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To cite this article: Munamato Chemhuru (2017) Gleaning the social contract theory from African communitarian philosophy, South African Journal of Philosophy, 36:4, 505-515, DOI: [10.1080/02580136.2017.1359470](https://doi.org/10.1080/02580136.2017.1359470)

To link to this article: <https://doi.org/10.1080/02580136.2017.1359470>



Published online: 26 Nov 2017.



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Gleaning the social contract theory from African communitarian philosophy

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The social contract is one of the most influential political theories in Western philosophy. Although the social contract theory is mainly associated with a number of thinkers in the broad history of social and political philosophy, I am particularly focused on the social contract theory proffered by two British philosophers, Thomas Hobbes and John Locke. While the social contract theory has mainly been influenced by these British philosophers, little has been done in terms of appraising its key normative ideas from non-Western philosophical traditions. In this article, I examine how the social contract theory might be understood differently from a non-Western perspective, if values salient in African communitarian philosophy are properly understood. As I attempt to establish how the African social contract theory can be gleaned from African communitarian philosophy, I make comparisons and contrasts between the social contract theory in the African tradition and the traditional social contract theory in Western philosophy. I intend to make a novel interpretation of the ideals of the former that are implicit in the African communitarian structure. I seek to provide reasons why the African communitarian structure could be taken as the normative basis for a plausible social contract theory in the African social and political context.

Introduction

If the state did not exist, would it be necessary to invent it? Would one be “needed”, and would it have to be “invented”? (Rawls 1971, 3)

These questions from John Rawls are central to my argument in this article. Despite coming much later in the debate concerning the social contract tradition, John Rawls poses fundamental questions which the social contract theories have been attempting to address in the history of political philosophy. The social contract tradition has been a central issue in the history of social and political thinking. Within the history of humanity, human beings have always attempted to establish ways by which they could come up with a social contract, a body politic, a commonwealth (See Hobbes [1651] 2005, 53). This refers to some form of social structure which human beings could be part of, and conform to. Such an arrangement is based on the view that human beings ought to have a contract or some form of agreement binding them together in order to live well.

This article juxtaposes the ideal social and political existence as construed by both Thomas Hobbes (1588–1679) and John Locke (1632–1704) on the one hand, against what I see as an ideal social contract in African communitarian thinking.¹ I consider the social contract tradition in Western philosophy to be comparatively analogous but fundamentally different from the one that I

1 As I compare and contrast the social contract theory in Western philosophical thinking with the African social contract theory, I try to avoid what Munyaradzi Murove sees as the nihilist approach to African ethics. This is the fallacy of assuming that there is nothing to be learnt from the African context (Murove 2009, 17). This is why I deliberately put the two social contract theories side by side and thereby avoid taking the African social and political reality as some form of a *tabula rasa*.

glean from African communitarian philosophy. However, as I sometimes make some comparisons and contrasts between the two social contract traditions, I do not wish to put them side by side and assess whether my idea of African communitarian social contract theory is either better or worse than the Western archetype because it is outside my intention here. From both the Hobbesian as well as the Lockean social contract theories in traditional Western philosophy, the following factors make it possible and inevitable to form a social contract or civil government: the uncertainty and possibility of anarchy in the state of nature, the nature of human beings (especially in the Hobbesian view), the human rational abilities,² the quest for social order, the preservation of individual human liberties and private property. However, in the African social and political context, the social contract is mainly informed by the need for communitarian existence, the common good and human welfare, and not necessarily by individualistic aspects such as human reason, the protection of individual lives and liberties, as well as property, like in the case of Hobbes and Locke.

