know, as the folk sage does, what the cardinal beliefs and wisdoms of his community are, but he makes an

independent, critical assessment to what the people take for granted. Thus while the sagacity of the folk sage remains at the first order level of philosophy, that of the philosophic sage is a second-order philosophy, that is reflection on and a rationalized evaluation of what is given in the first order. What is given in the first order is a mixture of conventional-cum-customary beliefs and practices (Oruka, 1991:34).

The distinction between folk sagacity and philosophic sagacity is not without difficulties and Oruka's own definition of sage philosophy problematizes the issues.

Sage philosophy consists of the expressed thoughts of wise men and women in any given community and is a way of thinking and explaining the world that fluctuates between *popular wisdom* (well-known communal maxims, aphorisms and general common sense truths) and *didactic wisdom* (an expounded wisdom and a rational thought of some given individuals within a community). While popular wisdom is often conformist, didactic wisdom is at times critical of the communal set-up and popular wisdom. Thought can be expressed in writing or as unwritten sayings and arguments associated with some individuals (Oruka, 1991:33-34).

In practice the demarcative line between popular wisdom (folk sagacity) and didactic wisdom (philosophic sagacity) is fluid because different people often do not have equal interests and knowledge over the same issues or problems. As a result one would be philosophical or unphilosophical over a given issue depending on whether or not one has interest and adequate knowledge over the issue in question. Therefore, it may not be accurate to judge one's degree of philosophical status or acumen based on certain selected topics without considering variations in individual interests and knowledge. Muyiwa Falaiye in his article titled "Popular Wisdom vs. Didactic Wisdom: Some Comments on Oruka's Philosophic Sagacity" (Graness & Kai, 1999:163-169) has accurately pointed out the difficulty in trying to draw a watertight line between the popular wisdom and didactic wisdom.

However, a counter-argument may still insist that any person with a philosophical bend of mind should be able to show a minimum degree of criticality and reflection on any issue or topic of general interest. Therefore, variations in interests and knowledge over various issues or topics notwithstanding, a philosopher should be abreast with general knowledge over issues or topics that are of common human interest. But still, Oruka did not overlook or take the problem for granted, and I believe that is why he defines sage philosophy in terms of *thoughts and explanations fluctuating between popular wisdom and didactic wisdom*. I think that the problem remains an issue. Theoretically the distinction is important and cannot be dismissed. Not everybody is committed to matters of philosophy or philosophical ideals in the same way. Some are more committed than others. Some are not committed at all. Those who are committed are philosophers. Those are more committed are better philosophers while those who are not committed at all are not philosophers (Oruka, 1997:185-186).

A philosophic sage, according to Oruka, must possess at least the following two qualities, be a (1) sage, and (2) thinker (Oruka, 1990b:38; Oruka, 1991:48). To be a sage is to be wise which entails having insight and moral or ethical commitment. As I have already explained, a wise person does not only have a clear and firm understanding of reality but also the ability to put the knowledge of the reality to solve human problems in order to improve the conditions of human existence (Oruka, 1990b:61-62). It is from this conception of wisdom that Oruka's claim that a sage must have insight and

ethical commitment is to be understood and justified. But, being a thinker, a sage engages in reflective and critical analysis and therefore is capable of subjecting problems or concepts to a rigorous philosophical evaluation. A philosophic sage is therefore "consistently concerned with the fundamental ethical and empirical issues and questions relevant to society and his ability to offer insightful solutions to some of those issues" (Oruka, 1991:3). If it is granted that philosophic sagacity uses the philosophical method of rational and critical analysis as well as being concerned with fundamental empirical and ethical issues then it is indeed proper philosophy. According to Oruka, philosophy need not be conceived in the narrow sense that restricts its meaning to only academic discipline, but philosophy can also be a central perspective on life. Such a conception of philosophy would therefore admit philosophic sagacity as philosophy proper.

Philosophy is wider. I do not accept the typical Western conception of philosophy that philosophy must only be a systematic, rigid, logical argument. Philosophy can also be a kind of wisdom, a perspective on life, and it can be expressed in many forms; in a literary novel form or in a dialogue that may outwardly look philosophically harmless. Hence there are many philosophical ways. Nietzsche is said to be a philosopher, but when you read Nietzsche and then you read Kant, you can see that Kant is a formal philosopher and that Nietzsche is Freudian and witty –and still he is no less a philosopher (Oruka, 1997:213-214).

Oruka argues that philosophic sagacity is an exact philosophy since it fulfills, at least, the minimum conditions required for any knowledge or inquiry to be philosophic: particularly in relation to Oruka's conception of philosophy

My contribution to the discussion with Wiredu on truth and cultural universals should be understood in the context of the epistemology that underlies our research on sage philosophy, within which we have a working conception of philosophy that implies that philosophy is both (i) a fundamental outlook on human life and nature in general and (ii) a critical evaluation of what is given in one's cultural and natural

environment. As a fundamental outlook, philosophy is a perspective on life. But if there are many or competing perspectives, philosophy claims, in sagacious sense, to offer a central perspective; philosophy remains philosophy and not a religion or a big political ideology by the judgment that the perspective it offers is not really *the* central perspective, but only *a* central perspective. And this means that the ideas and programmes of a genuine sage philosopher are put forward not as absolute truths or authoritatively injected dogmas, but as tentative proposals whose truths are open to reasonable consideration and discussion (Oruka, 1997:171).

I have argued that from a philosophical point of view, wisdom is necessarily practical. And if philosophy is understood from a holistic approach then philosophy is necessarily practical provided that it is love and pursuit of wisdom. Philosophic sagacity inextricably unites philosophy and wisdom, and consequently makes philosophy practical. Philosophic sagacity therefore situates itself within practical philosophy. Oruka's philosophic sagacity was informed by his philosophical orientation and interest in practical philosophy.

But I was more interested (coming from science) in philosophy that would be useful for understanding the problems of Africa. Thus I became interested in ethics and social philosophy and legal philosophy. These constitute what they call in Uppsala University "practical philosophy" (Oruka, 1997:212).

Therefore, this explains Oruka's apparent main preoccupation with a philosophy that addresses practical human conditions in order to create humane conditions in which human beings would live in freedom and dignity (Granness & Kai, 1999:13). This concern definitely extends beyond the confines of Africa to embrace humanity as a whole (Oruka, 1997:215).

Practical philosophy necessarily demands that philosophy is made sagacious by which wisdom is emphasized and made an integral part of philosophy. By centralizing wisdom in philosophy Oruka's restores the Socratic understanding

and mission of philosophy. While I believe that this should be the proper sense of philosophy, it should be acknowledged that in our time philosophy has developed highly specialized areas that one can easily miss or forget the unity that exists between the branches in the broad categorization of philosophy. The matter can be made worse if ethics as a branch of philosophy is not emphasized and given a central role in philosophy. This would be the case if one is an expert or specialized in other branches of philosophy other than ethics (Oruka, 1990b:62; Oruka, 1991:40). Yet it is ethics that is the foundation of the normative role of philosophy and which is essential to the very meaning of wisdom. This point is well put by Kai Kresse.

Odera Oruka stresses the fact that philosophy, in the common academic understanding of the term, has estranged itself from the 'Socratic' partnership with wisdom. The two have to be distinguished since it is obvious that "one can be an expert in logical and cogent reasoning and still be an idiot on matters of life and human relations". Only if this difference is made clear in the first place, the envisaged reunion of the two concepts can be worked for. Thus, under the flag of sagacious reasoning, a philosopher in the full and fertile sense is only the one who contributes both qualities, with an emphasis on practical relevance, to his society. It is in this way that Oruka neglects the "mere philosopher" in favour of "sage proper" (Graness & Kai, 1999:15).

According to Oruka, practical problems in society demand for their solution the conjunction of philosophy and wisdom in such a way that philosophy is made sagacious and sagacity is made philosophical. It is only when that is done will philosophy be able to address practical problems and contribute to their solutions in other words, for it to perform effectively its normative role (Graness & Kai, 1999:16). The necessary link between sagacity and practical philosophy therefore justifies the centrality and importance of sage philosophy to Oruka's practical philosophical engagement. It can then be argued that issues related to wisdom or practical philosophy were central in Oruka's



philosophical career and consequently how to understand and address problems that afflict not only Africans, but humanity as a whole.

One inspiration behind my sage philosophy was the fact that I observed in my late teacher and mentor, Ingemar Hedenius (1908-82), the mind of a sage. My studies and years with him gave a rare chance to observe that wisdom is better and even greater than might. So after leaving Sweden as a student, I embarked on the search for wisdom in men and women of traditional Africa (Orika, 1997:171-172).

But in African philosophy, philosophic sagacity had urgent and important roles one of which is to clear off one of the major obstacles to philosophy in Africa. This obstacle which I have explained, I believe sufficiently, is the mythological argument that Africans, without the intervention of Western philosophy, were incapable of philosophy in the strict sense (Oruka, 1990b:19, 27). Of course it is a contradiction to argue that Africans are incapable of strict philosophy but through Western influence strict philosophy can be cultivated in African. But let us put aside the contradiction. However, philosophic sagacity debunks the claim or belief that there was no philosophy in the strict sense in traditional Africa.

Philosophic sagacity therefore proves that Africa, both traditional and contemporary is not innocent of philosophy in the strict or second order sense. There have always been in Africa like any other society individuals capable of critical and reflective thinking whose thoughts and judgements are guided by the power of reason (Oruka, 1990b:16-17) and characterized by philosophical thinking. It disapproves both ethnophilosophy which claims that African philosophy is only communal and critics of professional philosophy who would like to fault it on the ground that the professional philosophers are

Western-trained and consequently their philosophy cannot represent authentic African philosophy. But as has been pointed out, from the universalist point of view to which professional philosophy and philosophic sagacity subscribe, that criticism is untenable.

Apart from centralizing wisdom in philosophy and thus making it practical as well as proving that Africans are capable of philosophy, philosophic sagacity is also important by proving that philosophical thinking is universal and it is not restricted only to the literate people. Philosophy can therefore be either written or unwritten. Furthermore, the sage philosophy project, through its methodology, documents the thoughts of the illiterate sages and therefore adds to the literature of African philosophy. This kind of literature diversifies the possible sources of African philosophy (Oruka, 1997:184-185).

From purely the stand point of the debate on the nature and existence of African philosophy, Oruka considers philosophic sagacity very important and instrumental in making up for the limitations of both ethnophilosophy and professional philosophy. First, it is proper philosophy which operates at a *second-order* analysis. In this, it re-evaluates the *first-order* justification which is culture philosophy. First-order or culture philosophy is often absolutist and ideological in its truth-claims while second-order philosophy is open-ended or open-minded, rationalistic and its truth-claims are tentative (Oruka, 1990b:39-40). Second, ethnophilosophy is limited by failing to recognize the existence of philosophy in the strict sense in Africa while professional philosophy tends not to realize that philosophy is not restricted to the academy (Oruka,

1990b:36). The claim and limitation of ethnophilosophy is more serious because it implies that neither was there strict philosophy in traditional Africa nor can professional philosophy represent genuine African philosophy for those who perceive it as alien to Africa. Professional philosophy and by extension nationalist-ideological philosophy can easily be accused, though implausibly, of being foreign inspired and dismissed as representative of African philosophy (Oruka, 1990b:65,145; Oruka, 1997:182). But due to that possible charge against professional philosophy and nationalist-ideological philosophy, Oruka considered philosophic sagacity the most appropriate trend to disapprove and put to rest once and for all the misguided claim of ethnophilosophy.

This is still widely unknown as a proper aspect of philosophy in Africa. Nevertheless, it is the only trend that can give an all-acceptable decisive blow to the position of ethno-philosophy. Neither of the other two trends can objectively, decisively play this role. The reason is that professional philosophy and nationalist-ideological philosophy are generally suspected of smuggling western techniques into African philosophy. Those who make this charge can hardly be convinced that professional philosophy in Africa is a refutation of the presuppositions of ethno-philosophy. They would maintain that it is a fallacy to use professional philosophy (in their view a foreign philosophy) to reject ethno-philosophy (Oruka, 1990b:36-37).

The main and only reason why Oruka confined his sage philosophy project interviewees to the illiterate people or those who still relatively represented traditional Africa was to avoid the very accusation that had been or could be levelled against professional and nationalist-ideological philosophy –of being foreign. But this very reason can easily lead to another mistake –the mistake of linking philosophic sagacity necessarily to illiteracy (Oruka, 1997:183-185; Oruka, 1990b:56-57). But by bracketing out the Western educated

interviewees, the sage philosophy project through philosophic sagacity disapproves a belief or a possible claim that African philosophy is inextricably trapped in the historicity of Western paradigmatic discourse on Africa; a claim which would imply that discourses on African philosophy as well as knowledge lack authentic African basis (Mudimbe, 1988; Oruka, 1997:183).

### **5.3 Definition and importance of African philosophy**

The definition of African philosophy is not without difficulties as has already been manifested by the various approaches that we have examined. The difficulties do not emanate from the fact that there is anything special or unique with African philosophy, but because it is philosophy and like philosophy in general, the definition is always problematic. Therefore, the definitional issues that may arise from the concept of African philosophy emanate, not from it being African but philosophy in itself.

The meaning and nature of African philosophy must therefore share in the very general meaning and nature of philosophy which entail being reflective and self-reflective. In engaging in philosophical activity African philosophers engage in reflective and self-reflective activity. This implies that African philosophers necessarily or should engage not only on philosophical reflection bearing on their experiences but also in the very meaning of philosophy. But let me add that African experiences are not necessarily isolated from the experiences in the rest of the world. Therefore, African philosophy, whatever definition given and provided, if it is a correct definition, has to engage the rest of the world. Therefore, the meaning and definition of African philosophy

has to take into consideration the very nature and task of philosophy. But this requirement is definitely sympathetic and leans more towards a universalist conception of philosophy. The following response to the claims of ethnophilosophy by Oryka underscores the point:

Nevertheless, whatever the nature of such ideas, it would be wrong to treat them as the be-all and end-all of "African philosophy". Philosophy, in a way, is a historical process and cannot correctly be attracted or confined to one given historical period, however important. African philosophy must include not just what is philosophy in traditional and pre-colonial Africa, but also the colonial and post-colonial African developments. More specifically, it will mean mostly the written works of philosophers in Africa (Oryka, 1997:237-238).

Oryka not only rejects the narrow and unacceptable conception of philosophy in ethnophilosophy but also hints at the nature and scope of African philosophy. African philosophy must be open-ended and hence dialectical. It cannot be a closed system and dogmatic. It must include written philosophical works by Africans without any undue restriction or prejudice on topics of inquiry.

Oryka therefore gives what he thinks is an appropriate definition of African philosophy.

It is desirable to specify a simple and appropriate sense for the expression "African philosophy". In this sense a philosophy is to be described as African philosophy is (1) it is a work of an African thinker or philosopher, or (2) it is a work dealing with a specific African issue, formulated by indigenous African thinker, or by a thinker versed in African cultural and intellectual life. This sense of African philosophy does not, as we have explained, demand that whatever belongs to African philosophy must be peculiar to Africans and strange or unknown to non-Africans. In this sense the history of African philosophy will be a history of exact philosophical thought and writings in Africa. To prevent such a history from being dominated and contaminated by philosophy in the unique sense, we must be cautious and include in it only that which qualifies as philosophy according to reputable canons (Oryka, 1990b:112).

The simple sense of the expression "African philosophy" as used by Oruka means that African philosophy must be understood and defined in a way consistent with the universalist conception of philosophy (Oruka, 1990b:109). However, the above definition may not be as clear as Oruka intended it. Therefore, it is necessary to point out and try to clarify what may be problematic with it. First, it is debatable that every intellectual work of either an African thinker or philosopher is necessarily philosophical. History is awash with idiotic or imbecilic works by great thinkers or philosophers. We have seen some works or arguments by great thinkers or philosophers such as Plato, Aristotle, Hume, Kant, Hegel and Thomas Jefferson, among others which are not philosophic by any standard. Second, it is equally debatable that every work dealing with any specific African problem by either an African or non-African thinker is necessarily philosophical. We have just dismissed such kinds of work in the form of ethnophilosophy as being non-philosophic. Paulin Hountondji has clearly and competently explained this point (Hountondji, 1983:82-84).

Perhaps, it would have been clearer and better if Oruka defined African philosophy as *any philosophical work by either an African philosopher or dealing with any specific African issue, formulated by an Indigenous African or non-African who is versed in African cultural and intellectual life*. The requirement that a non-African be versed in African cultural and intellectual life is important in situating such work within its cultural and intellectual history hence conforming to the historicity of philosophy. Of course, "African philosopher" is used in the definition in the Orukan sense by which the term

philosophy is not necessarily restricted to narrow academic and formal understanding of philosophy. We have already seen that according to Oruka, philosophy can legitimately refer to *a central perspective* on life. For any perspective to qualify as philosophy it should not only raise and address fundamental principles and issues in life, but has to use a method recognized as philosophical or reflect a philosophical bent of mind.