In this article, I argue that African social and political theories ought to be mainly rooted in and informed by communitarian social and political thinking, although it is not true that all Africans are in agreement on the communitarian structure of existence. Notwithstanding this objection, Elvis Imafidon argues that "...the bid to establish and sustain the moral equilibrium and social harmony among human beings and other aspects of existence in the cosmos invariably necessitates a social ethics that places emphasis on togetherness for communal and human well-being" (Imafidon 2014, 37). In light of this view, my argument is that, instead of being focused on human nature, human reason, life, liberty and the attributes of the individual human person, African social and political thinking is mainly rooted in and informed by its communitarian orientation (see also Menkiti 1984; Gyekye 1992a, 101–122; 1992b, 243–255). As he looks at "The Ontological Foundation of a Social Ethics in African Traditions", Imafidon confirms the view that "it is perhaps fitting to describe normative ethics in African traditions as social and humanistic in nature, owing to the emphasis that African communities place on togetherness, communalistic behaviour, and cooperation" (Imafidon 2014, 37). African ethics and political thinking cannot be understood from an individualistic and atomic conception of human persons, but that it boils down to the community of such human persons owing to its emphasis on "Traditional Political Ideas [and] Their Relevance to Development in Contemporary Africa" (Gyekye 1992b, 243–255).

First, I briefly outline the main ideas within the Hobbesian and Lockean social contract theories. I do not intend to imply that these two fundamentally distinct political theories could be taken to be the same in terms of their argument. However, I note certain fundamental similarities and convergent views in these two social contract theories in Western philosophy. This is why I deliberately bracket them together in order to make some critical comparisons and contrasts with the kind of social contract which I glean from African communitarian philosophy. This comparison and contrast should not, however, be understood to imply gauging the best or worst out of the two respective social contract theories.

In the second section, I proceed to examine the nature of African communitarian thinking. I seek to consider African communitarian philosophy in terms of how it could be understood as forming the basis for a viable social contract theory in the African tradition. In the third section, I critically situate the ideal social contract theory within the African communitarian philosophy. Here, I critically assess the Western and the African social contract theories in terms of how they differ on key concepts such as the state of nature, human nature, *raison d'être* for the social contract as well as on the understanding of life, liberty and property. Overall, I come to the conclusion that the African social contract theory is also appealing and attractive if one seriously considers its practical import from African communitarian thinking just as the case with the utopian view of the social contract theories proffered by Hobbes and Locke. I also seek to dispel the nihilist approach to African social and political thinking (see also Murove 2009, 17).

The Hobbesian and Lockean social contract

In this section, I examine central ideas in Thomas Hobbes's and John Locke's social contract theories

² See John Jocke, for example.

at the same time. I do not intend to give the impression that they both subscribe to the same opinions with regard to their understanding of political thinking. However, notwithstanding their diverse views, I find some striking connections with regard to the issues that they deal with, especially in their treatment of the ideas of the state of nature, human nature and the need for civil government. These are what make it possible to juxtapose the social contract tradition in the Western tradition with the African social contract theory. My ultimate aim is to show how African communitarian philosophy exhibits a social contract theory similar to the Hobbesian and Lockean social contracts, despite some fundamental differences that I will examine in the next section.

As a social and political theory, the social contract tradition is mainly premised on the need for social order among human beings living within a defined political space. It is a social and political theory that is based on the assumption that, without certain constraints on some fundamental human liberties and natural equality among human beings, the natural state or natural condition of human beings is a very strong incentive for social anarchy.³ As Hobbes sees it,

...hereby it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war is of every man against every man. For war consisteth not in battle only, or the act of fighting, but in a tract of time, wherein the will to contend by battle is sufficiently known: and therefore the notion of time is to be considered in the nature of war, as it is in the nature of weather (Hobbes 1651, 78).

Although Locke does not see the natural state or state of nature as a state of war as in the Hobbesian sense, he also shares the same scepticism with Hobbes about maintaining the natural state of human beings as the status quo. For Locke:

...but though this be a state of liberty, yet it is not a state of licence; though man in that state have an uncontrollable liberty to dispose of his person or possessions, yet he has not liberty to destroy himself, or so much as any creature in his possession, but where some nobler use than its bare preservation calls for it (Locke 1823, 107).

Similarly, to confirm Locke's insecurity with the state of nature, Robert Nozick argues that "individuals in Locke's state of nature are in a state of perfect freedom to order their actions and dispose of their possessions and persons as they think fit, without asking leave or dependency upon the will of any other man" (Nozick 1974, 10). Interpreted correctly, this explains why social contract theorists argue and accept the view that "the need naturally exists for us to form some sort of agreement to treat each other with basic respect and follow certain basic rules. That is, we find it most advantageous to form a social contract to base our lives in general and our moral judgements" (Browne n.d., 1). This is the ideal social and political arrangement which Hobbes, Locke and other social contract theorists pursue.

The starting point for the social contract theorists is a conception of the nature of human beings in their natural condition. Despite fundamental differences in Hobbes's and Locke's conceptions of natural law and human nature, there are fundamental and striking similarities between their social contract theories which make it possible to bracket them together and juxtapose their social contract ideals with an African ideal social contract that I see in communitarian living. Although Hobbes has an extremely negative view of human nature, while Locke gives the human person some benefit of doubt because of their possession of the faculty of rationality, their common rallying point is a well-ordered society. Their fundamental point of agreement lies in their quest for a well-ordered society that is not reminiscent of the state of nature. This tradition is also taken up by other social contract theorist like John Rawls (1971) and Robert Nozick (1974). For example, Rawls sees "a well-ordered society as one designed to advance the good of its members and effectively regulated by a public conception of justice" (Rawls 1971, 397). This idea could be reasonably interpreted to

3 Almost all social contract theorists are unanimous on this view although they differ in terms of the degree and extent of such social anarchy because of their varied conceptions of human nature. I therefore do not wish to pretend that all social contract theorists (including John Locke) have the same conception of the natural state of human beings.

be Rawls' quest for a social contract that is based on a public conception or understanding of justice. As a result, although Rawls and Nozick are more focused on how justice could be distributed within a given social contract, they also contribute to the traditional views about the social contract theory.

From an interpretation of the social contract tradition in Western philosophical thinking, the impression that one gets, especially from both Hobbes and Locke (although Locke does not really share the extreme pessimism about human nature that permeates Hobbes's view), is that human beings are naturally evil, selfish or egoistic and always want glory and power.⁴ To confirm this negativity about human beings, Hobbes argues that

competition of riches, honour, command, or other power inclineth to contention, enmity, and war, because the way of one competitor to the attaining of his desire is to kill, subdue, supplant, or repel the other. Particularly, competition of praise inclineth to a reverence of antiquity. For men contend with the living, not with the dead; to these ascribing more than due, that they may obscure the glory of the other (Hobbes 1651, 61).

Such pessimistic thinking about human beings and human nature is also implicit in much of Western philosophical thinking as it is also shared by some of the most influential political thinkers like Frederick Nietzsche and Niccollo Machiavelli. For example, in one of his most influential political works, *The Prince*, Machiavelli defends this negativity which he sees to be implicit in human beings. For him, "one can make this generalisation about men: they are ungrateful, fickle, liars, and deceivers, they shun danger and are greedy for profit; while you treat them well, they are yours" (Machiavelli [1531] 1961, 71).

In contrast to the above view, Locke argues that

the state of Nature has a law of Nature to govern it, which obliges every one, and reason, which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions; for men being all the workmanship of one omnipotent and infinitely wise Maker; all the servants of one sovereign Master, sent into the world by His order and about His business; they are His property, whose workmanship they are made to last during His, not one another's pleasure (Locke 1823, 107).

Notwithstanding the above conceptions of human beings, Hobbes and Locke think that it is possible for human beings to come out of the state of nature and form a social contract or body politic. They both agree that such kind of human beings with such liberty at their disposal could not be imagined to continue to exist in the envisaged state of nature given the characteristics of humans and the character or outlook of human nature. Despite their contrasts with regard to human nature, these two British philosophers are in agreement that human salvation lies fundamentally in the individual capacities and capabilities of the individual human beings.

Another striking feature of the Western social contract tradition is that the place of human persons, particularly the individual person, is central in the determination of social and political thinking, morality or what *ought to be*. This is the main reason why the basis and possibility of the social contract in both Hobbes and Locke mainly lies on the rational abilities of the human beings who all willingly decide to form the body politic. Otherwise the main pillar of the social contract lies in the individual human being and human reason. This is contrary to African communitarian thinking as I will establish later on.