African philosophers can write on any philosophic topic or issue of their interest without any limitation by the origin of conceptual model or thought-content in their reflection. There should never be any fear of taking up on certain topics or issues that were developed or originated out of Africa (Oruka, 1997:167-168, 239). This requirement is consistent with the universalist conception of philosophy. This view is also supported by, among others, Paulin Hountondji, Kwasi Wiredu and Peter Bodunrin. Hountondji beautifully explains this thus:

So, if philosophy is to have a meaning, it cannot be a tautological redundancy. Although it is itself determined in the last instance by a political project, it cannot be reduced to a mere commentary on it. It must place itself on the terrain of science itself, as the ultimate source of the power that we seek, and must contribute in some way to its progress. The prime problem of philosophy in present-day Africa is therefore how far it can contribute to the development of science. This is an immense problem, calling for inquiries into the history of the sciences and of philosophy, a definition of their actual relations in the past and their possible relations now. Such an orientation would mean that our philosophy courses would concentrate not on the sort of existential meditation on 'what we should be' advocated by Towa but on instruction in those philosophical disciplines most likely to foster the development of scientific thought in Africa: logic, the history of the sciences, epistemology, the history of technology, etc. –and of course, the indispensable study of the history of philosophy (Hountondji, 1983:175).

Hountondji goes on to explain the misconceptions and questionable assumptions associated with prefixing regional adjectives to philosophy resulting into notions such as Africanness, Westernness, and such like (Hountondji, 1983:176-177). These notions should not be interpreted to mean unique and exclusive properties. They only indicate the location of nurturing or appropriation of philosophical ideas.

I start from the assumption that values are no one's property, that no intrinsic necessity lies behind their distribution across various civilizations or their changing relative importance; for instance, if science is today more spectacularly developed in Europe than in Africa, this is due not to the specific and unique qualities of the white race but to a particularly favourable set of circumstances. This historical accident does not make science an essentially European value – any more than syphilis, introduced into Amerindian societies by the first visitors from the Old World, is an essentially European disease. Cultural values are like venereal diseases: they flourish here and there, develop in one place rather than another according to whether the environment is more or less favourable; but this purely historical accident cannot justify any claim to ownership or, for that matter, to immunity (Hountondji, 1983:177).

Oruka shares in the view that certain issues are of universal importance and the need for philosophical dialogue across various regions, consequently African philosophy has to expand its frontiers not only to enable it perform in Africa the roles philosophy performs in all cultures –critical reflection on the prevailing problems and the establishment of scientific thought – but also in order for it to dialogue with the rest of the world philosophies such as Asian and Western, and to contribute to world philosophy (Oruka, 1997:215). Africa therefore requires philosophy experts in all areas.

Critical attention is needed in all fields. It is not good to say that we should be restricted to one area. However, as an immediate concern, we need some African philosophers to be very good thinkers in the areas of epistemology, and logic without apology that these are European matters. Many of our upcoming students tend to go into areas of African philosophy of culture, which gives the impression that



African philosophy comprises culture philosophy, whereas one could also do epistemology – the theory of knowledge – and logic and apply them to Africa. Many dissertations being submitted to our universities tend to go in for works like “sage philosophy”. (I have had as many as ten theses in this country alone written in this area.) Whereas this is appropriate, it should not appear as the only area. Africa is in need of a lot of social, economic and political philosophy, for example, the areas of social and legal philosophy, which could create something that could help get Africa out of its turmoil. Part of our problem is not only economic, but also the fact of not having qualitative thinking to help people get out of their quagmire (Orika, 1997:214).

One may wonder as to what then makes philosophy African. But as Orika explains, African philosophy has gone through many phases; from the phase of *pre-philosophy* of Lévy-Bruhl school, through the phase of *unique philosophy* of ethnophilosophy to finally the phase of *exact philosophy* of professional philosophy. African philosophy is now in a phase in which it cannot afford to dispense with new and modern developments in philosophical inquiries as well as knowledge in general (Orika, 1990b:34-36; Orika, 1997:165-166, 236-240). It cannot therefore be defined in a unique exclusive sense, but in such a way that it can legitimately deal with issues of universal relevance. This includes writing. As Wiredu has clearly pointed out, philosophy of a people is basically determined by the development of tradition of philosophy among the people and not necessarily by the origin of the thought-content. Tradition of philosophy has to be developed in Africa, and it has already taken off as manifested by philosophical debates and publications by Africans as well as non-Africans. Any thought-content regardless of its origin, so long as it has been appropriated, developed and integrated into the philosophical tradition of Africa becomes part of African philosophy. As Wiredu ably puts it, a view supported by Peter Bodunrin (Serequeberhan, 1991:83-84):

If an interest in the sort of problems of the philosophy of mathematics that I discussed in that article never develops in African thought, and no tradition emerges on our continent into which my article might naturally fit, then it would not be unjust to exclude it from African philosophy. The philosophy of a people is always a tradition; and tradition presupposes a certain minimum of organic relationships among (at least some of) its elements. If a tradition of modern philosophy is to develop and flourish in Africa, there will have to be philosophical interaction and cross-fertilization among contemporary African workers in philosophy (Serequeberhan, 1991:92).

Writing has also been an issue in African philosophy with some arguing that philosophy must be written while others argue that writing is not a prerequisite for philosophy. The former position is best represented by Paulin Hountondji while the latter view is represented by Odera Oruka (Hountondji, 1983:33, 101-107; Oruka, 1990b:42; Oruka, 1991:53). However, if it is granted that philosophy in general and African philosophy in particular is a conscious and an explicit discourse then African philosophy has to be written—it has to exist in form of texts. In the absence of writing, the existence and nature of philosophy is a mere conjecture. When thoughts are written they become objective. Therefore, when philosophical thoughts are written, they not only become objective but also discernible, and thus enable conscious analysis of them. Philosophy, being a reflective or conscious inquiry does its analysis, and hence develops its themes better when dealing with written ideas.

I tend to think that there is a subtle difference between philosophy as an activity of individual Africans and African philosophy as a historical discourse. As an individual activity, philosophy can exist either in the written or unwritten form. The philosophical thought of an individual cannot be

attributed to a whole group of people as their philosophy. A people's philosophy, in the strict sense of the term, is a collectivity of individual philosophical thoughts. But in the absence of writing, the individual philosophical thoughts can only merge and lose their individual identity, and thus be transmitted as commonly held thoughts which cannot be philosophy in the proper sense. In such a situation there is the danger of individual thoughts becoming unconscious and unanimitist. In such an eventuality, it would be impossible to know the specific philosophical issues addressed, the manner in which they were addressed and those who addressed them (Oruka, 1990b:62).

African must avoid the pitfalls of the past. The debate on the existence and the nature of African philosophy arose partly because of the lack of sufficient philosophical literature to attest to that. Furthermore, the development of philosophy as a critical discourse would be impossible without writing. African philosophers must once and for all put their philosophical thoughts in writing, at least for those who can write. This is the reason, I believe, why Oruka says that there is need, 'for the current African and black philosophers to "let one hundred flowers bloom." The future will sort out those flowers and preserve a tradition' (Oruka, 1990b:36). Hountondji also calls for a 'democratic practice of writing' as a necessary condition for philosophy as systematic organized practice of knowledge (Hountondji, 1983:99, 101).

Professional philosophy in African should spend more intellectual resources in the articulation and development of its themes than has been spent so far. Some scholars think that a lot of time and energies have been spent debating

the existence and the nature of African philosophy but not in doing philosophy by addressing issues of philosophical concern (Orika, 1997:168). Though it may be true that there has been unproportional allocation of time and energies towards the debate on the existence and nature of African philosophy which I alternatively refer to as the definitional issue, it is not true that philosophers in Africa have not been doing philosophy. It is only that the debate has been unfortunately more conspicuous. Nonetheless there are several thematic philosophical works by Africans that legitimately belong to African philosophy but are not recognized as so, some not even by their own authors. However, a critical look at the philosophical publications by Africans shows that many of them have been reflecting on thematic and topical philosophical issues. Orika mentions some of the works or activities that prove that African philosophers have not only been discussing non-definitional issues but also engaging non-African philosophers in philosophical dialogues. He singles out, as examples, what he calls the *The Wiredu-Orika debate* which is purely an epistemological discussion; *The Mudimbe/Neugebauer caveat* which looks at the paradigmatic problem of African philosophy; *Hermeneutics and the philosophy of language* which deals with issues in philosophy of language in the African context; and *The World Conference of Philosophy held in Nairobi, Kenya*, in July 1991 whose theme was "Philosophy, Man and the Environment", and in which Africa was well represented. The African philosophers were not discussing definitional issues but philosophical engagement between man and environment (Orika, 1997:164-180; Orika, 1994).

A cursory look at some works on African philosophy confirms the view that African philosophers have indeed been doing philosophy. Kwasi Wiredu's book *Philosophy and an African Culture* (1980) dedicates only the first three chapters to the definitional issue. The rest of the book, the nine chapters, is all about doing philosophy –dealing with issues of ideology and theory of truth. Wiredu's other book *Cultural Universals and Particulars* (1996) deals purely with philosophical analysis and not the debate on the existence and nature of African philosophy. Paulin Hountondji's book *African Philosophy: Myth and Reality* (1983) is divided into two major parts but only the first part directly addresses the definitional issue. The second part is really a philosophical analysis of ideology which is a thematic and topical philosophical issue. *Tradition and Modernity* (1997) by Kwame Gyekye does not address the definitional issues at all, but addresses a wide range of issues including how philosophy necessarily interrogates practical affairs in society, communitarianism in Africa, ethnicity and nationhood, traditional political practice in Africa, political corruption, and tradition and modernity. Odera Oruka has books that do not address themselves to the definitional issues such as *Punishment & Terrorism in Africa* (1976/1985), *The Philosophy of Liberty* (1991/1996), *Ethics* (1990), and in *Practical Philosophy: In search of an Ethical Minimum* (1997) only four of the twenty-eight chapters directly address the issue of existence and nature of African philosophy. It is only two of Oruka's books, *Trends in Contemporary African Philosophy* (1990) and *Sage Philosophy* (1990/1991) that address the definitional issue.

So, it is not correct to claim that African philosophers have not been doing philosophy and instead have been engrossed only on the debate about the existence and nature of African philosophy.

However, as Oruka rightly points out the above accusation assumes but wrongly that discussing the meaning and nature of philosophy is not doing philosophy (Oruka, 1997:166-168). The meaning of philosophy is one of the perennial philosophical problems, and philosophers world over often find themselves drawn into it. The philosophical movements in the history of Western philosophy such as linguistic analysis, logical positivism and postmodernism are actually addressing the definitional issue. So, it is not a characteristic that can be confined to African philosophers. It is indeed part of doing philosophy. Nobody puts is better than Abiola Irele.

Thus, the development of Western philosophy has proceeded in such a way as to determine not simply the problems that have been examined but also the manner in which they have been handled, the principles which command thought and discourse about them and ultimately the ways in which they can be considered possible objects of thought and discourse at all. This has had the consequence of leading philosophical thought back to itself, as it were, so that philosophy has come to be concerned not only with the content of thought (and even formal modes of thought) but also with its own self-definition as an activity engaged with both. A significant part of the business of philosophy has thus been committed to the effort to apprehend its own being (Hountondji, 1983:7).

Philosophy is not only self-reflective, that is, reflecting on its very meaning and nature; but philosophy is also reflective. This means that those who engage in philosophical activity have to situate the activity within their problems and experiences. The philosophical engagement should have a bearing on the realities or experiences of those who engage in it. If this claim

is granted then any claim to philosophical activity that does not have a bearing on the reality or experience of the one who engages in it is questionable. The implication of the claim, considered in the light of the given definition of African philosophy, is that all philosophical works by Africans irrespective of topic or area in philosophy legitimately constitute African philosophy. But the most unfortunate and absurd fact is that at this very moment in African intellectual history many African philosophers do not yet consider their philosophical works as African philosophy. Some of them would even confess that they are not experts in African philosophy and as a consequent know very little or nothing about African philosophy. One can only wonder what they consider African philosophy to be!

For instance, in the Department of Philosophy at the University of Nairobi, many of the practitioners of philosophy; and I believe this is common to all the departments of philosophy in Kenya and Africa; do not consider their philosophical works as African philosophy. It is only Francis Owakah and I who consider ourselves as doing African philosophy. I'm not even sure that Owakah would agree with me that all his philosophical works legitimately belong to African philosophy. The rest of my colleagues, though they are Africans who are engaged in philosophical enterprising and producing intellectual works in philosophy, are yet to realize and acknowledge that their philosophical works are legitimate works in African philosophy.

The assigning of philosophy to a particular people or region is determined neither by the philosophical method nor content, but by either the citizenship

or nationality of the philosophers, or of those affected by the reality dealt with. This is how it is and should be in all cases. Africans or Africa is not an exception and to demand otherwise is symptomatic of the mythological discourse on Africa and Africans, which is logically unacceptable. African philosophy cannot be defined by any other parameter other than the fact that the philosophers are Africans or the issue dealt with affect Africans (Orika, 1990b:108-110). This definition may appear problematic for now, but let it be so. However, that is how African philosophy should be conceived, or at least that is how I believe it should be conceived.

The above understanding of African philosophy therefore renders untenable any claim that African philosophers have so far not been doing philosophy and instead have only been debating on the existence and nature of African philosophy. All philosophical works by Africans, whether in the area of ethics, logic, epistemology, metaphysics, or applied (in the wider sense of the term) are integral part of African philosophy. Even if an African philosopher specializes in the study or intellectual works of a non-African like Kant, Plato, Aristotle, Gandhi, Buddha or Confucius; the philosophical works of the African philosopher are legitimately African philosophical works.

Since philosophy in general is essentially normative, or at least this is how Orika conceives of it, African philosophy should address issues affecting Africans as well as those of universal philosophical concern (Orika, 1990b:112); and given that philosophy is a historical process (Orika, 1990b:128) these issues must include those of black consciousness and



development. Oruka therefore conceives a necessary relationship between African philosophy and black consciousness. This consciousness entails the awareness of an anti-black social reality, being black and being proud of it, the desire to annihilate the anti-black social reality, and the need to create a new and fair social reality as a condition for universal humanism, (Oruka, 1990b:71-85). Black consciousness has as its ultimate aim the creation of a better condition for humanity in general and Africans in particular; a condition devoid of arbitrary discrimination, suppression and exploitation. We have seen how Africans, particularly black Africans, have been mythically and mystically defined especially by the white race.

Any comprehensive treatment of philosophic sagacity and African philosophy in general cannot ignore the problem of black consciousness. In Africa, America and Europe there are black people who find themselves surrounded but a hostile reality – a reality that disdains the interests and values of the black people. Within this reality the black man has not defined himself, yet he finds that he has been defined. He has been defined on the basis of the *Negro myth*. On this basis, the Negro (black) is evil, ugly, brutal and unintelligent. This reality was created to upgrade and glorify the white culture and to degrade and even annihilate the black man's culture.

This reality is not physical or scientific reality; it is social. There is no science, no true science, that demonstrates that black has the characteristics of the *Negro myth* (Oruka, 1990b:70).

African philosophy has to examine and expose such unfounded bases for defining Africans and reject any attempts to reinforce the anti-black social reality. African should be liberated from inferiority complex resulting from such baseless definitions. In addressing black consciousness African philosophy would be attempting to remove –annihilate the wrongly created image of Africans and paving way for dignified and humane conditions of existence for Africans. The negative portrayal of blacks does not only hurt their dignity but also the relationship between them and other races. The

annihilation of the anti-black social reality is likely to improve both the power and racial relations between blacks and other races especially the white. Oruka explains consciousness thus:

To be conscious is to annihilate – this is an existential maxim. But this maxim is an oversimplification. For if to be conscious is simply to annihilate, then after the annihilation, consciousness ceases to be. If it does not, it must continue to annihilate until there is nothing left to annihilate – nothing to be conscious of – and consciousness must destroy itself, because to be conscious is to be conscious of something.

A more complete formulation of the ideas of consciousness should be the following: to be conscious is to be conscious of a different (a *better*) reality than that which prevails or threatens to prevail and to attempt to attain that reality; once it is attained consciousness will then be consciousness to maintain this reality. Annihilation then may only be a means to reach this “better” reality and it ceases to operate once this reality is attained until such a time as the reality outgrows itself and calls for change (Oruka, 1990b:71).

Development is another important issue that African philosophy has to address. From a philosophical perspective, development is a multi-faceted process by which human needs and their realization are continually improved. Since not all human needs can be fully satisfied at any given time, development must be understood as a progressive refinement in the conceptualization and actualization of the needs. But for the process of development to be in place, there should be consciousness in terms of quality and quantity of human needs as well as the means to realize them (Nyarwath, 2005:63). As I explained somewhere else, genuine development requires consciousness of development itself.

To be conscious of development is to be conceptually and practically aware of the elements, both physical and social, that constitute it as well as those that hinder its realization. The very process of development cannot be effectively instituted if there is lack of full consciousness of it. And to be fully conscious of it is to be aware of all the factors necessary for or that hinder its realization. This

consciousness also implies the awareness of the goals or objectives for which development is sought (Nyarwath, 2005:60).

The goal for which development is sought is the improvement in the enjoyment of human needs and consequently the promotion of human wellbeing and happiness. But this goal cannot be achieved if development is understood in the narrow sense. It must therefore be understood in terms of both material and moral growth (Nyarwath, 2005:62-63). Oruka uses first-order and second-order senses of development to refer to this wider conception of development. First-order sense of development refers only to the economic and technological improvement while second-order sense of development refers to cultural improvement. The second-order sense interrogates the first-order sense in terms of whether the industrial (economic and technological) development is informed and guided by better human values. So, a philosophical conception of development has to consider the both senses (Oruka, 1997:191-195; Oruka, 1996:94-95). It is only when development is understood philosophically, that is, both materially and culturally; in terms of the general improvement of the quality of human life; that human beings would be better preserved, their life well enriched and have greater dignity. Such a conception of development guarantees the realization and enjoyment of human freedom in the proper sense of the term, i.e. as Oruka conceives it in his book *The Philosophy of Liberty*. However, balancing the two senses of development is difficult and it raises a fundamental issue in development. A country or people may only be developed in one sense and not the other. Racism, tribalism (ethnicism) and corruption, some of the problems plaguing the world today, are manifestations of low values and indeed reflect

cultural underdevelopment. Cultural development, as Oruka explains it, is characterized by better understanding and tolerance of diversity.

So, cultural development is explained by the ability of individuals to free themselves from their cultural inhibitions and prejudices and open themselves up for ethical understanding and exchange with people of other cultures and ethnicities. In this sense, development, as Julius Nyerere once wrote, is "development of the people", not the material goods, as is the case in the first-order sense of development. Thus in terms of cultural development, the United States is not necessarily more developed than Kenya or Nigeria. And in general, the West is not more developed than the non-Western world (Oruka, 1997:192).

According to Oruka, understanding development solely in terms of material development (economic and technological development) raises both moral and power question in culture (Oruka, 1997:193). Moral question arises when a particular culture is identified with economic and technological development, and therefore is assumed or seen to have the best morality for civilized humanity. Different cultures are therefore seen to be inconsistent with economic and technological development and hence hampering development. Such cultures are therefore suppressed. But the power question arises from the fact that the economically and technologically developed countries or people also have military and political power which they often use to impose their will on those who are economically and technologically weak. Yet their military and political power, in themselves, does not prove that their cultures are morally superior and therefore the best. As a consequent they also impose their cultures on those who are economically and technologically weak. Africa was colonized and, in a way is still colonized, and thus culturally dominated under the pretext or illusion of development, which is nothing but only an urge for economic and technological development. Oruka therefore cautions

Development conceived in the cultural sense brings forth the very ethical question of judging whether or not development in the first-order sense alone is desirable. For development confined to industrial development turns man from the worship of God and invisible spirits to the worship of machines and money. And even reason gives way to pleasure and machine aesthetics. Rationality is arrested, and truth is the whim of the industrially mighty (Oruka, 1997:193).

I'm inclined to believe that "God" and "invisible spirits" are used in the above quotation symbolically to represent ethical values and human ideals which calls for restraint in human conduct in order to develop and be realized. But when such values are undermined by compromising rationality and truth, then definitely human dignity and freedom is equally compromised or perverted. Such a conception of development cannot be the best guarantee of human survival and happiness. What results from such a conception of development is a crisis of values for some and of identity for others.

In the working paper of the present volume prepared in connection with the UN Cultural Decade, 1988-1997, Ionna Kucuradi has rightly observed that as a result of neglecting the cultural aspects of development and overemphasising economic-industrial development spearheaded by the West, the non-Western world is today in a crisis of identity, while at the same time the west itself is in a crisis of values. The former fears having lost its heritage, while the latter wonders what its values really are. These crises, she observes, form part of the rationale behind the United Nations declaring 1988-1997 as a decade of cultural development (Oruka, 1997:191).

The morality and the power questions are at the core of the current world problems such as ideological domination, war, and poverty. These are some of the major problems that hamper cross-cultural dialogue, communication and harmonious existence between people of diverse cultural backgrounds. Oruka captures the problematic of cultural development, especially when it is not given due attention in the general understanding of development.

It is also well known that at the beginning of the 1960s, many African countries had good plans for industrial take-off. They emphasised

education (especially technical education), they had blueprints for great development projects and they trained personnel and imported capital from across the globe. But soon Africa witnessed ethnic rivalries, sectionalism, militarism in politics, corruption, naked autocracy and foreign ideological pressures. And there were no remedies for such setbacks, mainly because Africa had neglected the cultural aspects of development. Things like ethnic rivalries, autocracy and foreign ideological pressures are signs of cultural factors that divide nations and the world of nations (Oruka, 1997:191).

In *The Philosophy of Liberty*, Oruka raises two fundamental but related issues which are relevant to Africa. These are political and social transformation, and freedom. Oruka argues that genuine political and social change is likely to take a very long time to be realized in Africa because the dominating or dominant class is not the ruling class. While the ruling class is within Africa the dominant class is outside Africa. The dominant class controls Africa, and unfortunately this class has mutated into various forms such as the World Bank and International Monetary Fund (IMF). And without the cooperation of the dominant class it would be very hard for Africa to initiate and realize positive social change and genuine independence. Independence in African needed social revolution in order to change the value system and the colonial structures but this never occurred. Africa is therefore in need of political philosophy to address the issues of social change and independence (Oruka, 1996:87-110; Oruka, 1997:215-217). Perhaps the Nationalist-Ideological philosophy would offer appropriate starting resources for African social and political philosophy which should interrogate the socio-political situation in Africa.

Genuine independence is related to freedom or liberty in the sense that it determines the extent to which liberties are enjoyed. Lack of genuine or

greater degree of independence limits the enjoyment of liberties. Orluka identifies six kinds of liberties but singles out economic liberty as the most fundamental. The extent to which other liberties such as political, cultural, religious, intellectual and sexual are enjoyed depend on economic liberty. This, according to Orluka, explains why despite the declaration of political independence and attempts to enjoy the other liberties without a reasonable amount of economic liberty in Africa has been virtually meaningless or greatly undermined (Orluka, 1997:216-217). I have argued in my article "Sagacity and Freedom" that what is needed in the world for a reasonable realization and enjoyment of freedom is economic interdependence and not economic dependence (Girness & Kai, 1999:211-218).

African leaders should always strive to see that the resources in Africa are used to bring about greater freedom in Africa and not to behave as mercenaries at the beck and call of foreign powers. The current status of freedom and independence in Africa is worrying. And that means that the survival and dignity of Africans are at stake. Orluka's advice in this respect is timely.

Independence does not mean you have to be equal to the Americans or the Germans, but that you have natural resources and indigenous resources on which you can depend when you are at war with other nation(s). But if you cannot feed yourself, the moment you begin to quarrel with, say the Germans, within one month you are strangled (Orluka, 1997:217).

African philosophers cannot stand and watch the worrying conditions of human existence in Africa with indifference –conditions such as wars, languishing in poverty and dying from preventable diseases. In Africa such

conditions are partly created by foreign powers that are interested in seeing Africa under their perpetual control and domination, and partly by vicious leadership. An African philosopher like other professionals has social obligation to his society. He has to try to understand as much as possible the implications of all actions in society and warn the society whenever necessary. And in the light of the current situation in Africa this is an imperative. Oruka argues that a philosopher has, above all professionals, an ethical commitment. A philosopher has to have an ethical commitment towards the understanding and solution of the problems of his society. As a result of this commitment, a philosopher sometimes gets into a collision with the powers that be which may be a threat to a philosopher's survival or even his life. The case of Socrates is a classical example. But when that happens, it should be considered unfortunate because insofar as a philosopher is ethically committed he intends no harm to anybody.

Therefore, on philosophy in general and its immediate significance, Oruka makes an apt observation; an observation that reinforces his belief that philosophy is necessarily normative.

A philosopher has, like other professionals, responsibility, but in a deeper way even than the other professionals. A philosopher is supposed not just be doing philosophy, but to use his philosophy to understand the implications of all actions in society, and try to warn his people when necessary. So he has an even greater responsibility than just an ordinary professional, although usually philosophers are not easily listened to.

Very few philosophers are lucky to really get people to listen to, read or understand them. Even in Europe, some philosophers became famous because people read them second-hand. For example, most of the people who talk about Karl Marx have never read him. Even Kant –many Germans have never even read a page of Kant, but because of his fame they talk about him. In their immediate surroundings,



philosophers often have very few readers; even those who read them find them a bit dry and abstract. You need to be an actor to get people to read you, or an entertaining novelist. This, however, does not mean a philosopher should give up because people do not read him. It is his responsibility to write what he thinks. In effect, a philosopher cannot ignore the ethical aspect of his work. He must be committed. Even someone like Nietzsche, who appeared philosophically reckless, was very ethically committed in a way that we may not immediately understand (Oruka, 1997:217).

Philosophy conceived cosmically or holistically is essentially normative; a conception which entails ethical commitment. Therefore, it is this ethical commitment that informs all philosophical works of Oruka and from which they should be understood. As a logical consequence, Oruka's philosophy or philosophical commitment is basically a search for some ethical principles by which society or humanity can be guided towards certain social ideals.

#### **5.4 Conclusion**

This chapter, in the main, presents Oruka's contributions to the debate on the meaning and nature of African philosophy as attempts to remove obstacles and consequently pave way for genuine philosophical practice in Africa. The obstacles mainly manifested in the form of either a misconception of African philosophy as in ethnophilosophy or a limited conception of African philosophy as in professional philosophy. Ethnophilosophy is not unique to Africa and it is not philosophy in the strict sense of the term. So it cannot be presented as the philosophy which is authentically African.

A proper conception of philosophy entails criticality and ethical commitment. Philosophy conceived as so, is necessarily normative primarily concerned with the search for the best possible conditions of human existence. Such a

conception centralizes wisdom as an integral part of the meaning of philosophy. That is the conception that Oryka emphasizes in his philosophical works. African must have philosophy as such, and there is no any justification why that should be an exception in the case of Africa. African philosophy must be critical and normative so that it can be able to interrogate society and prescribe possible ways through which social ideals are sought.

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## **Chapter 6**

### **Ethical Human Minimum as Principle of Justice**

#### **6.1 Introduction**

This chapter examines the principle of ethical human minimum not only as a moral principle but also as a basic principle of social justice. The ethical human minimum is the fundamental principle in Odera Oruka's philosophy either around which his philosophical works revolve or to which they relate. Oruka considers ethical human minimum an absolute principle and consequently, a universal one. As an absolute moral principle, human minimum is a universal right with a corresponding universal duty. It is the minimum that any human being needs and is entitled to as a human being and a member of society. Therefore the ethical human minimum is a fundamental principle of social justice. In this work I sometimes just talk simple of justice but what is really mean is social justice.

#### **6.2 Ethical human minimum**

The title of Oruka's last book *Practical Philosophy: In Search of an ethical Minimum* (1997) is instructive in pointing to the central idea in his philosophy. His main philosophical concern was the search of an ethical minimum which would universally and morally bind all human beings together. It is the minimum that any human is morally justified to demand from other fellow human beings. The human minimum is not only the condition necessary for the preservation of human life, but also necessary for a human being to function as a human person with some minimum dignity. Many philosophers

often make a distinction between a human being and a human person. Though there is lack of agreement on what really constitute the main distinguishing characteristics between the two, there is an agreement on at least one thing: that a human person is a moral person and therefore a moral agent. Such a human being must be able to make choices of actions for which he/she is morally held responsible. From that line of reasoning, a human being is not necessary a moral agent. For instance, a child, an insane person, a senile person, a very sick person whose rational capacity is affected, or a person under severe intoxication, remains a human being; but such a human being's moral capacity and worth is in dispute.

The argument for the right to a human minimum puts all those who live in abject poverty or living below what is conventionally defined as the poverty line, in the same category; in the category of human beings who are morally neither praiseworthy nor blameworthy. In other words, the conditions under which such people live dehumanize and degrade them to a status of non-moral or amoral beings. Their conditions of existence inhibit them from functioning as moral agents – human beings who are morally praiseworthy or blameworthy.

A human minimum can therefore be argued to be a fundamental principle of justice since a concept and practice of justice presupposes, or should presuppose it. One cannot rationally or sensibly talk of justice in the absence of the human minimum. The human minimum ensures the preservation of human life and dignity. I would want to believe the claim about the primacy of

justice (Sandel, 1982:1-7) is not only that it is the highest moral virtue or that it is a right prior to all other rights, but also that it presupposes the self –the human beings must exist prior to the talk about justice. Therefore justice implies the existence or preservation of human beings. So the preservation of human life is entailed in the very concept of justice.

But Oruka observes that the current practice of justice has failed to, and cannot guarantee and ensure the survival and freedoms for all or most people in the world. Justice as practised today and whose principles are recognized by all nations of world is international justice. However international justice, which pertains to the relationship between nations of the world, does not stipulate what justice is as pertains to the relationship among the citizens of the world; international justice does not have principles of rights and duties that hold among the citizens of the globe. As Lars O. Ericsson concedes, the world should have and give priority to the practice of global justice over that of international justice.

According to my view, however, these two questions are radically different. International justice, I take it, is basically a relation that holds between two or more independent *nations, states, or societies*. Global justice, in contrast, is basically a relation that holds between *human or sentient beings* within something called the global society. To formulate a theory of international justice is to lay down conditions for a law of nations. To formulate a theory of global justice is to lay down conditions for a just distribution of the world's goods and resources among its population.

Although I am ready to admit that we should have global justice as our ultimate goal, I shall in what follows be exclusively concerned with the problem of international justice (Ericsson, 1980:20-23).

Oruka argues that threats to human survival and freedoms have become acute, more so, from wars involving weapons of mass destruction and hunger



(Oruka, 1997:126-130). The world also has nuclear weapons which are capable of destroying the whole humanity if they were to be used. Much of the wealth in the world is controlled by a very small percentage of the world population, just a quarter of the global population; while most of the remaining three-quarters are not only poor, but living in abject poverty (Oruka, 1996:113-115). According to Oruka, the two major threats to human survival are the possibility of nuclear war and world hunger. Though the threats to human freedoms are not as grave as threats to human survival, it does not mean that the threats to human freedoms should not be addressed (freedom is used at this point to refer to secondary human need). All human beings would be happier to live under conditions not only in which their survival is guaranteed but also where they enjoy greater freedoms (Oruka, 1997:133).

Survival of humanity is an imperative that requires moral beliefs and practices by which the world can be humanised and through which humanity would realize their mutual obligations in ensuring the survival of humanity as a whole. Man has to recognize that as a social animal, his survival depends on the survival of other human beings. Threat of nuclear war to humanity in general is not hard to see, but Oruka believes that world hunger is also a threat to humanity as a whole. Hunger does not only kill its victims, but it threatens the survival of all, even the affluent, especially if it precipitates wars, but more so if nuclear weapons were to be used in such wars. Therefore, the survival of humanity is as imperative as the eradication of nuclear weapons and world hunger. However, apart from the potentials of world hunger to spark off strife,

its elimination is even more urgent since it is already ravaging humanity and claiming its toll.

Therefore, unless something morally significant happens to help the world change its course and structure, a period of mass starvation all over the world with exuberant and obscene affluence in some parts of the globe, cannot be difficult to foresee. That will be a most dangerous period of economic polarisation within humanity. And unless it comes when men (and women) have already become morally higher beings, it is a situation that can easily ignite a world war (Orika, 1997:130).

Orika believes that philosophers and scholars of humanity have a moral duty to study the current state and structure of the world, and to search for principles through which the threats of nuclear war and world hunger can be eradicated. Such principles are not only aimed at the eradication of abject poverty, human degradations and injustices, but also laying down principles of global justice. Therefore, Orika's subscription to, or articulation of the right to a human minimum is an attempt at articulation of a principle of global justice. Issues of global justice, especially as they relate to the right to a human minimum, are primary and take precedence over those of international justice when the two are in conflict (Orika, 1997:83-90, 130-132).

In his first book *Punishment & Terrorism in Africa*, which was a developed from his masters' degree dissertation of 1969, Orika proposes the abolition of both the concept and practice of punishment mainly, but not exclusively, because he believes that most crimes are economic which are committed for economic need. But most of the people who commit these crimes are drawn to crime by the instinctual need to merely survive. Some people are drawn to crime not by the instinctual desire to survive but by historical malformation of their character. However those who commit crimes because of the desire to

survive lack the minimum economic means to enable them live a life worthy of a human being. A life worthy of a human being is characterized by the ability and opportunity to choose options in life for which one can be held morally responsible. But this choice must exclude the choice of death over life. So where the very life is threatened with possible destruction, a human being has no option but to pick on any means available that promises any chance of preserving life however illegal or immoral it may seem. To pick on such a means should be termed *false choice* or *false freedom* –it is an action out of desperation. This perspective of human choice or freedom has been overlooked or undermined, according to Oruka, in criminal responsibility. To legally punish a person under a pretext of a false freedom raises a problem in the conceptualization and practice of justice, or at least, in the practice of legal justice.