Because of the central role of the human person and human reason in constituting the body politic, a common characteristic of the Western social contract tradition in both Hobbes and Locke is the atomistic conception of human nature. Both philosophers share this atomistic conception of human nature in so far as they all think that the best way to understand society is to go to the individual beings that constitute it. Although he is not more focused on John Locke's social contract theory,

⁴ I do not wish to assert that John Locke shares the same conception of human nature with Thomas Hobbes. However, the fact that they are all in agreement that the state of nature is unbearable confirms their suspicions about human persons. This is why I partly argue that these two philosophers are not so positive about human beings.

Antoine Clarke observes the following with regard to Hobbes's atomistic conception of human nature:

Hobbes's method in the *Leviathan* is to define the principles of human action, to progress hence to an account of human motivation and so to a theory of how to organise human society. An essential feature of this chain of analysis is that Hobbes has an atomistic conception of human society, based on his study of physics. Having rejected organicism, Hobbes proceeds to advance the view that humans were impelled into motion by the mechanical effects of our senses. These were not supposed to be merely reflex actions. Hobbes contends that humans use their volition to guide their actions away from those situations which are harmful, and towards those which are beneficial. Hobbes uses the terms appetite and aversion to describe the conflicting impulses (Clarke 1995, 2).

This kind of atomism is, however, contrary to the African organicist conception of human society, which I will consider when I look at African communitarian thinking in the next section.

In the social contract theories of these two philosophers, the quest for self-preservation, individual liberty and property remain some of the ultimate *ends* or goals of getting into the social contract. In particular, John Locke is very explicit about the need for the protection of human life, liberty and property in the social contract. According to Locke, "whether we consider natural reason, which tells us that, men being once born, have a right to their preservation, and consequently to meat and drink and such other things as Nature affords for their subsistence" (Locke 1823, 115). Locke's theory, which has come to be known as the labour theory, clearly emphasises on the individualistic conception of human beings, especially towards the acquisition of private property. According to Locke,

[t]hough the earth and all inferior creatures be common to all men, yet every man has a "property" in his own "person". This nobody has any right to but himself. The "labour" of his body and the "work" of his hands, we may say, are properly his. Whatsoever, then, he removes out of the state that Nature hath provided and left it in, he hath mixed his labour with it, and joined to it something that is his own, and thereby makes it his property. It being by him removed from the common state Nature placed it in, it hath by this labour something annexed to it that excludes the common right of other men. For this "labour" being the unquestionable property of the labourer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others (Locke 1823, 116).

The preceding highlights the major strands of the Hobbesian and Lockean social contract theories. As I try to examine the social contract theory within an African context, I attempt to interpret an almost similar, but fundamentally different conception of political thinking that is found in African communitarian philosophy. I start by giving an outline of the nature of African communitarian philosophy. I then proceed to examine African communitarian thinking in terms of its import to social and political thinking, particularly how it could be taken as the basis for an African social contract theory.

African communitarian philosophy

Because the tortoise has no clan, he has already made his casket⁵ (Gyekye 1996, 45).

African communitarian thinking has generally been mistaken to be characteristic with traditional precolonial African communities. However, it is a fact that contemporary African societies are still reasonably communitarian despite the effect of modernity and Western culture on these African communities. This is why throughout the article I still refer to contemporary African communities as communitarian, despite scepticism on whether contemporary Africa is still communitarian

5 This Akan proverb from Gyekye easily captures the importance of communitarian existence in African philosophy. At the same time, it also alludes to the consequences of individualistic existence.

and at the same time compatible with these communitarian ideas. However, Gyekye assures us that such communitarian features “can be said to be harmonious with the ethics of contemporary political culture and hence relevant to developments in political life and thought in modern Africa” (Gyekye 1992b, 242). I therefore use “African communitarian” with reference to both the traditional precolonial societies as well as the postcolonial African societies. This is because in spite of the potential of communitarian thinking in Africa’s development as Gyekye observes, even contemporary African communities still exhibit more of these communitarian aspects of existence. Most of these contemporary African societies still place emphasis on, for example, the traditional communitarian philosophy of ubuntu as the guiding principle of human social and political organisation in much of sub-Saharan Africa.