The problem of freedom is developed further by Oruka in his second book *Philosophy of Liberty* which was developed from his doctoral dissertation. Though Oruka wrote his doctoral dissertation on the concept of freedom in 1970, this book developed from it was first published in 1991, and the revised version in 1996. In this book, Oruka does not emphasize on freedom in the abstract sense, but emphasizes the exercise of social freedom, that is, the exercise of freedom as it pertains to the satisfaction of human needs as well as to relation between human beings. Oruka argues that freedom is never sought for its own sake but to fulfill certain needs, and the most basic needs for which freedom is sought are economic needs. Oruka argues that economic needs comprise some of the basic needs which are necessary for the preservation and

sustenance of human life. Freedom as ability and opportunity to fulfil a need is both a need and right. Since freedom is necessary for the fulfilment of human needs, it is itself a need and a basic need for that matter. "As a need to fulfil needs, freedom is a right people usually demand a right because they have some needs that they cannot fulfil without the supporting right" (Oruka, 1996:107). But, as Oruka argues, freedom is more than just an ordinary right because it is a right to have rights. It is a basic right; "We cannot talk of economic rights, political rights, religious rights, sexual rights or intellectual rights without the presupposition of freedom as a first condition" (Oruka, 1996:107).

### **6.3 Defining freedom / liberty**

In *Philosophy of Liberty* this book Oruka addresses issues related to the concept of liberty, which he uses synonymously with freedom; and its application. (Oruka, 1996:v). Oruka does not agree with the view that separates mental from social freedom and which tends to give mental freedom more priority over social freedom. He sees the mental and social as necessarily related in such a way that they cannot be separated in practical sense. One must live or exist first before one can think, that is, before one can exercise mental freedom. Therefore social freedom or liberty which deals with one's civil or political rights cannot be secondary to mental freedom. Furthermore, one does not think in a vacuum, but about things that pertain to one's way of life. (Oruka, 1996:9-10). To emphasize mental freedom at the expense of social freedom is to emphasize individual at the expense of society which Oruka does not agree with. Oruka also points out that to emphasize on the

mental freedom seems to ignore the fact that, within a social context, freedom is a right by which one makes demands on others as well. However to exercise one's mental freedom one does not need the permission of another person unless one intends to publicize or to act on one's thought or opinion. So, mental freedom cannot be an issue. But if one intends to publicize or act on one's thoughts or opinions, then the freedom to do that becomes social; and that can be problematic. It should always be remembered that in the book Oruka uses the concept liberty to mean social freedom.

Oruka then embarks on the problematic of the definition of liberty and observes that question 'What is liberty?' cannot adequately be answered since the question presupposes the idea of the essential nature or attributes of liberty. Yet the 'essential nature' seems too vague to make adequate definition of liberty attainable, (Oruka, 1996:49). Oruka avoids an attempt at abstract definition of liberty. Oruka opts for a social definition which would serve practical purpose; a definition that would help in understanding, interpreting and addressing the practical conditions of human existence.

Oruka observes that liberty is a right and is therefore relational. Being a right, logically it cannot be sought for its own sake, but to fulfil certain needs; both primary and secondary which are fulfilled in a social context, (Oruka, 1996:51). Therefore he gives a stipulative definition that takes into consideration the aspects lacking in both the Greek and European conceptions. He therefore proposes that an adequate definition of liberty should be expressed thus, '*liberty for X in S*', where X may represent an individual or

society, and S represent some particular society or community. He gives a definition which can be paraphrased as follows:

*Liberty for X in S means that X has, with respect to S and with equality with others in S, ability and opportunity to obtain or satisfy X's primary and secondary needs in S; or else that X (even though lacking ability and opportunity) obtains all his primary and secondary needs in S. (Oruka, 1996:53).*

In the light of this definition one would not have liberty if one has some needs but lacks either the ability or opportunity to fulfil those needs, or when the needs are not fulfilled at all. And lack of opportunity may be due to one being either directly or indirectly prevented from obtaining one's needs, (Oruka, 1996:55-57). One can be directly prevented from fulfilling one's needs if some authority explicitly makes it impossible for one's needs to be fulfilled. For instance, if there is some law that prohibits certain persons from admission into certain schools, hospitals or restaurants. But one can indirectly be prevented from fulfilling one's needs if, for instance, one has to have money for one to get education or medical. Therefore, those without money are indirectly prevented from having such services.

Human needs can be either primary or secondary. Primary needs are those that make human life possible. Without them human existence would not be possible. Therefore, primary needs are fundamental and universal. And being fundamental, they are absolute. This means that there can never possibly be any greater needs or values for which they can be overridden. Secondary

needs are those that enrich life. Life would still be possible, though of low quality, without the secondary needs (Oruka, 1996:51). Roughly, as Oruka points out, primary needs are food, shelter including clothes, knowledge, action or movement, health and sex as a biological necessity for the survival of human community. Sex would be a primary need only if it is granted that an individual would not survive without community. Knowledge and action must be understood in the wide sense such that without any knowledge or action at all, human life would be impossible. Some level and kind of knowledge is necessary for human life to be possible. This is the same with action or movements of human body. Some amount of body movement or physical exercise is indispensable for human life. Secondary needs are to express oneself, assemble with others, have an opinion, have religion or unreligion, have culture and have sex for pleasure (Oruka, 1996:60-63).

The categorization of human needs into primary and secondary is very important in two significant ways. First, the fulfilment of primary needs is a priority to all human beings and human societies, and secondly, when there is conflict between the fulfilment of the primary and secondary needs, the fulfilment of primary needs must take precedence over the fulfilment of secondary needs.

Liberty can therefore be primary or secondary depending on the needs for which it is sought. (Oruka, 1996:62, 82, 88) Liberties sought for the fulfilment of basic human needs are basic liberties while those sought for the realization of secondary human needs are secondary liberties. Defining liberty

in terms of the fulfilment of human needs also entails the fact that liberty or lack of liberty is a matter of degree, depending on the extent to which one's needs are fulfilled. Not all human needs may be fulfilled, but even those fulfilled may not be fully or adequately fulfilled. Furthermore, different societies may have varying needs and freedoms depending on how simple or complex life is in the societies as well as where the societies find themselves. For instance, in some societies, having a heating system installed in a house is a need, and probably a basic need while that is not be so in some other societies.

Orika therefore outlines and explains the freedoms that correspond to various human needs. These are economic freedom, political freedom, intellectual freedom, cultural freedom, religious freedom and sexual freedom. I have already explained these freedoms in chapter four. So, a recapitulation here is only meant to help create a flow and show a relationship between the Orika's conceptualization of freedom and the right to human minimum.

Of all these freedoms, Orika explains, economic freedom is the most basic. It is a complex freedoms comprising, among others, freedoms relating to the fulfilment of most of the basic human needs such as, freedom from hunger, freedom to find shelter, freedom from ill health, freedom to find work and earn according to one's labour (without exploitation) and freedom to use one's earning as one wishes. It is most basic because, conventionally, it comprises most of the basic human needs such as food, health, shelter, and knowledge.



Political freedom comprises other freedoms some of which relate to the fulfilment of basic needs such as freedom of action and freedom of education (or, freedom from ignorance), but much of it relate to the fulfilment of secondary needs such as freedom to have an opinion, freedom of expression, freedom of assembly, freedom to get the right information, freedom to seek power, freedom to vote and freedom to form political party. Though, as we have mentioned freedom of action and from ignorance are considered basic freedoms, most of these needs under political freedom are secondary because they are needed to enrich human life. And since most of these freedoms relate to the fulfilment of secondary needs, political freedom can be considered a secondary freedom. But it is also secondary to economic freedom because effective enjoyment of this is a function of economic freedom. Economic dependence or lack of economic ability is a major hindrance to the effective or practical enjoyment of political freedom.

Cultural freedom means the ability and opportunity to live according to one's cultural requirements or live a life different from the one prescribed by one's culture. It involves seeking what one may consider a better life. If one thinks that what one's culture prescribes is a better life, then one should be free to live by that cultural prescription. But, if one feels that the life prescribed by one's culture is not the best, again, one should be free to seek and live by an alternative lifestyle. However, it should be emphasized that being a secondary, cultural freedom should be concerned with enriching human life. Therefore, it cannot rationally involve seeking a decadent or a worse mode of life, or life which is in total disregard of other people's feelings and cultural judgments.

This freedom then comprises such other freedoms as freedom to have pleasure and from monotony, freedom from being a slave of trivial popular sensibilities, freedom from enslavement to alien culture, freedom to adopt a more rational attitude to life, and freedom to change one's mode of life whenever necessary. Since culture necessarily involves a communal or collective life – an expression of a people's life-, it presupposes political freedom.

Intellectual freedom which means the ability and opportunity to seek and exercise one's knowledge comprises other freedoms such as freedom to read and write, freedom to carry out experiments and research, and freedom to critique. But to exercise one's knowledge entails expression of one's thoughts or opinions. Therefore, intellectual freedom therefore implies political freedom. Conversely, lack or suppression of political freedom implies lack or suppression of intellectual freedom.

Religious freedom means the ability and opportunity to live according to one's religious or unreligious beliefs. Mostly religious belief involves a belief in a supernatural being and living according to the demands of, or claims derived from, the supernatural being. Since religion claims to guide humans towards a good life, religious freedom entails living and pursuit of the goal. This necessarily means that religious freedom presupposes cultural freedom. Furthermore, we should always remember that culture in the wide sense necessarily includes religion.

Sexual freedom is the ability and opportunity to engage in sex either as a means of perpetuating and preserving human species or for pleasure. As a biological necessity, sexual freedom is a primary freedom because it is necessary for the survival of humanity, but as pleasure, it is a secondary freedom which is seen as enriching life or making life better. Sexual freedom therefore comprises such freedoms as freedom from ignorance and freedom from ill-health. A certain level of knowledge is necessary for the enjoyment of sex either for the perpetuation of humanity or for pleasure. Of course, ill-health is a hindrance to the enjoyment of sex. Therefore, enjoyment of sexual freedom would require the enjoyment of cultural freedom. This means that effective enjoyment of sexual freedom would not be possible where cultural freedom is lacking or severely suppressed.

Therefore as Oruka argues, the most fundamental freedom is the economic freedom (Fe). One needs economic freedom in order to enjoy political freedom (Fp) and cultural freedom (Fc). These three freedoms are related, and they collectively constitute a necessary condition for the enjoyments of the other three freedoms, that is, intellectual freedom (Fi), religious freedom (Fr) and sexual freedom (Fs).

...that Fe is the most fundamental liberty and it remains a necessary condition for Fp which in turn becomes a condition for Fc and Fc in turn is necessary for the three liberties, Fi, Fr and Fs. These last three liberties are independent of one another. One does not, for example, need sexual freedom in order to exercise intellectual freedom and vice versa. Similarly, no intellectual or sexual freedom is necessary for those seeking religious freedom; religious monks and nuns are, for example, often freer and happier living in exclusion from circles that encourage intellectual or sexual tastes (Oruka, 1996:80).

Economic freedom, in so far as it comprises the fulfilment of the basic human needs, is a basic freedom. And Oruka argues that enjoyment of the basic human needs, and consequently basic freedoms, constitute the human minimum. In advocating for the universal recognition and enjoyment of the right to a human minimum, Oruka shares a philosophical and moral position with scholars such as Peter Singer, James Starba, and Henry Shue, among others.

In *Philosophy of Liberty*, Oruka states that freedom is a right, but he does not explicitly argue that as a right, one can demand the enjoyment of one's freedom from other human beings. But given that a right necessarily has a corresponding duty, so duty is implied in the very meaning of a right. To have a right implies that some other person has a duty to ensure the enjoyment of the right. This should simply be understood that a right imposes a duty on some other person or persons to make possible the enjoyment of the right either by facilitating or not hindering its enjoyment.

However in his paper of 1986, "Philosophy of Foreign Aid: A Question of Human Minimum", Oruka argues explicitly and strongly that the enjoyment of the right to a human minimum is an absolute and universal right, which therefore imposes duty on every individual and state, particularly those with capacity, to ensure the enjoyment of the human minimum by all those people, either individuals or states, that cannot enjoy the human minimum through their own ability and efforts. In this paper, as Oruka himself states, he was looking for a moral principle and a justification that would make human

minimum both a right and duty. As a right, every human being who cannot by his or her own effort have the human minimum, can demand that the rich, whoever the person or whatever the country is, ensures the enjoyment of his or her human minimum. But as a duty, the rich should not think that by enabling the poor have the human minimum they are doing the poor a favour. If that were to be the case, then the poor would still feel or made to feel undignified. But Oruka believes that a society in which some people live in indignity cannot be a just, safe or a happy society.

Though the paper focuses on foreign aid, the principle of human minimum should obtain between the rich and the poor, whether countries or individuals. But whatever the case, it must be seen as a right which the poor have, and a duty which the rich should discharge to the poor. In retrospective, Oruka states the gist of this paper thus:

I have elsewhere talked about the "right to human minimum" as "a global ethical obligation" for mankind, a right that imposes duty on any moral agent or every self-conscious human being. In practical terms, this right demands that it be a duty of every human being and every nation to use insight and help eradicate abject poverty in the world and ensure that all men have the means to live above the subsistence level. "Duty" must be stressed in contrast to some terms that others may wish to replace with such term as "charity". It implies those who have the right to expect and even demand the service. And so, should they fail to provide the service, they would morally be responsible for what becomes of the fate of the described as a result of their failing to render them service (Oruka, 1997:130).

#### **6.4 The right to human minimum**

Let us then look at the principle of human minimum as a right. When Oruka articulates this principle, he is not only articulating and proposing an ethics of distributing wealth or resources among the citizens of the globe, but also

advancing a principle of global justice that would guarantee, at least, the fundamental universal human right for all the citizens of the world. Oruka argues that the human minimum is a right. It is the right that every moral agent can reasonably demand from the world in order to live with dignity as a human being, and also in order to recognize and respect the rights of other human beings (Oruka, 1997:87-88; Oruka, 1996:115-121).

Human minimum refers not only to the minimum that a human being requires in order to exist but also to live and function as a human being. The human minimum therefore refers to basic needs that a human being needs to survive and live as a human being with dignity and consequently can function as a human person. Being a human person entails being a moral agent. As a moral agent, a human being has the capacity and ability to reflect and make choices for which one is morally responsible. Moral responsibility excludes any possible choice between life and death. A choice exclusively between life and death is not a moral choice. In other words, one can not morally be expected to choose an action that leads to one's death. In death or after death, there can never possibly be anything morally desirable. For instance, people who die in the struggle for some ideals in life do not choose to die for those ideals; they accidentally die for the very ideals for which they would otherwise want to live. Another example would be whether a person at the verge of death from starvation would be morally expected to refrain from stealing food in order to survive. Refraining from stealing food to sustain life is not a moral choice; actually that would be immoral. Moral responsibility therefore deals with choices in life.

To function as a human person is to have the capacity and ability to make moral choices in life. As a human person one has duties and rights; duties to recognize and respect other people's rights, and rights which one can demand from other people and which is the duty of those other people to recognize and respect. To recognize and respect a right, morally speaking, goes beyond formal or abstract recognition, but implies ensuring that the substance of the right is enjoyed.

Therefore, as a right, the human minimum is also the minimum that one can demand, by virtue of being human, from fellow human beings. But this is also the minimum that others have a duty to guarantee a fellow human being. It should not escape notice that talking about "minimum" is to set a lower limit, and not the upper limit.

In the paper "The Philosophy of Foreign Aid: A Question of the Right to a Human Minimum" Oruka examines the three possible rationales for the current practice of foreign aid or assistance to the poor by the rich, and finds all of them morally deficient. None of them can bestow or safeguard the life and dignity of the recipient of aid. The dispensation of foreign aid is carried within the framework of international justice; that is, the practice is informed by the principles of international justice. One of the possible arguments is that through international trade between the rich and the poor, the rich help the poor to have the capital or resources they need to develop their economies and their countries. That is true, or should be true for both the parties. But Oruka

points out that the trade between the rich and poor is not always just. The rich virtually design and dictate the terms of trade. It is not possible for the rich and the poor to have equal or fair bargain in matters of trade. The two parties do not enter the trade agreement as equals. The rich always create a situation where it looks like they are doing the poor a favour. Consequently, the poor has only the choice of either accepting trade on the terms of the rich or reject them and risk all the possible benefits of trade. But the terms of trade are always tilted to benefit the rich more than the poor since the rich enters trade as the stronger party. So, Oruka argues, international trade always leaves the poor disadvantaged, humiliated and undignified (Oruka, 1997:82-83). Furthermore, those people who are poor and starving would be more concerned with and accept whatever that can sustain their life for the moment, and their condition of existence would not allow them to freely negotiate a fair business deal (Oruka, 1997:86)

Oruka also looks at historical rectification as a possible justification for foreign aid. But this would require proof that the rich unfairly benefited from certain historical injustices or practices against the poor, for instance, such as colonialism or slavery. However, despite the problems associated with apportioning responsibility to a later generation related to those people who may have committed historical injustices long before, or even the problem of determining the appropriate nature and amount of rectification: historical rectification would still leave out many rich nations and individuals without a compulsion of duty to ensure the human minimum of the poor. Moreover, those who may decide to aid the poor as a matter of historical rectification



may still believe that they are acting out of supererogation since they did not perpetuate the said historical injustices or benefited from them. But even in historical rectification, the rich would still determine and dictate the nature, terms and conditions of rectification in such a way that the poor recipients have no say at all, and the whole assistance boils down to a favour or privilege for which the poor have no right at all to make demands.

The third justification that Oruka examines is international charity. Being a charity, the recipients have no say in what help they receive from the rich. The rich decide whether to help or not, and when they decide to help, they decide also when to help and what help to give. As charity, the poor cannot demand that they be helped and in which form they should be helped. So, in the practice of international charity, the poor remain at the mercy of the donors with no rights at all to demand help.

Oruka therefore dismisses aid to the poor based on any of the three justifications or principles. All of them, in a way, reduce aid to the poor as charity by which the dignity of the poor is injured, and hence such a practice cannot be just. Charity to the poor, whether at the international or individual level, is never given out of moral duty and thus not seen as a fulfilment of a demand of global justice. It is also instructive to emphasize here, as I have pointed out, that practice of foreign aid or aid to the poor is informed by the current principles and practice of international justice. Therefore, by dismissing the principles by which foreign aid to the poor are justified, Oruka, in essence, is pointing out at the weakness or limitation of the current practice

of international justice in guaranteeing human survival, dignity and justice for all.

Oruka therefore presents the “right to a human minimum” as the fourth principle by which aid to the poor could be justified. He believes that it is better than the other three principles. By this principle, aid to the poor would be given as a matter of moral obligation to fellow human beings in need, and not as charity. Consequently, Oruka believes that it would guarantee the dignity of the recipient of aid.

The concept of human right is rather hard to define. However, some attempts at its explication would be necessary. First, we should note that human rights are categorized into fundamental (primary) and secondary. The fundamental human rights are those that enable the very existence of human life while secondary ones assist in the advancement or enrichment of human life.

Unless such a distinction is made, there is likely to be some difficulty in implementing and ensuring the enjoyment of the rights, especially the fundamental ones. Part of the difficulty would emanate from lack of prioritization in the pursuit and enjoyment of the rights; for instance, the document on UN Universal Declaration of Human Rights of 1948 does not, at least, explicitly make the categorization or prioritization of the rights.

Conceptualizing human rights is not without some difficulty as I have mentioned. But in this work, ‘human right’ is used as put forward by Paul

Edwards in *The Encyclopedia of Philosophy*, vols. 7 & 8 by which it means 'a ground of claim such that if one were to demand of such a claim then it would be justified or, at least defensible. A human right is considered rationally defensible when a demand is made of it. Shue concurs and puts it quite clearly.

A right provides a basis for a justified demand. If a person has a particular right, the demand that the enjoyment of the substance of the right he socially guaranteed is justified by good reasons, and the guarantees ought, therefore, to be provided (Shue, 1980:13).

The given meaning of human right should not be understood to imply that one necessary demands from others the fulfilment of every right. It only means that those people who cannot realize their human rights by their own effort can rationally demand that other people make it possible for the realization of their rights. Human rights are moral rights. This means that they are enforced, or at least should be enforced, by the prevailing moral principles and beliefs. However, human rights always find themselves encoded into legal systems. And that is even better for their enforcement. But as moral, a human right is not a subject for benevolence or charity (Edwards, 1967b:198; Shue, 1980:14; Oruka, 1997:89) because it is inextricably tied to the essence of being human and hence human dignity (Kucuradi, 1980:47-48) To have a right is to have an adequate justification why the substance of the right ought to be granted (Shue, 1980:13-15). The following citation from the *Encyclopedia of Philosophy* (vols. 7 & 8) is forceful and apt.

A man with a right has no reason to be grateful to the benefactors; he has ground for grievance when it is denied. The concept presupposes a standard below which it is intolerable that a human being should fall – not just in the way that cruelty to an animal is not to be tolerated but, rather, that human deprivations affront some ideal conception of what a human life ought to be like, a conception of human excellence. It is on the face of it unjust that some men enjoy luxuries while others are short of necessities, and to call some interest luxuries and others

necessities is implicitly to place them in an order of priorities as claims. Upsetting that order then demands to be justified (Edwards, 1967b:199).

Ideally, the pursuit of basic human needs should take precedence over luxuries, but when pursuit of luxuries take priorities over necessities, then good reasons should be given. This should be the case both at the individual and societal levels. It would be morally disconcerting to see some people enjoy a lot of luxuries while others are barely scratching to have their basic needs fulfilled, or do not have them at all. A situation where some people are enjoying exuberant human needs while others are suffering and waiting to die any time from lack of basic needs should prick our moral sensibilities and challenge the fundamental principles and beliefs of our moral practice. It definitely begs a rational and moral explanation.

Basic rights therefore define the lower limit of a decent human life. The limit points to the tolerable human conduct both at individual and institutional levels, that is, both individuals and institutions ought to recognize that any human life that falls below this lower limit cannot constitute a decent human life. Oruka calls this limit *the human minimum* (Oruka, 1997:87) while Shue calls it *the moral minimum*. This minimum, in the words of Shue, "concerns the least that every person can demand and the least that every person, every government, and every corporation must be made to do. In this respect the bit of theory presented here belongs to one of the bottom corners of the edifice of human values" (Shue, 1980: ix). Any claim to the recognition and respect of human values without recognizing the human minimum as imperative would be pretentious.

Basic rights are therefore rational demands for the enjoyment of adequate basic human needs. Basic human needs constitute the substance of the basic rights. To have a right is to have or enjoy the substance of the right (Oruka, 1997:86). A right is ordinarily a justified demand that some other people make some arrangements so that one will still be able to enjoy the substance of the right even if - actually, especially if - it is not within one's own power to arrange on one's own to enjoy the substance of the right (Shue, 1980:16).

Basic human needs are minimum physical security and subsistence (Shue, 1980:20-24). Physical security includes such needs as, not to be subjected to murder, mayhem, rape or assault. Subsistence includes needs such as adequate food, adequate shelter, adequate clothing, unpolluted air, unpolluted water, minimal medical care, minimal action or movement, and knowledge (Oruka, 1996:60-61; Starba, 1991:113). Knowledge and, action or movement, are considered as basic needs in a wide sense. Some minimum knowledge of oneself, basic necessities as well as one's environment is necessary for one's survival. The same reason applies to action or movement. Some minimum exercising and movement of one's body within one's environment, as I have explained earlier, is necessary for one's survival.

However, we can say that secondary rights are demands for the enjoyment of the secondary needs or luxuries. These needs are meant to advance or enrich human life. Oruka beautifully explains these needs. They include the needs to express oneself, assemble with others, have an opinion, have religion or

unreligion, have culture, and have sex as pleasure. The list of both the basic and secondary needs is in no way incontestable or exhaustive. And the categorization is in no way watertight. It may be altered by consideration of certain factors, for example, geographical variations. However, there are some needs that are universally either basic or secondary.

Basic needs are therefore those that must be satisfied in order not to seriously endanger one's health and sanity (Starba, 1991:108). Basic rights therefore can be subsumed under one most fundamental human right, that is, the right to life. This right entails the means of sustaining life. It therefore implies ample provision for the basic human needs. And as Starba puts it, one's right to life "would most plausibly be interpreted as a right to receive those goods and resources that are necessary for satisfying her basic needs" (Starba, 1991:108).

The right to life is therefore analytically equivalent to what Orluka calls *the right to a human minimum* and Shue calls *the right to a moral minimum*. Being basic, this right is therefore universal and absolute. It is universal because it is a right that pertains to every human being and is or should be recognized by every moral human being. It universally obligates and spells out a global ethical obligation to humanity. It is therefore a principle for global justice. It makes the preservation of human life a universal or global obligation. The right to a human minimum therefore is not subject to geographical, racial, national, religious, and cultural or any other limitations. It is an absolute right

But being absolute, the right to a human minimum cannot be limited or overridden by any other right, value or consideration since such a right, value or consideration cannot possibly exist (Oruka, 1997:88; Savci, 1980:61). Since the right to a human minimum aims at self-preservation, it is the most basic human necessity; the right to life. There can never be anything more basic to a human being than self-preservation. It is therefore the most fundamental human right. Being absolute also implies that it is an inherent necessity for the enjoyment of other rights. The enjoyment of any other right presupposes this right to life (Shue, 1980:26-27). The right to life comprises what can be referred to as "inherent rights of persons" (Oruka, 1997:85-87). The right to a human minimum which is analytically equivalent to the right to life is therefore a complex right comprising the other rights ordinarily known as the right to life, right to health and right to subsistence. However, if we grant that the right to life entails right to means to sustain life, then "right to life" suffices.

The right to a human minimum not only enables a human being to function as a person but is essential for the very definition of a human person. It is only when the right to a human minimum is secured would a person be able to exercise rationality and live as a moral agent. But when this right is severely threatened or insufficiently enjoyed, then the involved human being would be reduced to rely on mere instinct to survive, and as a consequence would have been reduced to the level of other non-human beings. Such a being would not be able to live as a moral agent, hence cannot strictly be defined as a human person (Oruka, 1997:86).

Therefore any condition or attempt to limit, compromise or override one's right to life to a level below the human minimum is a threat to one's health or sanity, and therefore a threat to one's life. If such a thing happens, then one would be helpless and incapacitated to exercise one's reason and conduct oneself as a moral agent (human person). Such a person is not reasonably and morally expected to respect any right of any other person

Thus the right to a human minimum is the basis for a justified demand by anybody that the world (not just his society) has the duty that he is not denied a chance to live a basically healthy life. And should he find himself in a situation denying him this right, he will be tempted to disown himself as a moral agent. And if he does this, the world will have no adequate moral ground for expecting such a person to abide by anybody else's right to anything, including even those rights that are protected by the principles of territorial sovereignty and national supererogation (Oruka, 1997:88).

A right to a human minimum, being universal, imposes obligations that transcend territorial, national, racial, religious boundaries, or any other creed. It imposes a moral obligation on every capable human person, as a moral agent regardless of one's race or country, "to ensure the enforcement of the right to a human minimum" (Oruka, 1997:87). Therefore this right, in principle, overrides territorial sovereignty and national supererogation.

The right to a human minimum, as I have explained, is therefore a universal right (Starba, 1991:108), and being so, no morally normal or self-respecting person is expected to concede or subject another person to a condition of life below it. As Shue aptly puts it; "basic rights, then, are everyone's minimum reasonable demands upon the rest of humanity. They are the rational basis for



justified demands the denial of which no self-respecting person can reasonably be expected to accept" (Shue, 1980:19).

Any human life below this minimum is denied the opportunity to live and behave rationally as a human person – with dignity. In such a situation one would be compelled to desperately and instinctively struggle to sustain one's life and worth at all cost without due regard for the rights of others. Since other rights depend on the right to life or human minimum, if one's right to life is threatened then one may be forced to consider and treat the rights of others including their right to life, as of secondary importance. Such a person would have fallen below the minimum necessary for the definition of a decent human being (Oruka, 1997:86-87; Singer, 1991:94). And such a situation is a condition of inhumanity.

The universal obligation to ensure the enjoyment of the human minimum is supported by appealing to Peter Singer's moral argument for assisting the absolutely poor (Singer, 1991:94). In appealing to this argument, we would be assuming that the absolute or abject poverty is, as used by Singer, analytically equivalent to a human life below the human minimum, unless there is evidence to the contrary. Singer's argument runs as follows: If one can prevent something bad without sacrificing anything of comparable significance then one ought to do it. Absolute poverty is a bad thing. And there is some absolute poverty that the rich people can prevent without sacrificing anything of comparable moral significance. Therefore, the rich ought to prevent absolute poverty (Singer, 1991:93-95). Singer argues that when the rich people allow

the poor to suffer and die, they actually engage in reckless homicide. But reckless homicide is not morally defensible because it is morally unacceptable to allow a human being die if the death can be prevented. Moreover, to help a person in need is a universally recognized moral principle and therefore a duty on any person who has the means to assist such a person. Therefore, a failure to discharge such a duty is universally morally wrong.

According to Odera Oruka, the right to a human minimum not only applies to individual human beings, but also to states or nations. Oruka argues that for the existence of a nation or state, the principle of national sovereignty is an absolute right and the human minimum necessary for its self-preservation and to exist in dignity; but not territorial sovereignty. The principle of national sovereignty states that a nation-state has a right to self-determination to exist as sovereign governed by its members, and to be recognized and treated as being morally and politically equal to other sovereign nation-states (Oruka, 1997:89-90). Since the principle of self-determination gives a people their identity and dignity, it constitutes the substance of the right to national sovereignty. National sovereignty is based on the fact that for a human being to exist as human, he/she must exist in a community, and therefore has a right to live and identify with at least some community. To deny a group of people the right to national sovereignty is to incapacitate it to exist as sovereign and deny it self-identity. Therefore it would cease or be unable to exist as a sovereign nation-state. The principle of national sovereignty is therefore an absolute right for the self-preservation and existence of a nation-state.

However, Oruka explains that though the principle of national sovereignty has a relationship with the principle of territorial sovereignty, the two should not be confused. The principle of territorial sovereignty states that a people organized into a sovereign nation-state has a right over the resources within its territory. This latter principle is a property right which presupposes the right to national sovereignty. In other words, a nation-state must exist first before it can claim control of the resources within the territory it controls. This implies that the right to self-preservation and existence is prior to and more fundamental than the right to territorial sovereignty. The right to territorial sovereignty is not an inherent right of a nation-state. Therefore, it is not a basic right for a nation-state. Consequently, it can't be an absolute right for a nation-state. For instance, at one time Israel existed as a nation enjoying the right to national sovereignty without the right to territorial sovereignty because it was not recognized then that it had a right over a certain territory (Oruka, 1997:89). This means that a people may have no right to territorial sovereignty without losing their right to national sovereignty. Therefore, the right to territorial sovereignty cannot justifiably be used to override a basic right such as national sovereignty or human minimum.

In "Parental Earth Ethics", a paper first published in 1993 in the journal *Quest* (Vol. VIII, No.1, June), and later published as a chapter in the revised edition of his book *The Philosophy of Liberty* (1996) and *Practical Philosophy: In Search of an Ethical Minimum* (1997) respectively, Oruka responds to an article by Garrett Hardin "Lifeboat Ethics: The Case Against Helping the Poor" which was first published in 1974 (*Bioscience*, Vol. 24 No. 10 October

1974). In this work, I refer to the version reproduced in *Taking Sides: Issues in Biomedical Ethics* 4<sup>th</sup> edition edited by Stephen Satris (Hardin, 1994:350-357).

Hardin argues that the rich or affluent have no obligation to help the poor. The obligation they have is only to themselves and their posterity; to ensure their survival and wellbeing. According to him, the poor are too many to be helped by the rich without a threat to the very survival of the rich. He points at the tragedy of the commons such as water, air and environment in general which have become so polluted because of lack of direct responsibility from any individual, state or organization to ensure that they are well cared for. As a consequence, every human being is threatened. He compares United Nations Organization to a toothless body which cannot take care of the common resources since it has no sovereign.

He claims that the poverty of the poor is caused by two main factors; the failure of the poor to plan and control their population growth rate, and their improvident behaviour in the use of resources at their disposal. He is also against the establishment of the world food bank, because as he argues, the poor are the only people who will benefit from such bank. But that in itself will make them lax and fail to control their population growth rate and be provident. To help the poor, according to Hardin, is to postpone doomsday for the whole humanity because they will continue to breed and outstrip the resources of the earth. Therefore, he concludes that the poor should be left to the mercy of nature which will definitely control their population through catastrophes such as drought, famine, floods and pestilence.

Hardin used the analogy of the lifeboat. First he observes that a lifeboat must have a captain who must make decisions to ensure that the lifeboat is safe and on course. Secondly, a lifeboat has a limited capacity, and thirdly, a lifeboat must have safety factor; the unfilled capacity that will still make it safe even if it does operate at its top efficiency. Hardin explains his argument by using an analogy of a lifeboat with the full capacity of 50 and a safety factor of 10 people having many desperate people, more than its full capacity, swimming towards it. That means that there are already 40 people in the lifeboat. The captain has three options of action. The first option is to admit as many people as the lifeboat can take until there is no more space left, that is, until it sinks. The second option is to admit 10 more people, on first come first admission, to take up the safety factor and lose the safety factor. The third option is to admit nobody and ensure the safety of all those already aboard. According to Hardin, the realistic option is the third. So, that is the position the rich should take in respect to helping the poor if the rich are to survive.

Oruka acknowledges that when he wrote his 1989 paper, "The Philosophy of Foreign Aid: A Question of the Right to a Human Minimum" he was apparently not aware of Garrett Hardin's paper. But after reading Hardin's paper, he had to update his argument. So "Parental Earth Ethics" was a development of the earlier argument for the right to a human minimum and a response to Hardin's argument. But more importantly, Oruka realized that his earlier argument for the right to a human minimum would be stronger and convincing if it were based on a proof that there are indeed relationships and

common wealth between the rich and the poor; common wealth for all human beings. Then the obligation of the rich to help the poor would be well grounded and established.

How did the poor and the rich find themselves in their respective positions, and what are some of the possible relationships between them, historical or current? Hardin neither asks nor addresses these questions. Though Hardin argues against the rich helping the poor, he fails to explain the relationship between the rich countries and the poor countries, a relationship which partly has contributed to the riches of the rich and the poverty of the poor. Oruka aptly points out this shortcoming of Hardin's argument among others. We have explained how the former colonial powers have maintained an exploitative relationship with their former colonies which, in essence, has contributed to the disparity in wealth between these countries.