That African social and political thinking is largely communitarian in structure cannot be overemphasised. By communitarian structure, I mean that such communities exhibit some form of communal existence where individual human beings in these communities associate themselves more with others than always seeking individual aggrandisement. Within African social and political life, it is communal existence which takes precedence over individual existence. The works of John Mbiti (1969, 106), Ifeanyi Menkiti (1984, 171–181), Stanlake Samkange and Tommie Marie Samkange (1980, 11–106), Kwame Gyekye (1992a, 101–122; 1992b, 243–255) and Mogobe Ramose (1999, 49–66) all confirm the view that in African philosophy existence is essentially tied to the community rather than to the individual human being.

Mbiti’s famous dictum that *I am because we are* (Mbiti 1969, 106) captures this kind of understanding of existence where the individual can only define the self by reference to the community. Menkiti also emphasises on the African communitarian structure of existence by arguing that in African thinking, “...man⁶ is defined by reference to the enviroing community” (Menkiti 1984, 171).⁷ Despite its strong form, Menkiti’s observation about the kind of communitarian thinking in African philosophy is correct. Gyekye settles for what can be taken to be a moderate form of communitarian existence, which is what I take as an acceptable form of communitarian thinking that takes into account the mutual interests of both the community and the individual person. This is despite Famakiwa’s contention that Gyekye’s moderate communitarianism “is not as moderate as Gyekye believes it to be” (Famakiwa 2010, 65). Notwithstanding such objections, for Gyekye, communitarian aspects in African sociopolitical thinking are the main characteristics of African cultures (Gyekye 1992a, 102).

Although Famakiwa (2010, 69) has strong reservations with regard to Gyekye’s moderate view of communitarianism, to emphasise the centrality of communitarian existence and its import to various social and political contexts, Gyekye submits the following argument, which I also take as plausible:

communitarianism sees the human person as an inherently (intrinsically) communal being, embedded in a context of social relationships and interdependence, never as an isolated atomic individual. Consequently, it sees the community not as a mere association of individual persons whose interests and ends are contingently congruent, but as a group of persons linked by interpersonal bonds, biological and/ or non-biological, who consider themselves primarily as members of the group and who have common interests, goals and values (Gyekye 1992a, 104).

Following such thinking, it may therefore be reasonable to hold the view that “in African philosophy, the individual human person cannot successfully exist alone [socially and politically] as an atomic individual who is ontologically and ethically independent of other individuals and effectively achieve his or her goals in life” (Chemhuru 2016, 215). In that light, African sociopolitical life is therefore defined by communal existence and participation, rather than the quest for individual, social and political glory. Political salvation is therefore realised by association and participation by

6 I use this word with some guilty conscience. By *man* Menkiti meant human beings including women. This is why I am hesitant to take it as it is being used by Menkiti.

7 Although Menkiti seems to be advocating for what can be seen as some strong form of communitarian thinking in African philosophy, this is not what I seek to defend. I will take Gyekye’s moderate form of communitarian thinking because Gyekye’s kind of communitarian thinking seems to leave room for accommodating individual autonomy.

individuals within the community or body politic. In my view therefore, communitarian thinking ought not just to be taken as a descriptive, but rather as a normative understanding of human existence.

The inherently communitarian feature of African political life is mainly shaped by the normative conception of human beings found in African philosophy. Such a view of the person considers humans as socially and politically inseparable from others. As he contrasts the African conception of the individual with the Western conception of the person, Ifeanyi Menkiti observes that

...the first contrast worth noting is that whereas most Western views of man abstract this or that feature of the lone individual and then proceed to make it the defining or essential characteristic which entitles aspiring to the description “man” must have, the African view of man denies that persons can be defined by focusing on this or that physical or psychological characteristic of the lone individual. Rather, man is defined by reference to the environing community (Menkiti 1984, 171).

Consequently, I argue that communitarian thinking could or ought to be taken as the normative basis for interpreting and understanding the African social contract theory because communitarian existence is intertwined with social and political thinking. However, this kind of communitarian thinking should not be understood to mean that the individual totally submits the self to the community, in this case, the body politic, or that the community will have exclusive rights over the individual person/s.

One can also argue that “the aspect of African communitarian existence implies that the human person should not exist as a lone individual and at the same time, it must be emphasised that the interests of the community should not be taken to override those of individuals that constitute it” (Chemhuru 2016, 216). This means that the individual person does not necessarily lose his/her individuality by merely associating with the community as Famakiwa would like us to believe in his well-argued critique of Gyekye’s moderate communitarianism (Famakiwa 2010, 65–77). Although Mpho Tshivhase seems to be sceptical about communitarianism for what she feels to be a threat to liberalism and individual uniqueness (Tshivhase 2014, 119–140), Masolo assures her that “communitarianism is committed to the view that for human beings the world starts with the individual” (Masolo 2014, 196). In spite of Famakiwa’s and Tshivhase’s reservations with moderate communitarianism, this view is also addressed in Gyekye’s notion of moderate or restricted communitarian thinking as it

...gives accommodation to communal values as well as to values of individuality, to social commitments as well as to duties of self attention. Even in its basic thrust and concerns it gives prominence to duties toward the community and its members, it does not – cannot – do so to the detriment of individual rights whose existence and value it recognises, or should recognise, and for a good reason (Gyekye 1992a, 121).

While Famakiwa raises pertinent arguments against Gyekye’s moderate view of communitarianism, I do not wish to respond to such views in support of Gyekye because it is outside the scope of my discussion here. Although I take his objections to be incisive, I will still take Gyekye’s moderate view of communitarianism as the basis for an African social contract because of its appeal to both communitarian and individualistic interests.

Against this background, I therefore take this normative understanding of communitarian thinking to be the bedrock of the social contract theory in African social and political thinking. In what follows, I situate the social contract theory within the African communitarian set-up. As I seek to dispel the nihilist interpretations about African political thinking, I advance a social contract theory that is uniquely African.

Situating the social contract within the African communitarian structure

In this section, I will proceed to situate the social contract within the African communitarian set-up. I critically interrogate key ideas within the social contract tradition such as the state of nature, the African conception of human nature as well as how the ideas of property, the common good and

general will could be accommodated within the African communitarian social and political setting. As I focus on these ideas, I attempt to make comparisons and contrasts with what Thomas Hobbes and John Locke observe about the social contract in the Western philosophical tradition.

In the African communitarian set-up, the state of nature could be ideally conceptualised as the stage before the individual identifies with the community at large, in which case a closer reading of communitarian thinking shows that an individual is born into the very social web so that there is no escaping from it from the very start of one's life. In Hobbes and Locke, this stage represents the time preceding when individuals submit their natural rights to a common authority. It is the period before association, or that period where natural law is the only form of "authority" to which the individual can appeal to. This is why in Hobbes, it could be understood to be a state in which there is *the war of all against all* because of his negative conception of human nature. Although he does not share the same negative conception towards human nature, Locke also seems not to be so positive about human beings because he still sees the need to move out of the state of nature despite possession of reason.

In my view, within the African communitarian structure, this state of nature might either be a very short period in the history of the individual, or that it is non-existent. I hold this view suspiciously because there are no stages within the African understanding of existence where the individual can be defined by reference to one's individual capacities, capabilities, abilities and traits such as reason, like we have seen in both Hobbes and Locke, despite one having these capacities. In holding on to this view, I do not want to confirm that individuals are not imbued with the capacity to reason as may be implicit. I would suspect that the communitarian tendency could actually be taken as a manifestation of the best reason. As a result sociality becomes something that is natural within an African communitarian structure. According to Gyekye, "being a member of the human community by nature, the individual is naturally related or oriented toward other persons and must have relationships with them" (Gyekye 2013, 230). So the social contract in the African context is not characteristic of anarchy or potential anarchy as in the Hobbesian and Lockean respective conceptions.