Oruka therefore points out that Hardin's argument is based on some questionable fundamental assumptions. First, he assumes that there is only one rich country (lifeboat) towards which all the poor are swarming. But according to Oruka, this is not correct. There are several lifeboats – many rich countries from which the poor should get help. This fact is important because it makes Hardin's argument, that any attempt to admit any person onto the lifeboat would threaten the life of all on board, appears to be a slippery slope argument which is logically fallacious and unacceptable. If there are many rich countries, then that makes it easier for the rich to help the poor without endangering the very survival of the rich.

The second assumption Hardin make is that there is neither relationship nor debts owed between the rich and the poor. Again, according to Oruka, this assumption is incorrect because there have always been relationship and debts owed between the rich and the poor. In this relationship, which Oruka considers unjust, part of the riches of the rich were gained from this unjust relationship which also contributed to the poor getting more impoverished. So there has to be apportioning of responsibility in such a relationship.

Indeed, at the beginning all boats were poor. Then a number of the sailors of the now rich boats sailed to the now poor boats and, by all means possible, plundered the wealth of many of those boats and used the gain to cause economic and safety disparity between the boats (Oruka, 1997:148).

It is an indisputable fact of history that some of the rich countries of the world owe their wealth to colonialism through which they plundered and looted the resources of the colonized countries most of which are still poor. For example, Walter Rodney explains this so well in his book, *How Europe Underdeveloped Africa* (1972/1989). But Oruka observes that the unjust relationship which favours the rich and disfavours the poor has always been there between the rich and the poor.

Those in the affluent boats have pipes connecting their boats with large number of the poor boats. Part of the little wealth and the safety gadgets that are in the poor boats do find their way out for use in the rich boats (Oruka, 1997:147-148).

The third assumption that Hardin makes is that there are no common wealth between the people in his lifeboat and the numerous poor people swarming around it looking for help. But again, Oruka argues that that assumption is wrong. There is indeed common wealth. The earth and the resources therein

are common wealth for all human beings. This should not be difficult to understand. The history of humanity is characterized by migrations. This in itself should suffice as a testimony that the earth is a common wealth. If this were not so, the immigrants would not find any justifiable reason to live and claim rights over the use of the resources of the lands into which they migrate.

But even the fact that people born in a land have a justifiable reason to claim rights over the use of the resources of the land into which they are born is in itself assumes and confirms that the earth is a common wealth. Otherwise, I can only see one possible reason, though an unjustifiable one, which can be used to refute the claim that the earth is a common wealth. One can feebly argue, explicitly or implicitly, that the right of the first occupant is an absolute one. If that were so, then one could claim absolute or exclusive right over the use of the resources within the area one occupies or controls. But if this argument were to be granted, then there has to be some other good answer to the question; what gives the first occupant of an area an absolute right over the resources in the area? Is it simply by the fact that the occupant was there before others? If that were to be the case then that seems too arbitrary to make a logical sense. But again, if that be granted for the sake of argument, then it means that even those to be born later should have no right over the use of resources in the lands in which they are born, because they would be "late arrivals". However, if those born later have any rights over the use of the resources in the lands in which they are born, then it seems to me that the same right should hold for those migrating from other lands. And that refutes any claim of absolute right over the resources of the earth.



But if the earth is a common wealth, then there are or should be rights and obligations that obtain among the inhabitants of the earth in relations to the use and distribution of the resources of the earth. The right and obligations should be such that they ensure the preservation of human life as a fundamental right as well as furthering the enrichment of human life. To show that there are indeed some common wealth and that Hardin is wrong, Oruka uses the analogy of "parental earth ethics". In this analogy, the earth is analogously equivalent to a parent. And so, just like children of the same parent have the parent in common, so the inhabitants of the earth have the earth in common. Therefore, in "Parental Earth ethics" Oruka argues that the earth is a common wealth and hence every human being has a right to share in the resources of the earth.

The reasons for the differences in the wealth of the children have to do partly with the family history; with personal luck and partly with individual talents. The children have certain things in common while they also have their own completely separate individual possessions. The most basic factors they have in common are the parents (whether alive or dead), i.e. they have a common origin. The other factor they have in common is that each one of them has his/her status and achievements based on the tutelage which the family as a whole provided. Some made good use of that training while others may have squandered it (Oruka, 1996:116-117).

Oruka argues that human beings do share in history, and this applies to both the rich and the poor. Common history has made those who make good use of their historical tutelage rich while there are some who never made good use of the common historical tutelage and therefore never became rich. Take for instance, on earth or in any country; there are those who have made various contributions to the general well being of the inhabitants of the earth or any particular country which constitute the common history. There are several

inventions that individuals made or make which become parts of the common historical pool from which some individuals benefit and become rich, while some do not benefit from them and become or remain poor. But common history can also make some poor. Some people born in either rich countries or families, by virtue of those countries or families, get opportunities that enable them to be rich; and on the contrary, some people born in poor countries or families lack opportunities to be rich. Parents may be forced by limited resources to decide who among their children would be given priority in the use of the family resources, say to get education or training. While the lucky ones would have benefited, the unlucky ones would have missed the opportunity. And such decisions, emanating from common history; having the same parents with limited resources, may explain the disparity between the children in terms of wealth. Or children born earlier may have the opportunity to benefit from the family resources more than those born later. And that may explain the disparity between the children in terms of their wealth. So, Oruka argues that human beings, not only from the same family, but in the world share in common history. And the rich and the poor owe their respective conditions to the common history.

But the parental earth is also analogously signifying humanity which human beings have in common. The rich and the poor share in the humanity. And their values and wellbeing should have a bearing on that fact. Each, regardless of their wealth status should be concerned about the wellbeing of the other. Indeed, their wellbeing are inextricably linked that their survival and safety are mutually dependent.

The rich boats owe part of their current self-preservation to the gains brought to them by the *interboat pipes*. If indeed all the poor boats were to sink, equally the rich boats would also sink. It is known, for example, that up to a quarter of jobs in the USA would disappear if that country divested the Third World (Oruka, 1997:148).

Oruka argues that there are not only pipes connecting the rich boats and the poor boats, but the pipes transferring resources from the poor boats to the rich boats are wider than the pipes transferring resources from the rich boats to the poor ones, which manifest the unfair and tilted trade relations between the rich countries and poor countries. So the rich and the poor are not only mutually dependent for their survival, but the rich have an obligation to help the poor, since they contribute in a way, to the poverty of the poor.

It is today a truth that can be empirically verified that given the economic exchanges between the nations, the poor nations are getting poorer and the rich "luckily" richer, which is to say that the tap that sends wealth from the poor to the rich is much bigger than the return tap to the poor (Oruka, 1997:130).

In the "Parental Earth Ethics" Oruka uses an analogy of a family with six children two of whom are relatively rich while four are generally poor. Of the rich, one is very rich while of the poor four, three are very poor. But from time immemorial this family finds itself guided by two main unwritten principles: 1) the parental debt (bound) principle, and 2) the individual luck principle.

The parental debt (bound) principle is comprised of four related rules: i) the family security rule, ii) the kinshipshame rule, iii) the parental debt rule, and iv) the individual and family survival rule.

- i) The family security rule states that the security of every member is tied to the security of the family as a whole. One may not realize that now, but sooner or later the member or children or grandchildren may experience a turn of event that would force

him/her to desperately seek protection or help from other members of the family. Therefore, family gives members security.

- ii) The kinshipshame rule states that the existential condition of a member affects the other members materially or emotionally. No member can reasonably be proud of his/her situation however rich or happy if another member lives a life of poverty or decadence. In other words, given the shared humanity, no normal human being can feel happy in his riches when some fellow human being lives in extreme deprivation. Any sane person should be ashamed if one can help but fails to help a fellow human being living in deprivation.
- iii) The parental debt rule states that any member who is rich or poor owes it, partly, to the parental and historical conditions inherent in the life of the family. So no member is solely responsible for his/her wealthy or poor situation. The implication of this rule is that every member shares some responsibility, by virtue of common family, in the material condition of the other. Each member of a family has contributed, directly or indirectly, to the material condition of other members.
- iv) The individual and family survival rule states that, given the previous three rules, any member of the family has a moral obligation to interfere with the possession or life of any member who fails to recognize and abide by the rules of family ethics.

According to the parental debt (bound) principle, every member of the family has a right to demand help from any member of the family, and even repossess

any possessions which are not or under used. Every member has an obligation to be concerned with the survival and wellbeing of other members.

The rule allows the disadvantaged to demand assistance from the affluent, but it also allows the creative and the hardworking members of the family to repossess undeveloped possessions of the idle relatives and develop them for use to posterity (Oruka, 1997:149).

I think the above citation needs some explanation. It should not be lost that the Oruka's argument in "Parental Earth Ethics" complements his arguments for the right to a human minimum. Therefore, the parental debt (bound) principle should be understood in that context. The poor or disadvantaged can only demand assistance from the affluent when the assistance would be necessary for individual or group survival. This principle does not justify joyriding by some lazy idle people on the back of creative and hardworking people. That is why Oruka talks about the right of the poor to demand assistance from rich, or the creative and hardworking to repossess the undeveloped resources from the lazy relatives under "the individual and family survival rule". The repossessing of the undeveloped resources is only morally justified if it is intended for the common good; "for posterity". It cannot be done simply for the individual to become richer and enjoy more comfort.

The individual luck principle has three constituent rules: i) the personal achievement rule, ii) the personal supererogation rule, and iii) the public law rule.

- i) The personal achievement rule states that whatever resources or riches one has is due mainly to his/her special talents. This rule, I believe, refers only to possessions that one has acquired through personal

achievement or generated by use of one's talents on one's inheritance.

ii) The personal supererogation rule is a corollary of the personal achievement rule, or it assumes the truth of the personal achievement rule. It states that every member has a right to do whatever he wishes with his/her possessions. Therefore, the personal supererogation rule may hold if only the personal achievement rule is true.

iii) The public law rule states that whoever violates the previous two rules is subject to family public law, to be either punished or reprimanded to restore justice in the family.

The individual luck principle deals with individual right to property; one's possessions. This therefore makes it a secondary right. We have already explained why a property right is not a basic or fundamental right, or should not be treated as so, because it presupposes the right to self-preservation and it is based on the right of the first occupation. This means that there are some other values or considerations of greater moral significance that may override it. For instance, the right to life is prior to it and is of greater moral significance. Therefore, when one's right to life is in conflict not with another person's right to life, but with a right to property, then the right to life should take precedence.

Therefore, as Oruka explains, the parental debt (bound) principle is more fundamental and prior to the individual luck principle because it deals with issues of self-preservation and common interest. Therefore, when the two

principles are in conflict then the parental debt (bound) principles takes precedence.

The ethics of common sense shows that, when in any given community matters of common wealth and security conflict with matters of personal possession, luck or achievement, the former must prevail over the latter. There is no country in which, for example, one would accept a wish or a will from one of its citizens which stipulates that upon death all his achievements, however dear to the country, should be exterminated or kept from use by anybody. The reason for such a will would be that those achievements are personal and hence personal supererogation rule is to prevail. The objection to the will can only be supported by invoking the issues of common origin, common security and common wealth (Oruka, 1997:149-150).

The point that Oruka is reinforcing is that the right to a human minimum cannot be overridden by the property right such as the right of the first or prior occupation, or claim to territorial sovereignty. The property right is not or should not be treated as absolute which gives one an exclusive right over the resources which find themselves in one's possession.

### **6.5 Human minimum and international justice**

Earlier I mentioned that Oruka's search for a principle of global justice was necessitated by the limitation of the current conception and practice of international justice. I also mentioned that the three possible rationales for the practice of foreign aid which Oruka dismisses as morally inadequate for the justification for the practice of foreign aid because they cannot universally obligate for the human minimum for all citizens of the globe are informed by the current practice of international justice. In essence, this means that the right to human minimum cannot be guaranteed by the current practice of international justice.

Experts tend to agree that the status of the wealth of the world is such that it can support, far above, the minimum of every human being currently existing. At present the world does produce sufficient goods and resources to meet the cost of satisfying the human minimum of every existing person in their respective societies (Starba, 1991:114; Singer, 1991:90). "In fact, it has been projected that if all the arable lands were optimally utilized a population of between 38 and 48 billion people could be supported" (Starba, 1991:115). And Singer observes; "Moreover the poor nations themselves could produce far more if they made use of improved agricultural techniques" (Singer, 1991:90).

Of course, if that is granted then the argument by Garrett Hardin that assisting the poor by the rich is a threat to the very survival of humanity as a whole cannot hold. Hardin believes that the poor are too many to be helped by the rich without necessarily threatening the very survival of the rich. Oruka has pointed out that much of the world wealth is concentrated among a quarter of humanity while the three-quarter of humanity are living virtually below the poverty line –in abject poverty.

If there are more than enough resources to end hunger (abject poverty) throughout the world then what are the obstacles towards such a realization? Singer seems to have made an apt observation that the fundamental problem is that of distribution of the wealth. There is need to transfer some wealth from the rich (affluent) nations and individuals to the poor ones (Singer, 1990:90). If this were to happen then there would also be a transfer of improved technologies to the poor nations, and then they would also be able to optimally



utilize their resources. Oruka agrees with this observation. Referring to UNDP Human Development Report of 1992 which indicated that the gap between the rich and the poor is widening at an alarming rate, Oruka writes:

The report states that although the South has 80 per cent of the world population, it has only 5 per cent of the world's computers and conducts only 4 per cent of global research. The growing technological gaps between North and South are self-reinforcing, according to the report. The concentration of knowledge in the North means that further advance will occur there. This gives the North a productivity advantage and consequently much higher returns on capital labours. And the higher the profit rates in the industrial countries enable them to attract more and more capital, even from the South (Oruka, 1996:115).

The current practice of international justice indeed hinders the realization of human minimum as a basic universal right. Oruka argues that the current practice of international justice is based on two related fundamental principles, that is, the principles of territorial sovereignty and national supererogation. Oruka argues that these two principles are antithetical to the recognition and realization of the human minimum as a universal right.

The principle of territorial sovereignty, which I have explained earlier, states that a sovereign state has an absolute right over its territory, and therefore gives a sovereign state the absolute power and legitimacy over the resources within its borders, and consequently obligates other sovereign states and people to recognize and respect that right and independence of other sovereign states. Therefore, by this principle, a sovereign state has the right to resist, protect and expel, if possible, any external interference with its borders, resources and internal affairs (Oruka, 1997:82).

The principle of national supererogation which is a corollary of the principle of territorial sovereignty states that a people having territorial sovereignty or a sovereign state has a right to use the resources within its territory as it wishes with no obligation to assist anybody beyond its border. In other words, there can never possibly be any demand that it uses its resources for concerns outside its territory that can override its right to use its resources as it wishes. Therefore, this principle exonerates a state from any moral blame if "it remains indifferent to the needs of those outside its borders, however needy and starving such people may be" (Oruka, 1997:82). By this principle, if a state decides to help those outside its borders then it is a charity and it has absolute right to set the conditions for the help and to demand praise for such help. These two principles, which are fundamental to the current concept and practice of international justice, in essence, fail to recognize the priority and supremacy of the right to a human minimum over the right to territorial sovereignty. In doing so, they place the right to property over the right to life; hence the current practice of international justice militates against the realization of the right to a human minimum, and consequently cannot safeguard the most fundamental right for all human beings.

I have explained that according to Oruka, the right over property cannot be an absolute right. But by giving a sovereign state right to use the resources within its territory as it wishes and to exonerate it from having any moral obligation to help anybody beyond its borders however needy and starving one is, this principle treats property right as absolute right and relegates the right to life to the status of a secondary right. But national supererogation being a corollary

of the principle of territorial sovereignty cannot be an absolute right too (Oruka, 1997:90). Though the territorial sovereignty and national supererogation are *prima facie* rights, they are not absolute. First, there are some other values or considerations of greater moral significances such as self-preservation or the right to life, a right to live in dignity and common interest. Such values or considerations have to override the right to property. Secondly, Oruka points out that since a people cannot rightly claim 100 per cent legitimacy in the acquisition of territory; they cannot claim an absolute right over the use of the resources within the territory. Thirdly, national supererogation would accord an absolute right over the resources within a sovereign territory only if the right of the first occupation were an absolute right. But it is not. Fourth, Oruka argues that national supererogation would only be recognized and respected if the people living beyond the national borders were moral agents; that is, if the people beyond the borders were living in a condition that allows them to exercise their rationality and live in dignity as human persons. But if their own self-preservation is under threat then nobody can reasonably expect them to recognize and respect the rights of other persons; not even the rights to territorial sovereignty and national supererogation of others.

Therefore, Oruka's argument is that the right to a human minimum, being an absolute right must override the right to territorial sovereignty and national supererogation. This, in itself does not negate the principles and practice of international justice. It only implies that the right to a human minimum is a more fundamental right than the right to territorial sovereignty and national

supererogation such that if they conflict, then the right to a human minimum should prevail. The demands of international justice still hold as secondary right, but not as an absolute right.

But it also implies that the demands of global justice should take priority over the demands of international justice. The principle of non-interference with the internal affairs of a sovereign state which is also a corollary of the principle of territorial sovereignty must also be overridden by the demands of the right to a human minimum. A sovereign state cannot demand a right to non-interference in its internal affairs if it threatens the life of its members or fails to guarantee the human minimum for its citizens. The right to a human minimum obligates any sovereign state to interfere in the internal affairs of another state in order to safeguard or ensure the right to human minimum of the citizens of that state. When one's right to a human minimum is threatened, then one cannot be held morally responsible for interfering with either the property right of another human being or the territorial sovereignty of another state. People running away from war or famine which threaten their own existence cannot morally be prevented from entering another country in their attempt to survive. Entry restrictions into another country which are requirements under the right to territorial sovereignty must be overridden by the demands for survival of foreigners seeking refuge in the country.

Therefore I hope it is now clear that the current practice of international justice is inconsistent with the demands of the right to a human minimum that imposes obligation on all people who are capable, regardless of their race,

country, religious or ideological inclinations to ensure the enjoyment of the right of those who cannot enjoy the right through their own efforts.

Apart from considering the right to a human minimum as a fundamental principle of social justice or global justice for that matter, Oruka also believes that social justice demands, as a requirement, the tempering of the disparity between the rich and poor. The envy, disharmony and frustration that the wide disparity between the rich and poor creates are antithetical to the demands of social justice. It is partly from this belief that Oruka disagrees with John Rawls' theory of justice (Oruka, 1997:115-125) which he sees as capable of creating unmitigated disparity between the rich and the poor (Oruka, 1997:120).

In his *A Theory of Justice* (1971) John Rawls articulates a theory of social justice as egalitarian fairness which should reflect the basic structure of society. This fairness has to be applied in the distribution of social goods such as rights and liberties, opportunities and powers, and, income and wealth. The distribution has to be done in accordance with two principles which Rawls lists in an order of priority (Rawls, 1971:302).

- 1) Each person has to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others.
- 2) Social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone's advantage, but the

greatest benefit of the least advantaged; and (b) attached to positions and offices open to all.

According to Rawls, the first principle is prior to the second principle. This means that demands of the first principle cannot be overridden by demands of the second principle. The first principle which Oruka refers to as the liberty principle includes the right to vote and hold public office, freedom of speech and assembly, freedom of thought and conscience, and the right to hold personal property (Oruka, 1997:116). The second principle which Oruka calls the socio-economic principle concerns the distribution of wealth and income. Rawls argues that the inequalities in income and wealth should be such that they are to the highest advantage of the poor or less unfortunate members of the society in such a way they benefit more than they would by their effort (Oruka, 1997:116-117). So long as the less fortunate receive no less than what they can obtain given and using their own capacities, any development in inequalities which is not detrimental to the benchmark of equality that the less fortunate benefit no less than they could by their own capacity and efforts— would be consistent with the principles of justice and hence is to be permitted.

Oruka disagrees with Rawls' theory of justice, as it is, on two main grounds. First, he believes that the order of the principles should be reversed so that the second principle is first and prior to the first principle. Most of the rights that comprise Rawls first principle are political rights while his second principle concerns economic rights. But as I have explained, Oruka believes that economic rights are more fundamental and prior to political rights. And this

belief seems to be consistent with the claim and demand that the right to a human minimum is absolute and universal.

That economic needs are always more primary than political needs is generally true for all people. However, when the fulfilment of one's economic needs is beyond reproach, one may perhaps mistake political needs as being more basic than the economic ones (Oruka, 1997:123).

Rawls' theory may be relevant to affluent countries and people whose economic needs are already more secured, but it is not relevant to the poor countries or among people who are mostly illiterate and poor, and who by virtue of that, are more conscious and concerned with the worth or substance of liberty, but not with formal liberty. For that reason, Oruka believes that the reversal of the order of Rawls' principles of justice would, at least, make his theory relevant to the countries whose citizens are mostly still poor and illiterate.

However, despite the fact that Rawls' theory of justice may be made more appealing even to the poor countries or people through a reversal of the order of its principles, Oruka argues that Rawls' theory still has some serious shortcomings that makes it impossible to be an egalitarian theory as Rawls claims it is. Rawls' theory allows for an infinite socio-economic disparity between the rich and poor which, according to Oruka, is part of the very meaning of unjust distribution of wealth. A theory that allows such a disparity can neither be egalitarian nor just (Oruka, 1997:117-118).

Oruka argues that allowing the unmitigated gap between the rich and the poor as Rawls' second principle does can logically undermine his very first principle which, according to Rawls, is universal and absolute, and therefore

inviolable. To illustrate his claim that Rawls' theory of justice, as it is, can neither be egalitarian nor just, Oruka uses a hypothetical society which he calls Society of Unbalanced or Wild Justice (SUWJ). In this society, because of great disparity in wealth and income between the rich and the poor, some few members have become extremely rich while the majority are extremely poor. The few rich can afford not only a high standard of living but also a technology that can prolong their life ten-fold. According to Oruka, the SUWJ manifests inequality, not only in income and wealth, but also in the Rawlsian fundamental principle of liberty, that is, the right to vote, the right to stand for a public office, and the right or opportunity to acquire and hold personal property (Oruka, 1997:118-120).

The Oruka's hypothetical society mirrors reality. It is self-evident that one can hardly enjoy rights covered under the Rawlsian liberty principle if one is socio-economically disadvantaged. Several people in the world in general and Africa in particular, are so poor that they cannot afford education. So they are illiterate. But being poor and illiterate makes it impossible for them to exercise the right to vote. Frequently such people are swayed to vote in a particular by the rich, some of them sell out their voters' cards and thus their voting right in order to get basic needs such as food. Some of them may be living away from the polling stations, and they may never have means or fare for transport to the polling station. So they can't go and cast their votes. Some have to opt to go and look for food instead of going to vote for there is no sense, at least imperatively, for the hungry and starving to go and cast the vote. They may never have the energy or what to eat when they come back from casting their



votes. It seems hard to see any reason that would make a person who does not even have the hope of living into the next day to go and vote. Furthermore, extreme poverty debases. But a debased person cannot make the right choices presupposed in the exercise of voting. A person living in abject poverty does not have the luxury of choice. Such a person has only one preoccupation; where to get an immediate food or medicine. Consequently, such a person, if he/she does vote, is mostly likely to vote for a candidate, however wrong, who can give them food or medicine, or give even a false hope of getting them out of abject poverty.

The people who are socio-economically disadvantaged find it even harder to acquire personal property or hold public offices. First, such people hardly have the credentials necessary for accessing a public office, or the means to buy their way in such positions in countries where corruption is so entrenched and has become a culture as is the case in virtually all African countries, and many other countries of the world. To get education, high pre-job training or a job for most poor people is simply a mirage. Most poor people are trapped in the vicious circle of poverty. They cannot get education, they cannot get training necessary for jobs, they cannot get jobs, or bribe their way into jobs. So they cannot get out of poverty. It is clear that those who are socio-economically disadvantaged cannot, in normal circumstances, enjoy the rights enshrined in Rawls' liberty principle. Therefore, as Orluka argues, and I believe correctly, that the unrestricted gap in socio-economic social goods allowed by Rawls' second principle is capable of undermining his first principle which he considered the more fundamental of the two.

According to Oruka, Rawls' theory of justice cannot be based on egalitarian fairness as he claims. Inequality is inconsistent with egalitarianism. Oruka argues that, for egalitarianism, equality is an end in itself while inequality is an evil which should be eliminated. The possibility that some minority in society can afford high good life while the majority cannot afford means to such life as illustrated by Society of Unbalanced or Wild Justice (SUWJ), in Oruka's view, is a source of envy, distrust and disharmony which is not concordant with a just society (Oruka, 1997:120).

Oruka believes that that Rawls' theory of justice can logically lead to the institutionalization and justification of social injustices (Oruka, 1997:121). Earlier, Oruka had written a critique of Rawls' theory of justice which he titled "John Rawls' A Theory of Justice for the Defence of Injustice" (Oruka, 1978).

Though Oruka believes that the unmitigated or wide disparity in incomes and wealth in society is a manifestation of social injustice, and this is one of the grounds on which he criticizes Rawls' theory of justice, Oruka does not offer any attempt at articulation of a principle by which such a disparity can be mitigated. It would seem that Oruka considers the right to a human minimum and the requirement that the gap between the rich and the poor be tempered as necessary for a theory and practice of social justice. Unfortunately, he never developed a means of going about the latter. But doubtless, he considers the right to a human minimum as a more fundamental and imperative principle. Primary for justice is the preservation of human life. So whatever principle for

justice that may be required to regulate the socio-economic gap between the rich and the poor would be secondary to the right to a human minimum. Maybe if he lived longer he would have attempted to formulate such a principle. But Oruka was also aware that to formulate an efficient theory of social justice that would apply universally is not without difficulties, especially in the light of the diversity of human societies in terms of cultures, historical traditions and ideologies (Oruka, 1997:115). Perhaps, it is more sensible and wiser to formulate a minimalist principle of social justice such as the right to a human minimum.

### **6.6 The right to a human minimum and humanism**

I have argued that philosophy is necessarily normative, and that the primary mission of philosophy as such is the search for possible best alternatives to the prevailing conditions of human existence. Philosophers have, therefore, to search and articulate the possible social ideals for human existence. This does not mean that they articulate what is humanly impossible. It only means that whatever possibilities they articulate are not absolute, but they are humanly possible. But since whatever possibilities they propose are short of being perfect, the search for better alternatives is a continuous task of philosophers.

I have also explained that according to Oruka, the moral mission of philosophy is primary and ultimate to other possible missions of philosophy. Oruka believes that moral solutions to current problems in the world are much more superior to military options. And therefore, philosophers, among other scholars of humanities are called upon, by their duty, to help in the search for

the moral solutions to world problems. But, as I have also pointed out, Oruka believes that abject poverty as well as war in general, but more so, the possibility of nuclear war; are the current major threats to the survival of humanity. Philosophers can help in the search for permanent solutions to the threats to humanity by analysing terminologies and concepts concerned as well as appealing to moral supremacy over might which apparently rules the current world. Might is not able to ensure security for mankind but moral supremacy, Oruka believes (Oruka, 1997:132-133).

The articulation of the right to a human minimum by Oruka and some other philosophers is to carry out this moral mission of philosophy or philosophers. It is a proposal for the minimum condition for the humanization of societies. The right to a human minimum aims at not only the preservation of human life, but also defines the moral minimum necessary for any tolerable human life.

The right to a human minimum is therefore the benchmark for humanism. In "Philosophy and humanism in Africa", a paper that was first published in 1978, and was later published as a chapter in his book, *Practical Philosophy: In Search of an Ethical Minimum* (1997), Oruka defines humanism as the positive quality, security and well-being of human existence as either individual or collective life (Oruka, 1997:139). Humanism therefore entails more than the right to human minimum. It is an ideal which is beyond a human minimum and to which human life aims or should aim as the ultimate end. As a positive quality, humanism implies the continuous improvement of human existence in terms of security and well-being.

Oruka argues that humanism is the ultimate moral good and therefore any other standard of moral good such as happiness, freedom, duty, power, perfection, self-realization, knowledge or faith on God are all meant to achieve humanism. Thus according to Oruka, humanism, strictly speaking is the ultimate moral good. This, therefore, means that there can never possibly be anything greater for human beings than humanism. It is the basic ideal.

Take for example, the standard of happiness. Happiness is not real unless it is a result or a symbol of the good and true quality and security of one's life. Happiness derived for instance, from stolen goods or a sweet poison cannot be real happiness. Like happiness, freedom is not real –it is meaningless and dangerous– if it is not in line with the quality and security of one's life. Freedom of destitute, slave or madman cannot be real freedom. Likewise, the possession of power is futile and undesirable unless it guarantees the security of he who has it and those on behalf of whom it is possessed and exercised....(Oruka, 1997:139-140).

Anything therefore which is antithetical to humanism is a moral evil whose elimination should be treated as a moral imperative. Abject poverty and war in general are moral evils whose elimination or reduction should be considered imperative (Oruka, 1997:140).

Although "Philosophy and Humanism in Africa" was written some years back, much of what Oruka pointed out and said then concerning the state of humanism in Africa, and which can be extrapolated to the rest of the world, are still relevant and applicable in Africa today. Oruka observed that humanism or moral good was lacking in many African countries. The quality of life for the majority of Africans was dismal and pathetic. Any condition of life that falls below the human minimum is logical inhuman. Looking at the state of poverty and war in Africa, not only then when Oruka wrote the paper,

but even more so today, it is doubtless that abject poverty couple with several wars, have rendered the life of the majority of people in Africa inhuman. Most people in Africa are living below the human minimum. Oruka describes most countries in Africa as African Republic of Inhumanity and Death (ARID). There is widespread, explicit and implicit blatant abuse of humanity in Africa.

The value of human life in ARID is below the minimum demanded by humanity, and intolerable to any normal human conscience. Life is hard and godless; it is "brutish, nasty and short." Thus ARID is completely arid when the question of humanism is raised. There is no single humanist ideal in it. And worse still, there is no philosophy or ideology coming to it either from within or without that would help liberate the people. Frantz fanon saw this a long time ago the great danger to Africa is the absence of ideology (Oruka, 1997:143).

I should point out that at the time Oruka wrote this paper, the dominant philosophy or the philosophy that appeared known in relation to Africa was ethnophilosophy. But ethnophilosophy is not a critical philosophy that can rise to the challenges of the emerging new realities in Africa. That explains why Oruka talked about the lack of philosophy in Africa that could help liberate its people from the prevailing inhumanity. But now I believe that there is sufficient critical philosophy that should help in analysing and understanding human problems in Africa as well as suggest possible solutions to such problems. However, the claim that at independent Africa suffered lack of ideology to inform the development of humane social organizations seems as valid as today.

The tradition of critical philosophy, however still needs to be emphasized in Africa. Such a tradition of philosophy, as Oruka points out, would help by analysing the conditions of human existence in Africa as well as define the

minimum moral good which should be met by all African governments and states. No government and state should allow the life of its citizens to fall below that human minimum without meeting with continental and global condemnation. Critical philosophy is therefore critical in the initiation and nurturing of humanism in Africa.

OPHA [the organization for the promotion of Humanism in Africa] would have the function, among others, of promoting critical philosophical thinking and evaluation of the social and moral order in the various African states. And it will define the minimum moral good below which no state could go without meeting with continental and global condemnation and excommunication (Oruka, 1997:144).

A look at Africa today confirms that ARID characterizes life in virtually all African countries. Most Africans are living on less than a dollar a day or on nothing at all. There is prevalence of preventable diseases such as malaria from which many people are dying because they cannot afford medicines with which to treat them. Many people are refugees and homeless, maimed and dying from widespread wars in Africa such as the regular political and ethnic violence recently witnessed in Kenya (2007) and Zimbabwe (2008), and wars that have been going on such as in Somalia, Democratic Republic of Congo, Uganda, Sudan, Chad; just to mention some fresh cases of inhumanity in Africa. But contemporary African history replicates many of such cases such as in Nigeria, Sierra Leone, Liberia, Cote d'Ivoire, Central African Republic, Rwanda and Burundi; again just to mention few cases. African governments should not be allowed to continue with such abuses of humanity. I'm referring to governments because governments are major contributors to the generation of poverty in their respective countries through unjust exploitation and distribution of resources, unjust and corrupt trade deals as well as initiators of

wars. It is absurd that wars are initiated by the political class, and their victims are the very people they are supposed to protect and lead.

Therefore, all governments of the world as well as adults or normal citizens of the world should recognize and respect the right to a human minimum as absolute and universal right which cannot be overridden or comprised by any value or consideration, and whose enjoyment is an obligation of all governments or people who have the means regardless of national, ideological, racial or religious affiliations. As Oruka observes, people need to be educated or enlightened on the dangers of fear, greed and irrational pride (Oruka, 1997:133-134). He argues that fear is perhaps the major cause of ideological wars, tribalism and racism, which are not only impediments to human freedom, but also the cause of a lot of human sufferings and loss of life. However, I should emphasize that apart from fear, lack of sound moral education and understanding is also a major contributing factor to ideological wars, tribalism and racism.

Oruka also points out that greed as distinct from ambition is also a threat to human freedom and survival. Greed motivates one to amass possessions regardless of, and at the expense of other people's wellbeing. Such a character hardly sees the moral need to help those who are in dire need. If greed is not checked, or if it is allowed to pass as ambition then it is definitely an obstacle to the discharge of responsibility towards the realization of the right to a human minimum. Greed should therefore be considered immoral and unjust



Irrational pride, in Oruka's view, is indeed a vice. Irrational pride prevents the possibility of moral empathy and therefore blinds one from recognizing other people's rights and potential, as well as one's duty to others. Oruka believes that it is irrational pride that has, for instance, sustained the domination of the underdeveloped people ideologically, economically and militarily.

Furthermore, Oruka believes that the nurturing of the spirit and practice of democracy is one of the suitable means of overcoming the threats to human survival and freedom. The promotion of democracy is within the moral duties of not only philosophers, but of all scholars of humanity.

Perhaps by the turn of the century there will be a new rebirth of the global democratic spirit. It is now a moral duty for philosophers and the scholars of humanity the world over to study the state of the world and suggest how a new and sustaining global democratic spirit can be born (Oruka, 1997:136).

The solution to the threats to human survival and freedom requires studies and suggestions from various disciplines, but that cannot be of any help if such suggestions would not be given due hearing and consideration, but which is only possible in an atmosphere of democratic spirit and practice. So the development of the democratic spirit and practice is as imperative in the present world as the search for moral principles by which to eliminate the threats human survival and freedom.