In traditional Western political thinking, the state of nature is mainly characterised by individual autonomy which is mainly guaranteed by the universal law of nature where all individuals enjoy natural equality and freedom under the universal natural law. The law of nature is therefore the source of misery for individuals in their state of nature, particularly in Hobbes. However, within African political thinking, as informed by communitarian structures of existence, such natural equality and unrestricted freedom among individuals virtually does not exist. Since African communitarian societies respect the hierarchy of being, where the elderly have more authority over the young because of better and varied experiences as well as more folk wisdom gained in the journey of life, it is therefore possible to regulate the selfish and individualistic tendencies that are characteristic of a young age and unrestrained freedom. This view concurs well with my earlier submission that the state of nature (which is the period before the individual associates with the other) might not in essence exist in the African communitarian structure.

Besides human reason, which Locke takes as the basis for at least some peaceful co-existence in the state of nature and the transition into the social contract through forming some social order, I see the African social contract to be fairly reasonable such that, realistically, there could be no need for individuals to get into a new social contract. However, the reason why the African social contract is necessary through communitarian existence is that individual existence is not possible within the African communitarian thinking in the first place. All individuals see the need for association and participation in the community of others (see also Samkange and Samkange 1980).

As opposed to the African social contract theory that does not necessarily put strong emphasis on individual human reason⁸ in place of communitarian existence, both Hobbes and Locke borrow much from the philosophical tradition that stresses so much on individual human reason as the basis for social order. According to Chemhuru, "a dominant feature of Western philosophical thinking

8 This view should not be misinterpreted to imply that African communitarian society do not respect human reason. It is only meant to emphasise the individualistic nature of Western philosophical thinking.

has been the emphasis on the importance of human reason as informed by the classical Socratic – Platonic and neo-Platonic philosophies, philosophical realism and Cartesian philosophical traditions” (Chemhuru 2014, 75). This rather fairly individualistic and atomic view of existence (*ibid.*, 76) is also shared between Hobbes and Locke, as well as other Western social contract theorists. However, African communitarian philosophy does not place priority on individual human reason. Rather, the community is the most important organ which the individual ought to associate with, and be part of. African communitarian thinking seems to be suspicious of “individual human reason [because it is] one of the factors [responsible for] championing individualism, egoism and the promotion of an atomic and subjective morality” (Chemhuru 2014, 76).

The social contract theory in the African communitarian context seems to be more realistic and practical than utopian. According to Sam Green, “utopia broadly conceived, is an image of a world not yet in existence that is different from, and better than the world we inhabit now” (Green 2012, ix). Similarly, the Hobbesian and Lockean social contract theories seem to be utopian in so far as there is not such a historical antecedent or actual period in the history of humanity where human beings have been in the conditions of the state of nature and social contract. Rather, the state of nature is just a non-existent community that is just imagined. This is what makes it a utopia. On the contrary, the African social contract is at least realistic in so far as human beings actually experience and live within the communitarian kind of existence, which is the basis of the social contract. Communitarian existence is a lived reality within the African social and political context.

An important aspect of African communitarian existence which socially and politically binds human beings within their social contract is the idea of the common good that is enshrined in the philosophy of ubuntu.⁹ However, this idea of the common good cannot be taken to be totally strange to Hobbes’s and Locke’s social contract since the need to leave the state of nature was not motivated by individualistic goals. Similarly, ubuntu within the African social contract is generally taken as an expression of the people’s common good, “the good of all the individuals within a society” (Gyekye 2013, 228). It is such that ubuntu is regarded as an essential moral expectation within the community and at the same time a philosophy of life. As such, it can therefore be taken as the basis for the common good of all individuals in the community. As Gyekye sees it,

[t]he common good is a notion that is conceptually affiliated to the notion of community and, thus, to the notion of human society as such. The common good is an essential feature of the ethics espoused by the communitarian African society. The pursuit of the good of all is the goal of the communitarian society, which the African society is (Gyekye 2013, 229).