## **6.7 Conclusion**

I argue that human minimum is a moral principle on which Oruka's philosophy rests. The principle of ethical human minimum is analytically equivalent to the right to life which entails the means to life. The articulation

of it is an attempt by Oruka to articulate a principle by which some ideal social condition would be created; a condition in which the preservation of human life and dignity is accorded primacy. So it is a good starting point in the fight against inhumanism.

The articulation of this principle is necessitated by at least two factors. One of the factors is the fact that there is great inhumanism in the world today occasioned by widespread extreme poverty and wars, including the threat of nuclear war. The second factor is the inadequacy and failure of the current practice of international justice to secure the preservation of human life and dignity in the face of extreme poverty and widespread wars. The principle of the human minimum should be an integral part of any adequate and universal theory of social justice. Though the principle itself alone, as we noted, is inadequate for a theory of social justice. We also acknowledge the difficulty in the formulation and articulation of adequate theory of social justice. However, any theory of social justice should strive and recognize the primacy of the preservation of human life and dignity in general, and consequently recognize the primacy of the ethical human minimum as a fundamental principle of social justice.

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## Chapter 7

### Conclusion and recommendation

#### 7.1 Recapitulation

*"Philosophy has a future only if humanity has a future"* Archie J. Bahm

The above quotation has two profound meanings in respect to Odera Oruka's philosophy and his commitment to that philosophy. First, it means that the existence or survival of humanity is prior to philosophy or talk about anything. This seems obvious, that for a person to be able to talk about anything or to philosophize one must exist first. But the second meaning which is related to the first is that to philosophize or talk about anything would be sensible and meaningful only after when the survival of humanity is secured.

When Oruka cited above statement at the end of his paper "Achievement of Philosophy and One Current Practical Necessity for Mankind" (1988) which was adapted as a chapter in *Practical Philosophy In Search of an Ethical Minimum* (Oruka, 1997:104); he was reiterating and emphasizing his philosophical belief and conviction. Oruka believes that securing the survival of humanity takes or should take precedence over anything else. Nothing can possibly be more important and override the survival of humanity or the right to life.

Armed with the conviction that philosophy is essentially normative and that the primary role or mission of philosophy is moral; that is, the search of moral principles by which to inform and develop best possible humane conditions of existence, Oruka set his eyes on that mission. Oruka's philosophy and

consequently philosophical commitment revolves around the search for such principles. Being moral, such principles should attempt not only to explain and morally justify the primacy of human survival, but also how to live under conditions worthy of a human being; that is, under conditions that accord human beings dignity. Such conditions should guarantee a human being at least fundamental freedoms that would enable a human being to live as a human person; as a moral agent who is answerable to certain choices in life. Moral agency entails the capacity to reason and make choices beyond instinctual behaviour. This finally leads to the articulation of the principle of the ethical human minimum which, in my view is the central idea around which most, if not all, of Oruka's philosophical works revolve.

Oruka's philosophical works are therefore either clarifications which pave way for the articulation of fundamental moral principles or direct articulations of the moral principles. Though reading Oruka's works dealing with the articulation of such moral principles can sometimes give the impression of the advocacy for the rights of the poor; moral or philosophical principles are conceptual and therefore universal. They should be understood to apply universally. The poor or the materially disadvantaged, especially those living in abject poverty, only happen to be more vulnerable to loss of life or to a life of indignity. That therefore makes their condition a priority and calls for urgent attention. However both the poor and the rich have duties first to themselves and, second to others. This means that one should make demands on others only after one has tried and failed to fulfil one's duties to oneself.

Moral principles entail duty. The poor have a duty to try and improve their conditions of existence. That duty cannot solely be put on the shoulder of the rich. As much as the rich have the duty to help the poor to the extent that the poor do not die from starvation, disease or physical violence, the poor too have equal duty to ensure their survival and a life of dignity to the extent that is within their ability. That is the point that Oruka makes, for instance when he says, that African problems do not solely emanate from external forces, but they are also created by internal factors. This point underscores the fact that the poor should also examine their own conditions for possible causes of their poverty and work towards the removal of such factors.

Right from his paper "Mythologies as Africa Philosophy" (1972), Oruka underscores the need for Africans to critically examine their societies, their traditions, cultures, political, economic and intellectual practices; in order to identify and possibly remove or abandon some beliefs or practices that cause and perpetuate their poverty and unfreedom (Oruka, 1972b:5). Oruka's philosophy situates freedom at its centre. To him, freedom is necessarily social and therefore inextricably linked to the realization or fulfilment of human needs and rights.

The issue of freedom therefore runs through most of Odera Oruka's works. Oruka does not believe that making a distinction between mental freedom and social freedom is of much help. Mental freedom is an aspect of social freedom. Mental freedom which is an intellectual activity is exercised within a social context. The social conditions necessarily affect intellectual activities and vice versa. So, the two are inextricably linked up.

Neither can abstract conceptualization of freedom do. Freedom is not sought for its own sake, but to fulfil certain human needs. One is free only to the extent to which the needs for which freedom is sought are fulfilled. But given that human needs are either basic or secondary, so is freedom basic or secondary. Freedoms sought to fulfil basic needs are basic freedoms while freedoms sought to fulfil secondary needs are secondary freedoms. Oruka therefore conceives freedom as necessarily social. But this conception of freedom also makes it relational. Its enjoyment entails rights and obligations.

Oruka believes and argues that basic freedoms; freedoms to satisfy basic human needs, should constitute the human minimum; the minimum that any human being needs to survive and function as a human person. A human being having the human minimum is not trapped within the dictates of instinct to survive. Such a person can make, at least, some choices for which one can be held morally responsible. But any human being living below a human minimum has no choices in life. The only choice, if it is a choice at all, open to such a person is either to act in desperation to survive, or die. In desperation to survive, such a person can do anything regardless of whether the conduct is humiliating, dehumanizing or illegal.

According to Oruka, the human minimum is a moral minimum and a universal right. It is the minimum which any human being, by virtue of being human, can reasonably demand from fellow human beings. As a universal right, its fulfilment is also universally obligating. It would be well and good for those who can at least meet their human minimum through their own effort and work. But for those who cannot, it is an obligation of all those who have the means to ensure that they have their human minimum.

The search for a theoretical justification for the prevention of unnecessary human suffering and death is necessarily a search for a new moral order. It is a search for principles of global justice which is necessitated by the limitations of the current principles and practice of international justice. The primacy of human life needs to be ensured and safeguarded by principles that cannot be



limited by national boundaries. This implies that the demands of global justice take precedence over those of international justice or territorial sovereignty.

Oruka, like the rest who advocate the universal human minimum, is concerned about the conditions that are a threat to human survival and dignity. How can, for instance, human threats from poverty, war, hunger and disease be reduced, if not eliminated? It is from this background and concern that Oruka's idea of freedom is understood. He was not only concerned with the condition of freedom in Africa which he observed was very bad, but the rest of the world too.

The right to a human minimum is an attempt towards humanization of the world which apparently is increasingly becoming dehumanized. The advances the world has made in terms of technology and economic production make the elimination of abject poverty and physical threats to human survival practically possible. But paradoxically, the world is witnessing the development and accumulation of lethal weapons of war while many citizens of the world are sinking in abject poverty. This implies that the world has not made much progress towards humanization. But this also means that there is an acute deficit of wisdom in the world, especially within the ranks of world leaders. The world witnesses, through sophisticated communication technology, virtually on a daily basis the sights of extreme dehumanization resulting from wars and abject poverty; sights which cannot leave the conscience of any normal adult intact. If there were enough wisdom in the world today, then the fervent passion with which the world pursues war should have been directed towards elimination of abject poverty and towards better human understanding. Consequently, the world would have made much progress towards humanization or the establishment of a more humane world. But as things stand at the moment, countries of the world seem to be spending a lot of resources, more than on anything else, on the development or acquisition of weapons of war.

Humanization of the world should be an imperative particularly for philosophers. This is a basic concern in Oruka's philosophy. His master's dissertation of 1969 was on the concept of punishment and the necessity for its abolition. This dissertation was later developed into a book *Punishment & Terrorism in Africa* (1976/1985). The gist of the argument in this work, in both versions – dissertation and book– is that the criminal is not solely criminally responsible for the crimes. Therefore to punish such person alone without addressing the other contributing factors is not only morally unjustifiable but also legally unfair.

Though Oruka's argument here may be problematic especially in respect to the individual choice and role in such crimes, the important point is that if the human minimum were met for all people, then crimes would tremendously reduce and it would be probably clearer from that point to see the extent to which individual choice is a factor in criminal responsibility. It would make moral or legal sense to hold an individual criminally responsible only after it is proved that a crime was committed neither from desperation to survive nor due factors beyond an individual's control. But according to Oruka, most people are forced into criminality by their existential conditions which make it impossible for them to exercise their rationality and choice of action as moral agents. So, in this work, Oruka emphasizes the fact that criminals or most criminals are not free and therefore responsible for the commission of crimes. He believes that if the human minimum were met for all people, then most crimes would be reduced and most so-called criminals would cease to be so and treated, on the contrary, humanely.

Oruka develops his idea of freedom in his doctoral dissertation which was on "Concept of Freedom" (1970) and from which his book *Philosophy of Liberty* was developed. Oruka conceptualises freedom in a way that makes it necessarily practical. This conceptualisation is important in underscoring Oruka's main philosophical concern. He is concerned more not with formal or

abstract freedom but with substantive freedom or the worth of freedom. And this is an integral aspect of practical philosophy. He therefore conceptualises and defines freedom in terms of the fulfilment of human needs. This practical conceptualization of freedom is also important in delineating between fundamental and secondary freedoms. The delineation makes it possible for the prioritisation of fundamental freedoms over the secondary ones. Fundamental freedoms; that is, freedoms sought for the fulfilment of basic human needs, cannot be overridden or compromised by the demands of the secondary freedoms – freedoms for the fulfilment of secondary human needs.

A well-developed consciousness of freedom does not only dichotomise between fundamental freedoms and secondary freedoms, but also prioritizes fundamental freedoms over the secondary ones. Basic freedoms must take precedence over the secondary freedoms. Fundamental freedoms, according to Oruka, constitute the basic human rights or the right to a human minimum, which as we have explained, is universal and absolute right. The right to a human minimum is not only the minimum condition for the definition of a human person, but also the minimum that a human being can reasonably demand from fellow human beings or the rest of the world. It is the minimum obligation that a human being, by virtue of being human, can owe a fellow human being. The human minimum is also the benchmark of social justice. There can never be any sensible talk about social justice when this benchmark is not in place or is not secured, since above anything else, justice has as its main objective the preservation of human life.

Oruka's works on African philosophy revolve around the very main idea of human freedom and dignity in Africa. This very idea is central to all his works on African philosophy, even though that may not be immediately clear to some readers of his works. In addressing this central idea of human freedom and dignity in Africa, Oruka focuses on the meaning and role of philosophy not only in Africa, but in general. Oruka critiques the western racist

philosophical discourse and its legacy in the form of ethnophilosophy which disparages and denigrates Africans. The racist philosophical discourse and ethnophilosophy are based on an incorrect and wrong assumption that different races of men not only have fundamentally and radically different modes of rationality, but some modes of rationality are superior while some others are inferior. Africans or black race finds itself on the side of the later. The often sad implication of this assumption is that the supposedly superior race is accorded the divine will and moral duty to assist and lead the supposedly inferior race. This assistance and leadership more often than not takes the form of domination and oppression.

But ethnophilosophy apart from partaking in the incorrect and wrong assumption has another profound and serious irredeemable defect; it is dogmatic and closed. It can only attempt a description of collective modes of social life, mostly the past, based on some static mythical metaphysical principles such as vital force or power. As a consequence of such a defect, it is an exercise which is incapable of interrogating and critiquing the conditions of human existence not only in Africa, but anywhere else where it may be touted as a form of philosophy. But Oruka subscribes to the view that philosophy is necessarily a critical inquiry as well as normative. Ethnophilosophy being dogmatic cannot rationally be normative. Being normative entails openness to possible ideals which does not require holding to some static principles or beliefs but also the possibility of transcending the held principles or beliefs. Therefore it does not seem incorrect to doubt the philosophical status of ethnophilosophy.

Oruka therefore conceives of philosophy, at least in the strict sense of the term, as a critical inquiry which has the capacity to critique beliefs and practices in order to lay bare the possible flaws engendered in such beliefs and practices that hinder the realization of freedom and human dignity. But such a philosophy must also be committed to the search for better alternative

conditions of human existence than the prevailing ones; it must search for the possible ideal prospects open for human beings.

Oruka's sage philosophy addresses some important issues related to the idea of human freedom and dignity in Africa. The findings of the sage philosophy project proves not only that there was philosophy in traditional African societies, but also that rationality and philosophy are universal human activities that are not confined to any particular race nor a monopoly of the literate. Any race as well as any society regardless of whether it is literate or not; traditional or modern has the capacity for rationality as well as philosophy. This claim does not undermine or downplay the importance of formal education and training in philosophical reflection. Formal philosophical training makes a philosopher a better philosopher. It equips one with better theoretical skills and techniques for philosophical reflection. It also expands one's philosophical horizon in terms of the range of issues that one can address.

Sage philosophy only underscores the fact that literacy is not a prerequisite for rational thinking or philosophical inquiry. Rational thinking is prior to literacy. Therefore the illiterate should not be treated as people who are incapable of rational reflection and life. Philosophical sages, whether illiterate or literate, are capable of a rational mode of inquiry worthy of philosophical status. They reflect upon practical daily issues of their societies, and as a result not only pursue a rational and enlightened lifestyle, but also try to rationally enlighten their societies. One of the significant implications of sage philosophy project

is the affirmation that the traditional societies or illiterate people are not necessarily irrational. Therefore, there can never be any justification in an attempt to wholesomely denigrate and reject the traditional mode of life without due rational examination; neither can there be any justification for domination and oppressing the illiterate people under the pretext or assumption that their mode of life is backward and primitive in the pejorative sense, and consequently in need enlightenment or civilization. This implication in itself does not entail the undermining or rejection of enlightenment or civilization. Theoretically or ideally, enlightenment or civilization is rational and desirable. The problem comes in only when a mode of life that does not discriminate between nobility and moral decadence is considered enlightened or civilized.

Fundamental to sage philosophy is the issue of recognizing and, preserving or developing what is worthy of the traditional societies as well as recognizing the human dignity of the illiterates. Traditional societies or illiterate people should not be subjected to dehumanizing and undignifying policies or treatment simply because they are traditional or illiterate. In this respect, sage philosophy appraises traditional knowledge, beliefs and practices—in order to determine traditional knowledge which is still worthy and relevant to the contemporary times. As I have explained, sage philosophy has to be understood in the context of practical philosophy. It is primarily concerned with how knowledge is applied to the practical issues of life. But more importantly, it is concerned with the use of knowledge to solve practical problems and improve conditions of human existence.

Therefore, Oruka's philosophy and his philosophical commitment is fundamentally a concern with human survival and justice. This is a concern that is fundamental to virtually all major philosophical works of Oruka. Oruka's philosophical works revolve around the fundamental issues, of human survival, freedom, dignity and justice, all of which are inextricably connected. Such a philosophical concern cannot be apolitical. It has to intermingle and engage the power structure in society. It has to examine the power relation and its exercise since it is through the exercise of power that either injustices are perpetuated or tempered.

Since Oruka conceives of philosophy as necessarily normative, that is, the ultimate role of philosophy is normative. In this role, philosophy is ultimately concerned not only with human survival, but also the promotion of human dignity and the quality of human life – humanism; to use Oruka's word. But philosophy in its normative sense is necessarily moral. So Oruka's philosophy and his philosophical commitment is necessarily a moral concern. This concern is better understood from the theoretical background of Oruka's orientation into a holistic conception of philosophy or what Kant calls cosmical conception of philosophy by which theoretical philosophy is just a means towards clarification of issues which ultimately aims at proper understanding of practical human concern and problems, and the search for the possible solutions to such problems. The search for ways of constantly improving the quality of human life is the core of philosophy as a normative discipline.

I therefore conclude that Oruka had a philosophy which is not eclectic, but is based on some profound philosophical ideal running through his major philosophical works. Looked at from a holistic conception of philosophy and its major roles, Oruka's philosophy is tenable and inextricably political.

## **7.2 Recommendations**

From this work I would like to make the following recommendations. First, that in order for philosophy to be equipped to interrogate social conditions and seek possible ideal conditions of human existence, the practitioners of philosophy should centralize wisdom in the meaning and practice of philosophy. This would make philosophy essentially normative having as its primary concern the search for the improvement of the general human wellbeing.

The second recommendation is that there is need for scholars in particular and governments of the world in general to emphasize the need for universal respect and realization of the right to a human minimum. The logical consequence of doing so is the recognition and emphasis of global justice through its fundamental principle of the right to a human minimum.

The third recommendation is that a lot of effort and research by relevant disciplines should be directed towards not only articulating clearly the principles of global justice but also the principles of international justice so that the rights and duties that pertain to each are clearly understood and



universal recognized. It is hoped that, then, the world would be on the right track towards confronting the current ills that threaten human life and dignity.

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