African communitarian existence is therefore more focused on the promotion of the common good of the society. However, while this view of the common good may be misunderstood to imply that the social contract in African communitarian thinking takes away individualistic values such as individual personal will, identity and liberty¹⁰ at the expense of the common good, this is not the case. The idea of the common good in the African social contract ought to be understood in such a way that the social or communitarian being also has individual life, liberty, will and identity among others. This view is also captured in the following Akan maxim that Gyekye gives:

The clan is like a cluster of trees which, when seen from afar, appear huddled together, but which would be seen to stand “individually” when closely approached (Gyekye 1996, 47).

Although the individuals give themselves to the community within the African social contract, the individual person remains with one’s autonomy, free will and determinism. The person does not totally submit the self to the community such that individualistic values are diminished by the understanding of the common good in such a communitarian set-up (see also Gyekye 1996, 47). Understood this way, therefore, the freedom that the individual may enjoy outside a communitarian

9 Ubuntu is one of the most influential social, moral and political theories in African philosophy. The idea of ubuntu generally as a moral theory or a “lived” philosophy has recently received varied interpretations. I do not intend to venture into these discussion and debates on ubuntu. Such an undertaking will come at another appropriate time.

10 See also Gyekye (1996, 47).

set-up is as good as the kind of freedom that the individual enjoys in a communitarian society that is governed by the common good. Robert Bellah also has a similar understanding of society in which the community should not be understood to imply complete consensus among individuals in society (Bellah 1995, 49–54). This view could therefore be taken as a justification of the moral superiority of the community over the individual. This idea is also comparable to the idea of the *general will* in Jean Jacques Rousseau's social contract theory where the general interests of the body politic (in this case, communitarian society) take precedence over the particular interests of the individual. The justification of such an approach is that the general will is a product of individual, particular interests. Hence, the community can be construed as *the government of the people* in a sense.

Closely associated with the above understanding of the common good and the general will, another remarkable feature of an African communitarian political reality is consensual democracy (see also Wiredu 1996, 163.) Consensual democracy is a characteristic feature of the African social contract that one can identify from communitarian thinking. This is the kind of democracy governing the social contract theory that is based on general agreement and compromise on divergent viewpoints among members within the social contract. According to Gyekye,

consensus allows for everyone an opportunity to speak his or her mind and to contribute to a debate on the issue at hand; it promotes patience, mutual tolerance, and an attitude of compromise – all of which are necessary for inclusive democratic practice in which everyone is expected to appreciate the need to change or even abandon their position in the face of more convincing arguments by others (Gyekye 2013, 244).

Consequently, the pursuit of consensus within the African social contract makes it possible for the will of every member of the body politic to be reconciled together for the common good of everyone. The kind of democracy one can glean from the African social contract is not only consensual, but also participatory. It is participatory in so far as individuals that constitute the social contract (the community) actually participate in the making of decisions that concern their social and political affairs.

Conclusion

One of the ultimate aims of this article is partly to address one of Ramose's concerns about African epistemology when he rightly observes that "...the indigenous conquered people of Africa must construct an epistemological paradigm on their own as a means of expressing their authenticity and to attain true liberation" (Ramose 2009, 413). In the same spirit, I note that African communitarian philosophy has sometimes been blamed for being an anachronism, in so far as it is viewed as being irrelevant to present social, political and economic realities facing individuals and communities in Africa. However, in this article, I take a sympathetic approach and interpretation of it as I seek to examine how it could be seen as being relevant to Africa's social and political context. As I focus on the import of communitarian thinking to the social contract theory, I try to understand the African social contract differently from the traditional social contract theory in Western philosophy. I seek to conclude by arguing that a social contract theory can easily be gleaned from the African communitarian existence. Consequently, I advance the view that, if properly re-visited, African communitarian philosophy can be taken as the starting point in understanding an African social contract theory. Such an African social contract theory, if pursued further, could be taken as a framework for understanding the diverse social, political and economic problems that African communities currently face.

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